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CO-PROSECUTORS' FINAL TRIAL BRIEF IN CASE 002/01

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III. INTRODUCTION

1. The Co-Prosecutors submit this closing trial brief (“Brief”) in accordance with the orders of the Trial Chamber (“Chamber”) of 24 July¹ and 12 September 2013.² The purpose of the Brief is to demonstrate beyond reasonable doubt that the conduct of the Accused, **Nuon Chea** and **Khieu Samphan** satisfies all elements of the crimes charged and legal requirements of modes of liability in Case 002/01 and requests the Chamber to convict both Accused and impose sentences of life imprisonment.
2. To assist the Chamber in understanding the basis of the Co-Prosecutors’ theory of liability of the Accused and the rationale for the sentence requested the Brief has been divided into three main parts: 1) the evidence of factual allegations proving the crimes and the Accused’s participation in those crimes; 2) the legal characterisation of the crimes and the conduct of the Accused and 3) the legal and factual basis for the sentence requested. Preceding these sections, the Co-Prosecutors address general matters by providing a short procedural history of the investigation, trial and severance of charges in this trial. It also requests the Chamber to draw adverse inferences against both Accused for failing to respond to questions after waiving their right to silence.
3. The submissions on factual allegations address nine topics: 1) the criminal policies developed by the Accused; 2) the origins and development of the CPK and its policies prior to 17 April 1975; 3) the facts associated with the first phase of the forced movement of the population from Phnom Penh (“First Forced Transfer”); 4) the facts associated with the execution of former Khmer Republic officials at Tuol Po Chrey; 5) CPK meetings between 17 April - September 1975; 6) the facts associated with the second phase of the forced movement of the population to primarily the North and Northwest Zones (“Second Forced Transfer”); 7) the CPK authority and communications structures and the notice of crimes provided by these means to CPK leaders; 8) the role of Nuon Chea in the criminal events; and 9) the role of Khieu Samphan in the criminal events.
4. The submissions on legal characterisation address two topics: 1) the legal characterisation of the criminal events, demonstrating how the evidence establishes beyond reasonable doubt each element of the crimes charged and 2) the legal characterisation of the participation of the Accused in the criminal events demonstrating how the evidence establishes beyond reasonable doubt each legal requirement of the modes of liability charged.

5. The submissions on conviction address the applicable law on cumulative convictions and subsumption of modes of liability, and submissions on sentencing address the applicable law in terms of sentencing ranges, gravity of the crimes, aggravating and mitigating factors and a request for a custodial sentence.
6. Finally, the Submission is accompanied by three annexes: 1) a glossary of terms (**Annex 1**); 2) an attendance chart of Standing Committee Meetings (**Annex 2**); 3) two factual chronologies relating to Nuon Chea's and Khieu Samphan's conduct relevant to the crimes charged both with evidentiary sources (**Annexes 3 and 4**) and in condensed form (**Annexes 3A and 4A**).

IV. GENERAL MATTERS

A. SEVERANCE OF CHARGES

7. On 11 September 2011, the Trial Chamber issued the first severance order, by which it separated the proceedings in Case 002 into a series of trials. The first of these trials, Case 002/01, would address the alleged criminal responsibility of the Accused for crimes committed in the course of forced movements of the population phases 1 and 2, as well as the following issues (of which the Parties had been notified previously):³
 - (a) *The structure of Democratic Kampuchea;*
 - (b) *Roles of each Accused during the period prior to the establishment of Democratic Kampuchea, including when these roles were assigned;*
 - (c) *Roles of each Accused in the Democratic Kampuchean government, their assigned responsibilities, the extent of their authority and the lines of communication throughout the temporal period with which the ECCC is concerned; and*
 - (d) *[JCE] Policies of Democratic Kampuchea on the issues raised in the Indictment.*⁴
8. The Chamber made clear that it intended to hear a wide scope of evidence on authority and communications structures, and roles of the Accused in the CPK and DK, in order to "provide a general foundation for all the charges, including those which will be examined in later trials"⁵ The Chamber also informed the Parties that it may at any point expand the scope of Case 002/01, subject to, inter alia, timely notice.⁶ On 8 October 2012, having heard the parties' submissions on the issue, the Chamber expanded the scope of the trial to include the 1975 executions at the Tuol Po Chrey crime site.⁷
9. The cumulative effect of the above decisions were that, in the current trial, the Chamber included the detailed examination of the development and implementation of the policies directly relevant to the Case 002/01 crime sites, namely; (a) forced movements

of the population; and (b) the targeting of Khmer Republic soldiers and officials.⁸ Insofar as the policy on the killing of enemies and re-education of bad elements is also related to the events examined in Case 002/01, as well as to the roles of the Accused in CPK/DK, the Chamber has also heard extensive evidence of the origins and development of that policy. By contrast, the Chamber has made it clear from the outset that the remaining JCE policies would only be considered “in general terms” so as to “to enable the manner in which policy was developed to be established.”⁹ This approach would “enable the Co-Prosecutors to place [the Case 002/01] offences within the broader context of the JCE in which all Accused are alleged to have participated.”¹⁰

10. The severance of this case has been the subject of two appeals before the SCC. On 8 February 2013, the SCC annulled the first severance order without prejudice to the Trial Chamber’s reconsideration of the issue of severance.¹¹ The SCC held that, if the Trial Chamber elected to sever the case, it was required to either: a) formulate a plan for the adjudication of the totality of the charges against the Accused; or b) if it proceeds to judgment on a portion of the Closing Order within one smaller trial, give due consideration to reasonable representativeness of the charges.¹² The Trial Chamber issued its second severance decision on 26 April 2013, limiting the scope of Case 002/01 to the same facts and charges as in the first severance order (and related decisions).¹³ Ruling on appeals against this second decision, the SCC held that the Trial Chamber had committed an error of law and an error in the exercise of its discretion by failing to comply with the SCC’s instructions.¹⁴ The SCC nevertheless declined to order the inclusion of additional facts and charges within Case 002/01, finding that such a decision would lead to unnecessary delays.¹⁵

B. ADVERSE INFERENCES

11. The Co-Prosecutors submit that, given the decisions of the Accused to testify selectively, the Chamber should draw negative inferences against them on the evidence, and should afford no probative value to their statements which have not been subjected to examination by the Judges and all parties.
12. At the outset of this trial, fully informed of their rights, the Accused explicitly waived their right to remain silent. **Nuon Chea** gave evidence and answered questions from the judges in the early stages of the trial.¹⁶ In his opening remarks, **Khieu Samphan** stated that he intended to testify. He also made a number of in-court statements on the evidence, but chose to defer his examination until he heard all the evidence against him.

- In later proceedings, he answered questions put to him by a number of Civil Parties.¹⁷ Nonetheless, when their testimonies were scheduled in the final stages of the trial, both Accused refused to subject themselves to any further questioning whatsoever.
13. Anticipating that this situation may arise, the Co-Prosecutors made several written and oral submissions on the issue of adverse inferences from the early stage of the trial. In those submissions the Co-Prosecutors stated that a decision to give evidence selectively should result in adverse inferences being drawn against the Accused on the evidence.¹⁸ In a filing of 17 February 2012, the Co-Prosecutors requested the Chamber to give notice to **Khieu Samphan** that: a) since he had waived his right to silence, adverse inferences may be drawn from any decision to withdraw from testifying; and b) that his in-court statements will not be accorded significant evidential weight if he refuses to subject himself to examination.¹⁹ In its ruling of 18 April 2012, the Chamber informed the Accused that “where the Accused elects to alternate between silence and giving testimony, this may be noted by the Chamber when assessing his credibility.”²⁰ It also observed that “the relevant international jurisprudence indicates that adverse inferences from selective decisions to remain silent may be drawn.”²¹
14. As late as 27 May 2013, **Khieu Samphan** reiterated his intention to continue testifying. However, on 8 July 2013 his Defence filed a notice informing the Chamber that **Khieu Samphan** was now refusing to give further evidence, and put forward a series of supposed breaches of his fair trial rights as the reason for that decision.²² On 9 July, 2013 the Co-Prosecutors rejected **Khieu Samphan**’s purported reasons for withdrawing from testimony, and submitted that the Trial Chamber should remind the Accused that adverse inferences may be drawn from his refusal to continue testifying.²³ Judge Lavergne emphasised the importance of this position and reminded the Accused of the Chamber’s prior ruling.²⁴ On 16 July 2013, the Co-Prosecutors filed further submissions refuting in detail **Khieu Samphan**’s claims as to supposed breaches of his fair trial rights,²⁵ and incorporate these submissions by reference.
15. On 17 July 2013, **Nuon Chea** informed the court that he was also withdrawing his stated intention to testify.²⁶ The Co-Prosecutors made an application that adverse inferences should be drawn against **Nuon Chea** on the same basis as that applicable to **Khieu Samphan**.²⁷ Both had unequivocally waived their right to silence and elected to make statements and selectively answer questions. Under the applicable law, they undertook a legal obligation to answer all questions, including those which might incriminate them. Their failure to answer may properly give rise to negative inferences

in the Chamber's assessment of their evidence, and their oral statements they did make should be accorded little or no weight.²⁸

V. MATERIAL FACTS

A. DEVELOPMENT OF CPK POLICIES & ROLE OF ACCUSED (PRE-17 APRIL 1975)

FORMATIVE YEARS OF CAMBODIAN COMMUNIST MOVEMENT

16. The future leaders of Democratic Kampuchea met whilst studying together at the top schools of Cambodia in the 1940s. Saloth Sar (Pol Pot) and **Khieu Samphan** were educated at the Preah Sihanouk Middle School in Kampong Cham between 1944 and 1947.²⁹ Saloth Sar met Ieng Sary and Ieng Thirith at the Lycée Sisowath in Phnom Penh between 1947 and 1948.³⁰ **Khieu Samphan** also attended the Lycée Sisowath, graduating in 1951.³¹
17. In the early 1950s, Saloth Sar, Khieu Samphan, Ieng Sary and Ieng Thirith were awarded scholarships by the Cambodian government to study in Paris.³² In 1951, Ieng Sary founded the Marxist-Leninist Circle in Paris, a secret organisation composed of independent cells that recruited individuals and worked to promote communism, anti-colonialism and Cambodian nationalism.³³ Other members of the Circle included Saloth Sar, Ieng Thirith, Khieu Ponnary, Son Sen and **Khieu Samphan**,³⁴ who joined the organisation after his arrival in Paris in 1953.³⁵ The documents studied by the Circle included Stalin's *History of the Communist Party (Bolshevik)*, which stressed the importance of criticism/self-criticism, revolutionary vigilance and purges of traitors who infiltrated the Party.³⁶
18. Saloth Sar, Ieng Sary and **Khieu Samphan** all joined the French Communist Party.³⁷ **Khieu Samphan** and Ieng Sary also assumed public roles in the Khmer Students' Union (*Union des Etudiants Khmers*, UEK) while in France. Ieng Sary served as UEK president from 1953 to 1956.³⁸ When Ieng Sary returned to Cambodia, **Khieu Samphan** took over as president of the UEK and head of the Marxist-Leninist Circle from early 1957 to mid-1959.³⁹
19. After his return to Cambodia and on the encouragement of fellow members of the Circle, **Khieu Samphan** founded *L'Observateur* newspaper in September 1959 and worked as its publisher and editor.⁴⁰ *L'Observateur* was a leftist paper funded, staffed

and supported by fellow communists such as Ieng Thirith, Thiounn Prasith and Bou Phat *alias* Hang.⁴¹

20. **Nuon Chea**'s path to revolution also began outside Cambodia. In 1941, he moved to Bangkok to complete secondary school, and later studied law for three years at Thammasat University.⁴² While in Thailand, **Nuon Chea** became interested in communism reading the Progressive Newspaper, joined the youth league of the Thai Communist Party in 1946 and became a full rights member in 1950.⁴³ Later that same year, he moved back to Cambodia, transferred to the Indochinese Communist Party (ICP), and became responsible for propaganda and education of Party members in northwest Cambodia.⁴⁴ In 1951, **Nuon Chea** attended the congress at which the ICP was dissolved and separate revolutionary organisations established for Vietnam, Laos and Cambodia, with the new party in Cambodia called the Kampuchean People's Revolutionary Party (KPRP).⁴⁵ From 1953 to 1954, **Nuon Chea** was part of a select group that studied communist principles and militia warfare at the highest-level school of the party in Vietnam.⁴⁶ He returned to Cambodia after the 1954 Geneva Agreement.⁴⁷
21. In 1955, **Nuon Chea** moved to Phnom Penh and worked in secret to rebuild the communist party in Cambodia, which had largely dissolved following the Geneva peace agreement.⁴⁸ There, he was introduced to Saloth Sar at a clandestine meeting in a park arranged by a local Party official.⁴⁹ **Nuon Chea** was appointed Party Secretary of the Phnom Penh City Committee, and Saloth Sar a member of the Committee.⁵⁰ Ieng Sary also joined the City Committee of the KPRP following his return to Cambodia from France.⁵¹ From 1956 to 1960, **Nuon Chea** and Saloth Sar worked closely together to contact former cadres, re-establish Party branches throughout the country and develop strategic lines for the Cambodian communist movement separate from those of the Vietnamese Party.⁵² **Nuon Chea** studied books by Lenin and Stalin, Vietnamese books that discussed the use of torture and guerrilla warfare, and writings of Mao Tse Tung that "talked about secret work and the people who pretended they were communists but were really spies."⁵³

THE 1ST PARTY CONGRESS (1960)

22. From 28 to 30 September 1960, the 1st Party Congress was held at the Phnom Penh railway station in the house of Ok Sakun (the former member of the Marxist Circle who recruited **Khieu Samphan** to the movement in Paris).⁵⁴ Participation was limited to a small group of between 10 and 20 Party representatives.⁵⁵ The Congress changed the

- party name to the Worker's Party of Kampuchea (WPK), appointed leadership committees, and adopted the proposed Party Statute and political lines that had been prepared by **Nuon Chea** and Saloth Sar.⁵⁶ The representatives at the Congress who were appointed to leadership positions included Tou Samuth (Party Secretary), **Nuon Chea** (Deputy Secretary), Saloth Sar (Member of the Standing Committee), Ieng Sary and Sao Phim (full-rights or alternate members of the Standing Committee), Vorn Vet and Ma Mang (Central Committee members).⁵⁷
23. The Party Statute adopted at the 1960 Congress contained a number of core principles that remained in effect through the period of Democratic Kampuchea.⁵⁸ One of those was the principle of democratic centralism and collective leadership, pursuant to which decisions were not made by individuals, but through a collective process in which "unanimous agreement" was required amongst all the members of a leadership body.⁵⁹ As confirmed by **Nuon Chea**, this was a "universal" principle of the Party that was "firmly" adhered to at every Party Congress and every meeting of the Standing and Central Committees.⁶⁰
 24. The strategic and tactical lines that were collectively agreed upon at the 1st Congress set the path that would be followed by the Party over the next two decades. Based on the analysis of Cambodian society conducted by **Nuon Chea** and Saloth Sar, the Congress decided to pursue the goal of a national democratic revolution, in which the principal enemies to be attacked were the foreign imperialists, their "lackeys" or "henchmen" in Cambodia, and the "feudalists, capitalists and reactionaries."⁶¹ The feudal class was defined by the Party to include both "landowner and aristocrat (namely commune chief, district governor, provincial governor, civil servant, police and soldier)."⁶² Such enemies were considered to have antagonistic or "life-and-death" contradictions with the peasant and worker classes, meaning that such conflicts could not be peacefully resolved through education and the groups could not co-exist.⁶³ Most critically, the 1st Congress decided as a core strategic line that the Party would not be limited to political struggle, but would also use "armed struggle" and "revolutionary violence" against its enemies.⁶⁴ The use of illegal or illegitimate means was approved as the "basic form" of struggle by which to pursue the Party's revolutionary goals.⁶⁵
 25. The 1960 Congress also determined that the countryside would be the "support base" for the Party, and that the core members of the Party would be the rural peasant class.⁶⁶ As testified by **Nuon Chea**, the Party selected the countryside as its base in part because "there were no enemies in those areas."⁶⁷ Conversely, the Party leadership determined

- that the “networks of the enemy’s repressive apparatus were concentrated” in the cities, and “the enemy was everywhere there.”⁶⁸
26. The Party leadership further concluded that the Buddhist religion and its leaders were an obstacle to the goal of national democratic revolution:
- [T]he contradiction between the peasants and the landowners is a life-and-death contradiction. Understanding this force is the key to victory. ... In fact, this 85% of the population constitutes an immense force because of its numbers and because of the profound contradictions which affect it. The contradictions generated hatred, but, in the past the contradictions were buried. Why were these contradictions buried? Because the landowner class, the mandarin holders of power, and the spiritual leaders of the exploiting classes disseminated information to bury these contradictions. The belief that bad and good deeds from another life resulted in present conditions, etc., served to deceive the peasants and prevent them from seeing the contradictions.*⁶⁹
27. Party members were expected to closely study the strategic lines and policies contained in the 1960 Party Statute, which could only be changed by a Party Congress, and to strictly follow and implement such directives.⁷⁰ Party lines and stances were also communicated to Party members in the *Revolutionary Flag* magazine that was published monthly from September 1960 through the DK period.⁷¹ As admitted by **Nuon Chea** in this trial, the *Revolutionary Flag* publication was issued by the Standing Committee and written by himself and Pol Pot.⁷² (The assertion by **Nuon Chea** at the end of trial that *Revolutionary Flag* was written by Pol Pot and a personal assistant, and only “examined by the Standing or Central Committee,”⁷³ is inconsistent with his prior statement and can be given no weight due to his refusal to submit to cross-examination.)
28. In 1960, **Nuon Chea** travelled to Vietnam to inform the leaders of the Vietnamese Party of the new political lines of the Cambodian Party.⁷⁴ The WPK maintained its decision to resort to armed struggle and revolutionary violence, notwithstanding both Vietnamese opposition and the Khrushchev doctrine of ‘peaceful transition to socialism’ adopted at the 1957 World Communist Conference.⁷⁵ **Nuon Chea** confirms that from 1960 forward, the Party leaders in Cambodia made their own decisions, and that the Party lines and policies thereafter implemented were not directed by Vietnam or any other foreign power.⁷⁶

SECRET DEFENCE UNITS

29. Influenced by the writings of Stalin and Mao,⁷⁷ the Party leaders were convinced from the outset of the presence of, and need for vigilance against, internal enemies, traitors and spies within the Party.⁷⁸ Secret Defence Units were organized in 1961, and tasked

both to protect Party cadres and to “covertly smash the enemy, the government agents and the various reactionaries,” including spies who infiltrated the Party.⁷⁹ The Secret Defence Units consisted of youths or children, and were “embedded inside the villages and base areas as well as in the cities.”⁸⁰ As described by **Nuon Chea**, these units would monitor or spy on “people whose activities were suspicious,” and report to superiors who would decide on the measures to take against such people.⁸¹

THE 2ND PARTY CONGRESS (1963)

30. After the arrest and execution of WPK Secretary Tou Samuth in July 1962,⁸² the 2nd Party Congress was held in late February 1963 on Charles de Gaulle Street in Phnom Penh.⁸³ While **Nuon Chea** was in line to replace Tou Samuth, he instead remained Deputy Secretary and requested Pol Pot to become the new Party Secretary.⁸⁴ **Nuon Chea** faced some opposition because he was a relative of Sieu Heng, a former Party Secretary who had defected to the Sihanouk government in 1958.⁸⁵ **Nuon Chea** and Pol Pot thus agreed that the latter would be put forward as the new Secretary, but that they would work together “as a team” and consult on all significant issues.⁸⁶ The participants at the 2nd Congress were again a small group of less than 20 representatives that included Pol Pot (appointed Secretary), **Nuon Chea** (Deputy Secretary), Ieng Sary and Sao Phim (full rights members of the Standing Committee), Ta Mok, Vorn Vet, Son Sen, Ma Mang and Ros Nhim (Central Committee members).⁸⁷ No significant changes were made to the Party Statute or lines that had been approved at the 1960 Congress.⁸⁸
31. On 4 March 1963, the Sihanouk regime published a list of 34 known or suspected “leftists” accused of being “saboteurs, subversive agents and traitors,” which list included Pol Pot, Ieng Sary and **Khieu Samphan**.⁸⁹ Pol Pot and a number of the other named WPK leaders, including Ieng Sary and Son Sen, fled the capital and took refuge at a Viet Cong military base on the border near Thnaot village, Tay Ninh province.⁹⁰ Initially, they were confined to the Viet Cong camp and relatively isolated, with minimal ability to communicate with the Party.⁹¹ **Nuon Chea**, whose identity had remained secret and hence was not on the list of 34, stayed in Phnom Penh and assumed responsibility for Party operations in the capital and most of the Zones.⁹²
32. **Khieu Samphan** had been arrested in for a few weeks in August- September 1960, and his newspaper shut down, following criticism of government policies in *L’Observateur*.⁹³ In 1962, he was elected to the National Assembly as a member of Sihanouk’s *Sangkum Reatsr Niyum* and appointed Secretary of State for Commerce.⁹⁴

Following the publication of the list of “leftists” in 1963, **Khieu Samphan** was forced to resign from his position as Secretary for Commerce by right-wing members of the government.⁹⁵ According to **Nuon Chea**, **Khieu Samphan** joined the Party in 1963.⁹⁶

OFFICE 100 (1964-67)

33. By early 1964, Pol Pot persuaded the Viet Cong to allow him to establish his own base outside the Viet Cong military camp, which became known as Office 100.⁹⁷ Over time, Pol Pot, Ieng Sary and Son Sen were joined by other Party cadres at Office 100, including Keo Meas, Ney Saran *alias* Ya, Chhim Sam Aok *alias* Pang, and their spouses Khieu Ponnary, Ieng Thirith and Yun Yat, who arrived in 1965.⁹⁸ At this location, Office 100 was not an independent functional command centre. It was guarded by Viet Cong forces, heavily dependent upon the Vietnamese for supplies, and responsible only for the East Zone.⁹⁹ Only 20 Cambodians were located at the site.¹⁰⁰ **Nuon Chea** remained based in Phnom Penh, regularly travelling to Office 100 for meetings with Pol Pot, and extricating other Party cadres to the maquis when warranted.¹⁰¹
34. In late 1964, the Party began to hold meetings of the Central Committee at Office 100, and in January 1965 they approved a resolution that rejected the possibility of a “peaceful transition” to socialism and confirmed that it was “absolutely necessary to use revolutionary violence” in the struggle against the imperialists.¹⁰²
35. In 1965, Pol Pot left Office 100 for a one-year trip to Hanoi and Beijing.¹⁰³ During his meetings with the Vietnamese communist leaders, who opposed any initiation of armed conflict against the Sihanouk government and rejected requests to supply arms to the WPK, Pol Pot affirmed the Party’s line to “wage armed struggle in combination with political struggle” in Cambodia.¹⁰⁴ In Beijing, Pol Pot met with China’s communist leaders in order to introduce them to the political and strategic lines of the Cambodian Party, and developed relationships with ultra-radicals in that country whom later became part of, or associated with, the “Gang of Four.”¹⁰⁵ A “major influence” on Pol Pot at the time was a well-publicized September 1965 article by Chinese Vice-Premier Lin Biao advocating Mao’s theory of “People’s War,” in which the countryside was used to “encircle and suffocate the capitalist cities.”¹⁰⁶
36. Upon Pol Pot’s return from this trip, a meeting of the Central Committee was held at Office 100 from September to October 1966.¹⁰⁷ At this meeting, the Party leaders made three significant decisions: (i) to change the name of the party to the Communist Party

of Kampuchea (“CPK”), though that change was to be kept secret until ratified at the next Party Congress;¹⁰⁸ (ii) to relocate Office 100 to Ratanakiri; and (iii) that each Zone should begin preparations for the initiation of armed struggle.¹⁰⁹ According to **Nuon Chea**, the Party decided to move Office 100 to Ratanakiri because it was a good “revolutionary base” and “no enemy could arrive there,”¹¹⁰ and it changed its name to the CPK in order to distinguish itself from the Worker’s Party of Vietnam.¹¹¹ In regards to the preparation for armed struggle, the Central Committee decided that “the situation in Kampuchea had developed into stronger and stronger antagonistic contradiction and into sharp life-and-death contradiction,” and that the Party “had to prepare to use weapons to attack the enemy.”¹¹² The Party leaders thus determined that the Secret Defence Units or “Covert Guards” that had first been formed in 1961 were to be re-organized into armed “guerrilla units.”¹¹³

37. The Party publication *Revolutionary Flag* states that, from 1964 to 1966, “the peasant movement against the feudalism-landowner and the ruling classes such as the provincial governor, district governor, commune chief, police, soldier, secret police, tax and conscription official, and the movement to take back land, rose up more and more.”¹¹⁴ This was credited to “leadership cadres [who] left for the countryside and went down to work with the peasant, worker and youth-student movements personally in order to set ablaze the revolution, national wrath and class wrath so that it could stay constantly hot.”¹¹⁵
38. In a series of incidents that culminated on 2 April 1967, peasants in Samlaut district (Battambang province) aggrieved by various government policies launched attacks on local army posts and armouries, seized weapons, burnt down agricultural settlements and bridges, and killed a commune chief, village official and several soldiers.¹¹⁶ After the rebels had retreated to Mount Veay Chap and were surrounded by government forces, the CPK leadership met to discuss the situation, and decided that the uprising should be delayed for “a while” until their forces were better armed and ready to “attack throughout the country,” not just the Northwest.¹¹⁷ On behalf of the Standing Committee, **Nuon Chea** instructed Northwest Zone Secretary Ros Nhim to “temporarily” stop the fighting and to hold negotiations with the new Battambang governor In Tam.¹¹⁸ At the same time, the Party leaders agreed that they would “initiate the open phase of armed struggle” by early 1968.¹¹⁹
39. Ten years later, Pol Pot emphasized the importance of these events in 1967, noting that thousands of peasants had “marched on the administrative offices of the communes,

districts and provinces,” “armed themselves with scythes, knives, axes and hatchets” and “surrounded police stations and military posts, resorting to revolutionary violence because the ruling classes refused to solve the problem of the lands which they had grabbed from the poor peasants in collusion with the landowners.”¹²⁰

40. **Khieu Sa mphan** had been re-elected to the National Assembly in 1966, with substantial assistance provided to his campaign by the underground network of the Party.¹²¹ The 1966 election resulted in a government controlled by the right-wing, with Lon Nol named as the new Prime Minister.¹²² **Khieu Samphan**’s position in Phnom Penh became increasingly untenable over time, and on 22 April 1967 he was summoned to appear before a Military Tribunal, together with Hou Youn and Hu Nim, on the accusation that they were responsible for the Samlaut rebellion.¹²³ At the time, **Khieu Samphan** was “in close touch with the Phnom Penh city organization” of the Party.¹²⁴ He and Hou Youn were contacted by a Party official in Phnom Penh who coordinated their transport to CPK-controlled territory in Kampong Speu, where they met Ta Mok and joined the maquis.¹²⁵ **Khieu Samphan** and Hou Youn were believed by many in the public to have been killed, and their disappearance from Phnom Penh led to protests and the resignation of Lon Nol as Prime Minister.¹²⁶

RATANAKIRI (1967-70)

41. The relocation of Office 100 to its new location in Ratanakiri began in late 1966 or early 1967.¹²⁷ Ieng Sary arrived first, and convened study sessions for the local CPK cadre.¹²⁸ He was based at Office 102, the Northeast Zone office, located a short distance from the new Office 100.¹²⁹ Pol Pot arrived in December 1967, but was sick with malaria and spent one month recovering in a Vietnamese hospital before taking residence in Office 100.¹³⁰ During the time they were based in Ratanakiri, Pol Pot and Ieng Sary were generally limited to overseeing the Party’s operations in the Northeast Zone, due to their inability to effectively communicate with the rest of the country from that remote location.¹³¹
42. Other cadres based at the Party offices in Ratanakiri included Chhim Sam Aok *alias* Pang, who was in charge of the administration of Office 100,¹³² and Son Sen, who was in charge of military affairs, including 300 soldiers assigned to “attack the enemy” and ensure their food supplies “dried up.”¹³³ In 1968, a new base code-named K-5 was built in the mountains near the Cambodian border with Laos and Vietnam, a location at which the leaders were more secure.¹³⁴ The CPK leaders’ bases were protected by

“dozens of pit-falls containing sharpened bamboos and spears,” and patrolled by guards with “bows and poisoned arrows.”¹³⁵

43. Small-scale population movements were carried out by the CPK in Ratanakiri in 1968. Thousands of *montagnard* villagers were moved from their homes along the San river deeper into “liberated” territory in the mountains, in order to move them away from government forces (and further under the control of the CPK).¹³⁶ Many of the guards and messengers who would protect the Party leaders over the next decade were recruited from the tribal minorities in the province.¹³⁷ Also during this period, the Party began to organize and deploy “mobile forces who assisted in rice farming.”¹³⁸
44. Still based in Phnom Penh, **Nuon Chea** continued to oversee the Zone and City Committees and had responsibility for all regions of the country except the Northeast Zone.¹³⁹ Because of its remote location, no meetings of the Central Committee took place during the time Office 100 was located in Ratanakiri from mid-1967 to 1970.¹⁴⁰ During this period, **Nuon Chea** was only able to make one trip to the Northeast Zone (as described further below).¹⁴¹ General communications with Office 100 were also difficult, as the Party did not have radio or telegram equipment at the time and it took messengers one month to travel from Phnom Penh to Ratanakiri.¹⁴²

INITIATION OF ARMED STRUGGLE (1968)

45. In late 1967 or early 1968, after Pol Pot had left for Ratanakiri, **Nuon Chea** convened a meeting at Vorn Vet’s house in Phnom Penh with the leaders of the East Zone (Sao Phim), Northwest Zone (Ros Nhim or Kong Sophal *alias* Koe) and Southwest Zone (Ma Mang and Ta Mok).¹⁴³ The meeting discussed the “intensified” acts of suppression by “those in power,” meaning the “reactionary Lon Nol” faction, and agreed to begin armed struggle in “regions where the situation [was] deteriorating.”¹⁴⁴ This decision was made without contact or communication with the leaders then located in Ratanakiri.¹⁴⁵
46. Pursuant to this decision and the ensuing orders, on 17 January 1968 CPK forces attacked a government army post at Bay Damram village, south of Battambang city, seizing a number of weapons and killing three policemen.¹⁴⁶ This date was later marked by the CPK as the birth of the Revolutionary Army of Kampuchea (RAK).¹⁴⁷ On 25 February 1968, the Central Committee issued a circular calling for “insurrections all over the country.”¹⁴⁸ Over the ensuing months, guerrilla attacks were launched in other regions, with CPK forces destroying bridges, burning commune offices and police posts

- and seizing weapons.¹⁴⁹ **Nuon Chea** and Pol Pot claim that CPK forces attacked “17 of the 19 provinces” by April 1968 and were using force “throughout the country” in 1969, including gunfire, grenades and mines.¹⁵⁰ **Nuon Chea** also states that the “opening of fire on 17 January 1968 was not an accident,” but the result of class struggle “under the leadership of our Party” and the 1960 Party line to use revolutionary violence to “attack and bring down the feudalists, capitalists and reactionaries in Kampuchea.”¹⁵¹
47. After the initiation of the armed struggle, **Nuon Chea** went to the border to meet with Nguyen Van Linh, his Vietnamese counterpart, who asked that the CPK cease its rebellion.¹⁵² **Nuon Chea** told Linh the armed struggle would continue, but agreed not to destroy bridges used for the transportation of arms from Kampong Som to Vietnam.¹⁵³ When the Vietnamese refused to provide any assistance or weapons to the CPK, **Nuon Chea** authorized East Zone Secretary Sao Phim to steal weapons from Viet Cong warehouses located in Cambodian territory, or to “trade chickens for them.”¹⁵⁴
 48. In March 1969, the U.S. Air Force began secret bombing sorties that targeted locations in Cambodia where Vietnamese communist sanctuaries and the COSVN (Central Office for South Vietnam) headquarters were believed to be located.¹⁵⁵
 49. In September 1969, **Nuon Chea** travelled to Ratanakiri to discuss the armed struggle at an enlarged meeting of the Standing Committee also attended by Pol Pot, Ieng Sary and North Zone Secretary Koy Thuon.¹⁵⁶ The meeting decided that the CPK would no longer criticize and attack Sihanouk, but instead would mobilize all forces to fight against Lon Nol (who was then Defence Minister and had been re-appointed Prime Minister) and the right-wing faction of the government, who were viewed by the CPK as “completely reactionary and nothing but lackeys of foreign imperialists.”¹⁵⁷ Ieng Sary would later explain that “[b]y the end of 1969, it was becoming obvious that Sihanouk’s neutralist stance could not be tolerated much longer by the U.S. imperialists” and that “Lon Nol, on the other hand, was perfectly willing to let the U.S. use Cambodia as a staging area against Vietnam;” accordingly, “[r]ecognising that Sihanouk was a potential ally, the CPK and the Revolutionary Army made it clear in all their actions that they were fighting primarily the right-wing militarists and not Sihanouk.”¹⁵⁸
 50. In late 1969, Pol Pot led a delegation to Hanoi to seek support for the CPK’s armed struggle.¹⁵⁹ Once again, Vietnamese Party Secretary Le Duan urged Pol Pot to cease the armed rebellion and revert to political struggle.¹⁶⁰ The CPK position remained that “it had to fight against Lon Nol, the U.S. imperialists’ lackey,” who “represented the ultra-

militarists, the ultra-feudalists and the ultra-reactionaries.”¹⁶¹ In early 1970, Pol Pot continued on his trip abroad to Beijing, where he was still located at the time of the March 1970 coup.¹⁶²

51. From mid-1967 to 1970, **Khieu Samphan**, Hou Youn and Hu Nim (who fled Phnom Penh and joined the group in October 1967)¹⁶³ remained with Ta Mok, moving amongst different locations in Kampong Speu and Kampong Chhnang provinces.¹⁶⁴ During this period, **Khieu Samphan** reviewed CPK materials provided by Ta Mok, discussed rice associations and other political issues with local villagers, and was present during a guerrilla raid of the Kap Kang garrison in Trapeang Krleung district.¹⁶⁵ In late 1968 or early 1969, **Khieu Samphan**, Hou Youn, Hu Nim and other intellectuals or Party officials who had recently fled Phnom Penh (such as Vorn Vet) were gathered at Ta Mok’s headquarters on Mount Aoral,¹⁶⁶ where **Nuon Chea** would sometimes come for meetings.¹⁶⁷ **Khieu Samphan** has testified that he became a member of the CPK in 1969 at Mount Aoral, where he and Hu Nim were introduced to the Party by Ta Mok.¹⁶⁸

THE MARCH 1970 COUP & FUNK/GRUNK ALLIANCE

52. On 18 March 1970, Prime Minister Lon Nol signed a decree, drafted by his deputy Prince Sirik Matak, approving the overthrow of Prince Norodom Sihanouk.¹⁶⁹ The decree was supported by the army, which stationed tanks in front of the parliament buildings, and by the National Assembly, which unanimously approved a non-confidence motion removing Sihanouk as head of state.¹⁷⁰
53. Sihanouk was in Moscow at the time of the coup, and flew to Beijing the next day.¹⁷¹ Unbeknownst to Sihanouk, Saloth Sar *alias* Pol Pot was also in Beijing at the time.¹⁷² On 21 March 1970, North Vietnamese Premier Pham Van Dong flew to Beijing.¹⁷³ Dong met with Sihanouk to ask if he was willing to co-operate with the Khmer Rouge; Sihanouk gave his “general consent” and stated that he wanted to fight against those who had overthrown him.¹⁷⁴ Pol Pot worked behind the scenes during this period, secretly meeting with the Chinese communist leaders and Pham Van Dong and advising that Sihanouk should take an “offensive position” in response to the coup.¹⁷⁵ When he met with Dong, Pol Pot was informed that the Vietnamese now fully supported the CPK’s armed resistance against the Lon Nol government.¹⁷⁶
54. On 23 March 1970, Sihanouk announced in a radio broadcast from Beijing the formation of a political movement called the National United Front of Kampuchea (the NUFK, more commonly referred to by its French acronym “FUNK”), and appealed to

Cambodians to “join the resistance” and “revolt against the reactionary Lon Nol-Sirik Matak-Cheng Heng clique.”¹⁷⁷ Sihanouk also announced his intention to form a government-in-exile in Beijing and a national liberation army, and promised those who joined would be provided with weapons and military training.¹⁷⁸

55. Sihanouk had provided a draft of his 23 March 1970 statement to Chinese Premier Zhou Enlai. However, Pol Pot had reviewed and edited the statement without Sihanouk’s knowledge, removing all references to communism.¹⁷⁹ Although Zhou Enlai asked him to meet with Sihanouk, Pol Pot refused, because as CPK Secretary he was committed to “struggle to defeat the feudalism regime” and thus could not “go and pay respect to King Sihanouk.”¹⁸⁰ Instead, Pol Pot drafted a message of support to Sihanouk from the resistance movement signed by **Khieu Samphan**, Hou Youn and Hu Nim, which was delivered to Sihanouk on 26 March 1970.¹⁸¹
56. On 3 May 1970, a FUNK Congress held in Beijing adopted a political programme, part of which was consistent with the CPK’s agenda,¹⁸² but much of which did not represent the true goals and political lines of the CPK.¹⁸³
57. On 5 May 1970, Sihanouk officially announced the formation of the Royal Government of National Union of Cambodia (RGNUC, more commonly referred to by its French acronym “GRUNK”).¹⁸⁴ Sihanouk served as the GRUNK head of state, in addition to his position as FUNK Chairman.¹⁸⁵ The other named members of the GRUNK included Penn Nouth as Prime Minister, **Khieu Samphan** as Deputy Prime Minister and Minister of National Defence, Hou Youn as Minister of the Interior and Hu Nim as Minister of Information and Propaganda.¹⁸⁶ On 17 September 1970, a number of additional CPK members based inside Cambodia were appointed to the GRUNK, including Koy Thuon (Deputy Minister of Economy and Finance), Kong Sopha (Deputy Minister of National Defence), Chou Chet (Deputy Minister of Public Health, Religious and Social Affairs), Ieng Thirith (Deputy Minister of Education and Youth Affairs) and Sok Thuok *alias* Vorn Vet (Deputy Minister of the Interior and Security).¹⁸⁷
58. In addition to his positions as GRUNK Deputy Prime Minister and Minister of Defence, **Khieu Samphan** was a member of the Political Bureau of the FUNK Central Committee.¹⁸⁸ **Khieu Samphan**’s initial role in the FUNK, which he describes as “important, if not indispensable,” was to “establish the liaison” between the CPK and Norodom Sihanouk, who did not know Pol Pot.¹⁸⁹
59. The FUNK and GRUNK played a crucial role in rallying support for the communist resistance, both within Cambodia and internationally. The FUNK Political Bureau was

responsible for “broadcasting and disseminating information concerning the function of the Front to the outside world, to gather support from international communities.”¹⁹⁰ FUNK bulletins or statements were published by an information bureau called the AKI (*Agence Kampuchea d’Information*).¹⁹¹ From 1970 to 1975, the FUNK regularly broadcast and published statements by **Khieu Samphan** appealing to the Cambodian population to join or support the resistance.¹⁹² In September 1972, for example, **Khieu Samphan**, Hou Youn and Hu Nim issued a statement appealing to monks, public servants, soldiers and civilians in Phnom Penh and other provincial centres to unite with the FUNK, “attack all rice and food warehouses” and “fight resistantly to eliminate the main traitors including the contemptible Lon Nol, Sirik Matak, Son Ngoc Thanh, In Tam, Lon Non, Hang Thun Hak, and others and their subordinates,” using “all types of weapons such as small and big guns, knives and sticks to kill the traitors.”¹⁹³

60. **Khieu Samphan** was the highest-ranking FUNK or GRUNK official located inside Cambodia, and in public he was “presented officially” as the leader of the communist resistance and commander of the Cambodian guerrillas in the struggle to overthrow the Khmer Republic regime.¹⁹⁴ He led delegations that visited foreign countries seeking recognition and support for the GRUNK as the legitimate government of Cambodia.¹⁹⁵ He officially welcomed Norodom Sihanouk on his February – March 1973 trip to Cambodia¹⁹⁶ and foreign leaders who visited the liberated zones, including a Vietnamese delegation in December 1974.¹⁹⁷ **Khieu Samphan** was identified as the “Acting Prime Minister” of GRUNK during a period in which Penn Nouth was ill and receiving medical treatment in China.¹⁹⁸
61. In April 1970, Pol Pot stopped in Hanoi on his way back to Cambodia for further discussions with the Vietnamese communist leaders. The Vietnamese offered to provide weapons to the CPK, and to send troops and cadres to assist in both military operations and the establishment of administrative structures in the liberated territories.¹⁹⁹ While the CPK leaders claim that they declined the latter offer, large numbers of Viet Cong and North Vietnamese (PAVN) forces entered Cambodia following the March 1970 coup and launched military offensives that penetrated deep into Cambodian territory.²⁰⁰ Vietnamese cadres also helped establish district, commune and village committees in the liberated territories used for “controlling [the] local population,” who were required to furnish supplies and recruits to the resistance.²⁰¹
62. Main-force divisions of Vietnamese troops remained in Cambodia until the end of 1972,²⁰² and were credited with most of the successful attacks against the Lon Nol

- regime in the 1970-72 time period, including the April to May 1970 military offensives that captured most of eastern Cambodia, Angkor Wat and territory stretching from Kampong Cham to Kampot, a 22 January 1971 assault on Pochentong airport that destroyed the entire Lon Nol air force, a 2 March 1971 attack in Kampong Som that destroyed 60% of the country's oil refinery storage capacity, and the counterattack that defeated the Lon Nol Chenla II offensive on Kampong Thom in late 1971.²⁰³ In January 1973, Vietnam and Laos signed peace agreements with the United States, but Pol Pot and the CPK refused to join the peace, and from that point on had to rely solely on their own military forces to fight against the Lon Nol army.²⁰⁴
63. The entry of Vietnamese forces into Cambodia in March 1970 prompted the United States to respond with its own incursion of ground troops from 29 April to 29 June 1970, and to resume B-52 bombings on 27 July 1970.²⁰⁵ U.S. military operations in Cambodia, however, faced significant opposition from the American public and Congress. In December 1970, the U.S. Senate prohibited the use of funds for "United States personnel in Cambodia who furnish military instruction to Cambodian forces or engage in any combat activity."²⁰⁶ On 10 May 1973 the U.S. House of Representatives blocked funding for the continued bombing of Cambodia, on 30 June 1973 President Nixon signed a law agreeing to the end of all combat activities in Cambodia, Laos and Vietnam, and on 15 August 1973 the U.S. Air Force bombing of Cambodia ceased.²⁰⁷
64. By October 1970, Lon Nol had abolished the monarchy and established the Khmer Republic.²⁰⁸ The Khmer Republic government and its army became the principal enemy and target of the CPK.²⁰⁹ From 1970 to 1975, **Khieu Samphan** issued frequent public statements on behalf of the FUNK and GRUNK that referred to the leaders of the Khmer Republic as "traitors" who were to be eliminated.²¹⁰ He called Phnom Penh "the last haven to the clique of the nation-selling thieves."²¹¹ In the September - October 1972 issue of *Revolutionary Flag*, Lon Nol and Sirik Matak were described as "traitors" whom the Party "must absolutely crush."²¹² In 1973, "police and soldiers" were identified as a "special class" of enemy in the Party's *Revolutionary Flag* publication.²¹³ Lon Nol soldiers captured by the CPK were subject to immediate execution, pursuant to the Party's policy to maintain a "clear line of demarcation between ourselves and the enemy" and to "smash" all enemies.²¹⁴

S-71 PARTY HEADQUARTERS

65. Pol Pot returned to Office 100 from Vietnam in May 1970, at which time he left Ratanakiri to travel to the new Party headquarters located along the Chinit River on the border of Kampong Cham and Kampong Thom provinces.²¹⁵ The Party offices in this area included a smaller base named K-1 located in Dang Kdar commune, Stung Trang district, Kampong Cham (on the southeast side of the Steung Chinit)²¹⁶ and a larger base named S-71 located about five miles away near Trapeang Thum village, Boeng Lvea commune, Santuk district, Kampong Thom (on the northwest side of the Steung Chinit).²¹⁷
66. **Khieu Samphan** left Mount Aoral following the coup and arrived in the Steung Chinit area in September 1970, where he met and joined Pol Pot and **Nuon Chea**.²¹⁸ The three leaders would live and work together in the same locations for the next 28 years, starting with the new Party headquarters on the Chinit River.²¹⁹ At this site, Pol Pot, **Nuon Chea** and **Khieu Samphan** lived in houses approximately 300 to 400 metres apart.²²⁰ Later on, **Khieu Samphan** was moved to the house adjacent to Pol Pot.²²¹ Phy Phoun, who worked as Pol Pot's bodyguard during this period, testified that the three leaders would have breakfast together, work together in meetings from 8:30 to 11 am, lunch together, resume work in the afternoon and only go back to their respective houses at the end of the day's work.²²²
67. S-71 served as a central command headquarters and study session site, and was comprised of a number of different offices.²²³ Hu Nim, Hou Youn, Tiv Ol and, for a short period, **Khieu Samphan** worked at B-31, which was used as an information and propaganda office for the FUNK.²²⁴ S-71 also had a printing house supervised by Pang that was used for FUNK publications containing "news from the battlefields" and statements by **Khieu Samphan** and other leaders appealing to combatants and the general population to fight.²²⁵ A separate office run by Yun Yat (called L-7) was responsible for the publication of the Party's *Revolutionary Flag* magazine.²²⁶ B-30 (or Khâ-30) was an office used by Pol Pot for study sessions and meetings.²²⁷
68. B-20 was located at or near a rubber plantation in Stung Trang district and was used for study sessions for cadres and combatants visiting from the zones.²²⁸ In 1973, a radio station was built at B-20, which was used for daily broadcasts of information from the battlefields and statements from the leaders.²²⁹ B-17 was at the same location as B-20 (near Dei Kraham in Stung Trang district), and was a production site used to grow

vegetables and “a place for tempering before people would be sent to work for Angkar” where their “stance would be tested.”²³⁰ From 1973 to 1975, **Khieu Samphan** and **Nuon Chea** sometimes stayed at a mobile unit called Office 24 (or S-24), which was located near Meak village in Prek Kok commune, Stung Trang district.²³¹

69. The new location of the CPK headquarters was more central and allowed the Party leaders to have regular meetings, mobilize forces and “lead the masses and the military.”²³² Pol Pot later explained that “immediately after the coup in 1970...it was imperative to have meetings of the Central Committee of the Party to assess the situation after the coup and bring up the measures of waging war” against the enemy, the “core forces” of which were the “contemptible Nol’s group.”²³³
70. Central Committee meetings thus immediately resumed when the Party leaders arrived at their new headquarters.²³⁴ In October 1970, a meeting was held in Boeng Lvea commune at which the CPK leaders (i) discussed the “national liberation war” and planned “tactics to fight the American imperialists and their servants, the contemptible Nol being the ringleader,” (ii) “designat[ed] cadres to work in various sectors and zones across the country” and (iii) confirmed the Party policy of self-reliance and independence from Vietnam.²³⁵ The participants at the meeting included **Nuon Chea** and all the Zone Secretaries.²³⁶ In November 1970, Pol Pot and **Nuon Chea** met with Vietnamese communist leaders at a location on the Chinit River (30 kilometres away from S-71) to discuss cooperation between the two movements and a phasing out of the Vietnamese civilian and military presence in Cambodia.²³⁷ In January 1971, the Central Committee met for three days at S-71, and discussed the strategy for the guerrilla war, relations with Vietnam, the organisation of military forces (see below) and new boundaries and code numbers for the Zones.²³⁸
71. Pol Pot, **Nuon Chea** and **Khieu Samphan** continued to regularly participate in meetings with other Party leaders at the new CPK offices, as often as three to four times a month.²³⁹ The CPK leaders also held political education sessions at which they provided instruction on “who the enemy was,” identifying the Party’s enemies as “American imperialists,” the “Lon Nol group,” CIA and KGB agents, and “those who opposed the revolution.”²⁴⁰
72. During this period, the Party leadership used written circulars to communicate policies and ensure “countrywide unity of the Party line,” and required regular reports from the lower levels on enemies and work activities in order to provide “direct and timely advice.”²⁴¹ S-71 had a messenger office, administered by Pang, whose function was to

deliver such documents between the CPK leaders at the Party headquarters and the Zones.²⁴² Messengers were also used to deliver letters between Pol Pot and **Nuon Chea** when one of them was away from S-71.²⁴³ When Pol Pot travelled to the Zones, he would meet with the Zone Committees, conduct study sessions and give “detailed instructions regarding the specific situation in a particular zone or sector or district and what measures needed to be done.”²⁴⁴

73. The CPK leadership began to use telegram communications at S-71 in or around 1973.²⁴⁵ “[E]ach zone and division” was also required to have a “communication section and telegrams.”²⁴⁶ Incoming telegrams consisted of “reports we received from the base or from the front lines” to “the upper authority” on developments in the battlefields, while outgoing telegrams were “directives, which included measures, instructions, circulars for implementation at the base.”²⁴⁷ In the pre-April 1975 time period, telegram reports were sent to the Party headquarters from all Zones and autonomous regions, each of which had assigned code numbers, and reports relating to the army were sent by Son Sen, who had “direct communication with the leaders at the upper authorities.”²⁴⁸ In addition, news reports that were written at S-71 for broadcast by the Voice of FUNK radio station were sent out by telegram.²⁴⁹
74. Cadres such as Norng Sophang attended telegram training sessions at B-17 taught by Pon, the group leader and future head of the K-1 telegram section in Phnom Penh.²⁵⁰ After training, they were assigned to B-20 to work in one of three units: the Telegram Translation Unit; the Telegram Sending and Receiving Unit; or the Radio Broadcasting Unit.²⁵¹ Once translated, telegrams were sent to the Party leaders by messenger.²⁵² With respect to the frequency of telegram communications, Zones that were involved in “contentious battles” sent telegrams “24 hours around the clock,” while Zones that were already liberated communicated less frequently.²⁵³
75. While based at S-71, **Nuon Chea** often travelled to other provinces to meet with Zone leaders, including frequent trips to Kratie and a 1972 trip to Samlaut to meet with Ros Nhim and the other leaders of the Northwest Zone.²⁵⁴ **Nuon Chea** led political education meetings in which he instructed Zone cadres on the Party’s policies and “management of the people,”²⁵⁵ including a 1972 session for district chiefs at which he discussed “fighting against the American[s], national liberation and the eradication of oppressive classes.”²⁵⁶ In addition, he and Pol Pot would inspect the progress of work at production sites such as B-17.²⁵⁷

76. **Khieu Samphan** regularly worked with Pol Pot and **Nuon Chea** at S-71,²⁵⁸ going with them on “work tours” to inspect the transportation of rice and supplies.²⁵⁹ He gave lectures at study sessions discussing the importance of the FUNK, the gathering of national forces and “measures to be taken.”²⁶⁰ From 25 November to 15 December 1972, he visited Kampong Thom, Preah Vihear and Siem Reap.²⁶¹ He supervised and gave instructions to Party members.²⁶² Numerous statements were issued by **Khieu Samphan** during this time period in his capacity as a leader of the FUNK and GRUNK, as described below, and at S-71 he was seen doing “a lot of writing” in his house and visiting the printing office.²⁶³ Most of the statements received by the printing house at S-71 were from **Khieu Samphan**, which statements were then published in the FUNK magazine and/or broadcast on the FUNK radio.²⁶⁴
77. Ieng Sary and Son Sen remained in Ratanakiri when Pol Pot left to travel to the new Party command base.²⁶⁵ In late 1970 or early 1971, Son Sen left Ratanakiri and moved to the Kampong Thom battlefield.²⁶⁶ In December 1970, Ieng Sary went to Hanoi to reorganise the *Voice of FUNK* radio, which was placed under the authority and control of Ieng Thirith.²⁶⁷ In April 1971, Ieng Sary travelled to Beijing to serve as the “special emissary of the resistance movement,” where one of his primary functions was to monitor Sihanouk and ensure the GRUNK leaders in China remained aligned with the CPK.²⁶⁸ In that capacity, Ieng Sary made clear to the GRUNK representatives in Beijing that there was to be “no negotiation at all with the Lon Nol regime” and that the resistance would “fight until the last drop of blood.”²⁶⁹ At his villa in Beijing, Ieng Sary had a direct telegraph link to S-71.²⁷⁰

THE 3RD PARTY CONGRESS (1971)

78. In July 1971, Pol Pot and **Nuon Chea** chaired a month-long study session at the North Zone (304) headquarters attended by “all the important cadres” from the Sector and District level nationwide, at which they discussed and presented documents on “the general situation both inside and outside the country,” the principles of “national democratic revolution,” “fighting against the American imperialists,” “building the Party” and “undergoing revolutionary life view, meaning self-criticism.”²⁷¹
79. Following the study sessions, the 3rd Party Congress was held at a camp in the jungle near the S-71 offices between Trapeang Thum and Trapeang Prei in Boeng Lvea commune.²⁷² The Congress lasted over one week and was attended by 60 delegates from throughout the country representing the Centre and Zones.²⁷³ Phy Phuon, who

worked as a guard at the meeting, identified three photographs that were taken at the site of the 1971 Congress.²⁷⁴ The participants at the 3rd Congress, most of whom are shown in those photographs, included: Pol Pot, **Nuon Chea**, **Khieu Samphan** and Pol Pot's wife Khieu Ponnary; Koy Thuon, Ke Pauk and Doeun from the North Zone (Zone 304); Sao Phim, Phuong and Ta Tum from the East Zone (Zone 203); Vorn Vet from the Special Zone; Ta Mok, Ta Chong and Chou Chet *alias* Si from the Southwest Zone; Ros Nhim and Ta Keu from the Northwest; Ya from the Northeast; and Laing from Mondulkiri.²⁷⁵

80. The Congress approved new Party statutes, officially ratified the CPK name that had been adopted five years earlier, and elected a new and expanded Central Committee that included **Khieu Samphan** as an “alternate” or “candidate” member.²⁷⁶ The Congress reappointed the same four members on the Standing Committee: Saloth Sar as Party Secretary, **Nuon Chea** as Deputy Secretary, Sao Phim and Ieng Sary as full rights members.²⁷⁷
81. As recalled by **Khieu Samphan**, the Party determined at this Congress that “Vietnam is a friend with whom there is a contradiction.”²⁷⁸ No significant changes were made to the Party Statute or core Party lines.²⁷⁹ As later stated in *Revolutionary Flag*, the 3rd Congress affirmed the key existing Party lines: “The conclusive substance of the Party’s 3rd Great Congress was to continue popular war and to implement the line of popular war of the Party against the invasive war of the American imperialist and their lackeys in order to liberate Cambodia...At the same time, we continued implementing the democracy to overthrow the feudalism-landowner and the reactionary capitalist.”²⁸⁰
82. While **Khieu Samphan** quickly became a member of the CPK Central Committee and part of Pol Pot’s inner circle, Hou Yuon and Hu Nim did not fare the same. Hou Yuon frequently expressed disagreement with CPK plans and policies, including the plan to evacuate all cities and towns, and was purged in 1975 and never seen again.²⁸¹ While Hu Nim remained Minister of Information and Propaganda into the DK regime, he was never appointed to the Central Committee and was arrested and taken to S-21 on 10 April 1977.²⁸²

ESTABLISHMENT OF COOPERATIVES (1972-73)

83. Following a trip through the liberated zones, Pol Pot convened a meeting of the new Central Committee in May 1972 to discuss concerns that “the revolution was going too slowly.”²⁸³ At the time, while the Party had seized some land owned by “traitors and

those who ran to the side of the enemy,” most land was privately owned and private markets and businesses still operated in the liberated zones.²⁸⁴ The CPK leaders were concerned that “the old society still remained,” that private businessmen “did as they pleased,” and that private markets and ownership allowed the Party’s enemies too much control or influence over the people.²⁸⁵ For example, the situation in Kratie after its liberation in 1970²⁸⁶ was described by the Party as follows:

*The Kratie Market was approximately the same as before. Hondas were circling back and forth. Our militiamen, pants or not, shirts or not, were walking around, meaning they were still acting as masters. As for us, we were still acting as policemen like in the Sihanouk era, the Nol era. Therefore, this commerce could not serve the lives of the people and could not serve the war of national liberation. It was clearly seen by mid-73 that there was no way out for us. We could not gather up the people. The businessmen were the masters. They handed out this and handed out that in terms of commercial materials to the people. If we kept going along that road, there was no way out.*²⁸⁷

84. The CPK leadership held the “military state power and political state power” in the liberated zones, and determined it also needed to seize the economic power.²⁸⁸
85. The Central Committee thus decided at its May 1972 meeting to close the markets in the liberated zones, begin the collectivisation of the entire economy and “prepare the preconditions to establish the cooperatives.”²⁸⁹ It also declared that “the existence of the non-proletariat class within the Party was an emergency situation” and that education was needed “about class and class struggle, about the dictatorship Party’s proletariat class.”²⁹⁰
86. Following the May 1972 conference, the Party issued circulars “prohibiting people from selling food and supplies to the enemy, ordering them to support the revolution” and “assigning them to produce crops collectively.”²⁹¹ A special issue of *Revolutionary Flag* was published in September-October 1972 warning Party cadres that “our Party, authority, army and Front still contain some bad and some neutral components,” and there was “still a petty bourgeois tendency within our ranks.”²⁹² Noting that the “enemy can burrow from inside” if the Party “does not have a base class composition and proper revolutionary stance,” the CPK leaders directed a change in the Party’s “composition” by “injecting over 50% of new blood at the base level.”²⁹³
87. This issue of *Revolutionary Flag* also instructed how to improve implementation of Party circulars²⁹⁴ and reporting from the base to the “upper levels,” so that the CPK leaders could “grasp and master the situations” and provide “direct and timely advice” and “practical instructions.”²⁹⁵ It directed the base to report not only on “military

activities,” but also on “the enemy, people [and] all working activities,” a reporting standard that continued through the DK regime.²⁹⁶

88. The Central Committee met again in mid-1973 to assess the effects of its measures and “examine the status of class struggle within the Party and the mass people.”²⁹⁷ The CPK leaders described the results of their 1972 economic measures in the liberated zones as follows:

Closing the markets was no minor matter. It was a very mighty revolutionary movement that struck right at the economic foundations of the capitalists and feudalists. We did not use military force to kill them. We got control of the important products, like rice, oil, salt, cloth, and medicine. When we were able to control the strategic products, we gained strategic control over the entire economy. We did not let various merchandise enter or leave the liberated zone. Therefore, in just a short time the markets had nothing at all to sell. ...

“This measure was effective to an extent. However, the capitalists still had money and they dared to purchase at higher prices than the revolution. They were able to buy some cadres that were no-good elements. So then, the people still sold paddy and beans to them. ... Seeing that only by organizing cooperatives could we gain control of the economy, in mid 1973 the Party decided to organize cooperatives throughout the country.”²⁹⁸

89. The CPK officially recognized 20 May 1973 as the day on which they decided to organize and implement cooperatives.²⁹⁹ Cooperatives were to be implemented in “quick steps” in Type I liberated zones and in “slower steps” in Type II liberated zones.³⁰⁰ The transition to cooperatives was gradual in many areas, starting with mutual assistance or solidarity groups (in which 5 to 10 families would combine to work together on their respective lands), then progressing to low-level cooperatives (where land was owned by the collective, but individuals retained some tools or cattle and ate separately) and finally high-level cooperatives (where all property was controlled by the cooperative and meals were communal).³⁰¹ The CPK leaders also decided in mid-1973 to “collect people forces vigorously and regularly” and organize “dike building, dam construction [and] food production” work projects, based on the Party slogan “constantly incited, constantly burned and constantly hot.”³⁰²
90. The CPK viewed collectivisation and the implementation of cooperatives as “class struggle” and a direct attack on the capitalists and feudalists.³⁰³ Prior to these economic measures, the Party leaders had been disappointed “there was not very much conflict with the capitalists.”³⁰⁴ In 1972, the Party “incited the people to attack the capitalist class by taking control over the commercial activities.”³⁰⁵ The CPK leaders concluded from their experiences that: “There must be measures in place for dealing with the feudalist-capitalist classes. Absolutely do not compete with them in a peaceful way.”³⁰⁶

91. The Central Committee also concluded at its mid-1973 meeting that “the ideology of the secondary capitalist and feudal capitalist of the counterrevolutionary classes still existed within the Party.”³⁰⁷ As defined by the CPK, the “Second capitalist class” included “students and civil servants who mainly use their intelligence for living,” a sub-group that was also referred to as the “Intellectual Second Capitalist.”³⁰⁸
92. Pursuant to the instructions of the Central Committee, cooperatives were established during the 1972-73 period in Kampot (Sector 35),³⁰⁹ Preah Vihear (Sector 103)³¹⁰ and Siem Reap (Sector 106)³¹¹ provinces. At the long-time CPK base in Peam commune (Kampong Chhnang province) and nearby Amleang commune (Kampong Speu province), cooperatives were established in 1973, at which time the Zone Committee was given the authority to “divide the produce generated by the cooperative” and determine “how much is given to the front and how much is reserved for the commune.”³¹² By 1974, people “did not have enough food to eat and food rations were reduced substantially” to “about half a can of rice per day.”³¹³ In the pre-1975 period in Monduliri (Sector 105), the population was gradually moved to one district (Koh Nhek) and collected into solidarity groups that grew rice and ate together.³¹⁴
93. In Kratie province (Sector 505), **Nuon Chea** convened a meeting in 1973 at which he instructed 50 local commune chiefs and district committee members, including Yun Kim, how to implement cooperatives.³¹⁵ **Nuon Chea** instructed the cadres that in areas “where there were difficult people,” the concept of “labour exchange” or “mutual assistance groups” should be practiced.³¹⁶ Cadres were instructed to establish low-level cooperatives in areas “where people were not so difficult,” and high-level co-operatives in areas “where the people were easy.”³¹⁷ At this same meeting, **Nuon Chea** also discussed the “situation of attacking the enemy and our target,” identifying the enemy as the “Lon Nol forces” that were “backed by the American imperialists.”³¹⁸
94. The CPK attached great importance to the economic measures taken in the 1972-73 period, describing them as “a turning point,” the result of which was that “the people had to depend on the revolution and the revolution was able to control them.”³¹⁹ **Khieu Samphan** has stated that the implementation of “high-level cooperatives” in 1973 was “a tool to mobilize the human, economic and ideological forces of the [CPK] to win the war.”³²⁰ **Nuon Chea** admitted in this trial that people who lived in the cooperatives in the liberated zones were not free to “go anywhere else.”³²¹ Philip Short testified that the establishment of cooperatives and communal dining was “another step in the elimination of personal freedoms” such as “the freedom to exist as a family,” and a

“step towards the state which Angkar wished, in which everybody would have only one family, and that family was the collective and more largely the Organization.”³²²

CPK MILITARY COMMAND STRUCTURE

95. **Khieu Samphan** was named Commander-in-Chief of the Cambodian People’s National Liberation Armed Forces (“CPNLAF”) in June or July 1971, and retained that title throughout the CPK war against the Lon Nol regime.³²³ The other members of the CPNLAF High Command were publicly announced on 23 March 1972, and consisted of: Saloth Sar *alias* Pol Pot (Head of Military Leadership of the Army); **Nuon Chea** (Head of Political Leadership of the Army); So Vanna *alias* Sao Phim (Deputy-Head of Military Leadership of the Army); Chhit Chhoeun *alias* Ta Mok (Head of Logistics); and Son Sen (Chief of General Staff).³²⁴
96. **Khieu Samphan’s** role as Commander-in-Chief was to provide public leadership for the army, not to serve as a battlefield commander. He frequently rallied the CPK troops by making statements praising CPNLAF victories in the war against the Khmer Republic,³²⁵ and he also made it clear that there would be no negotiations with the Khmer Republic government.³²⁶ **Khieu Samphan’s** public statements helped assure there would be no peaceful resolution of the conflict with the Khmer Republic, and thus reinforced the CPK policy to eliminate its enemies by revolutionary violence.³²⁷
97. One of the decisions that was made at the January 1971 Central Committee meeting was to organise the CPK military forces into three distinct groups, which were based on the Viet Minh model: main-force units organised by the Zones and primarily responsible for combat against the Lon Nol army; regional or sector troops, whose main function was territorial defence; and local militia or chhlop with security and military functions.³²⁸ In 1972, the Party focused efforts on “increasing the number of militia and sectoral units to free front-line units from territorial protection duty, so that they can focus on attacking the enemy.”³²⁹ By 1973, although the CPK military had “regiment units only,” its main-force units were engaged in regular combat against enemy forces.³³⁰
98. While communications with the Zones had been limited and difficult in the initial years of the armed struggle, communications had improved by the 1973-74 time period. This allowed the Party Centre leaders to receive reports from the battlefields and to convey orders and instructions in a timely fashion.³³¹ The improved communication and command structure during this period was primarily attributable to two factors: (i) the

- more central location of the Party leaders, and (ii) the availability of radio communication devices.
99. As CPK forces advanced closer to Phnom Penh, new forward bases and command headquarters were established so that the Party leaders could be located closer to the battlefield.³³² In 1973, the CPK established a new forward base west of Oudong near Chrak Sdech village in Peam commune, Kampong Tralach Leu district, Kampong Chhang province.³³³ Peam commune was one of two core Party bases from the mid-1950s, established by original Central Committee member Ma Mang, who died in 1968 and was from Srae Andoung village (also the home of **Nuon Chea's** wife).³³⁴
 100. A number of Party leaders had offices in this same area. Vorn Vet's Special Zone office was located in Krang Beng village, Peam commune.³³⁵ The main camp of Ta Mok's Southwest Zone troops and a military hospital ran by Thiounn Thioeunn were also in the same area.³³⁶ A number of security offices were established in the Peam commune base in 1973 - one near Vorn Vet's office and two in the mountains past Chrak Sdech.³³⁷ The M-13 security office, run by Kaing Guek Eav alias Duch, was located about 20 kilometres to the west in Amleang commune.³³⁸ The military headquarters of Son Sen was approximately 16 kilometres to the southeast near the railway line at Ra Smach (also called Damnak Smach).³³⁹
 101. At the end of 1973, Pol Pot moved the Chrak Sdech base to a new location in Peam commune near Krang Doung and Tang Poun villages, which site was called the B-5 office.³⁴⁰ B-5 was considered "the command location for the front battlefields" and was "established to issue commands for the attack on Phnom Penh."³⁴¹ In March or early April 1975, Pol Pot established another command base in Sdok Taol village (Oudong or Ponhea Leu district) that was approximately 30 kilometres from the capital.³⁴²
 102. Pol Pot would stay at the Party's forward base during the dry season, when offensives were launched to advance towards Phnom Penh, and at the Chinit River headquarters during the rainy season.³⁴³ **Nuon Chea** would come to the forward base for shorter visits (usually one week or less), and then return to one of the mobile offices at S-71.³⁴⁴ Pon, the head of the telegram unit at S-71, was assigned to go to the forward base with Pol Pot in 1974.³⁴⁵ This enabled Pol Pot to have 24-hour telegram communications with **Nuon Chea**, **Khieu Samphan** and other Party leaders at the S-71 headquarters while he was at the forward base, and to publicly broadcast military victories.³⁴⁶
 103. In the weeks leading up to 17 April 1975, Pol Pot and **Khieu Samphan** were located at the B-5 and Sdok Taol forward bases.³⁴⁷ Phy Phuon testified that at B-5, he delivered

messages between **Khieu Samphan** and the battlefields.³⁴⁸ **Nuon Chea** spent part of his time at the B-5 forward base and part at the rear headquarters in Kampong Cham.³⁴⁹ At B-5, Pol Pot, **Nuon Chea** and **Khieu Samphan** held meetings with Zone and military leaders, including Son Sen, Ta Mok, Vorn Vet, Cheng An, Koy Thuon, Ke Pauk, Sao Phim and Ta Phuong.³⁵⁰

104. At the forward command bases, the CPK leaders were able to monitor the battlefields and regularly contact the Zone military commanders. A C-46 military radio device captured in Oudong was on 24 hours a day and used for radio communications between the headquarters and the battlefield.³⁵¹ It allowed Party leaders to “listen to any communications throughout all the battlefields” and to “know when a particular spearhead advanced to a particular location.”³⁵² For example, on the morning of 17 April 1975, Pol Pot and Son Sen learned through radio communications at the Sdok Taol base that CPK forces had entered and captured the city of Phnom Penh.³⁵³ Prior to the capture of Oudong in March 1974, the CPK headquarters had used a C-25 mobile radio and a “Chinese-made two watts radio device,” which had less power and a shorter range than the C-46 radio.³⁵⁴ A number of CPK military witnesses confirmed that their units communicated and received orders by radio during this time period.³⁵⁵
105. In addition to radio communication, the Zone Secretaries who served as the commanders of the Zone armies often came for meetings at Pol Pot’s forward base.³⁵⁶ The Zone Secretaries and their division or brigade commanders also came for meetings and worked out of Son Sen’s command base at Ra Smach.³⁵⁷ Son Sen’s responsibilities as Chief of the General Staff increased over time as the war progressed. Regiment Commander Ung Ren testified that in 1974 (after the attack on Udong), his brigade was informed that the “upper level” had appointed Son Sen to manage the CPK Special Zone forces.³⁵⁸ From that point forward, the Brigade 14 Commander no longer reported to the Special Zone Secretary, and instead reported directly to Son Sen, who commanded the attack on Phnom Penh.³⁵⁹ In late 1974, North Zone Secretary Koy Thuon moved permanently to Son Sen’s base, from where the final attack on Phnom Penh was coordinated.³⁶⁰

CPK MILITARY STRATEGY: ‘SEIZING THE PEOPLE’

106. Through the communication structure put in place in the 1970-75 period, the CPK leaders were able to effectively command and control the CPNLAF forces and implement specific military strategies and lines of combat. One such strategy that was

developed and implemented by the CPK leaders was to forcibly evacuate the people out of cities and towns captured by their military forces.³⁶¹ As testified by Francois Ponchaud, “when the Khmer Rouge soldiers captured a village, then the houses in the village would be set on fire...the commune chiefs would be executed, and people would be evacuated to the forest.”³⁶²

107. In 1973, after the CPK leaders concluded that city-dwellers would remain “politically and ideologically corrupt” if they were allowed to stay in the cities,³⁶³ CPK forces moved the entire population of Kratie provincial town out of the city and deep into the liberated zone.³⁶⁴ That same year, the town of Banam was evacuated. **Nuon Chea** later observed: “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.”³⁶⁵ The July 1973 issue of *Revolutionary Flag* records the CPK practice at the time of conducting evacuations in spite of the risks to the people:

*In the evacuation of people from the areas under the control of the enemy to the liberated zones, we took strong and optimistic views of mass population to successfully send them away to the countryside with no worry that people could be fraught with difficulty due to the lacks of everything. ... Although we were in the situation that we were lack of rice as we are now, we dared to evacuate many more people.*³⁶⁶

108. After temporarily capturing part of Kampong Cham provincial town in September 1973, CPK troops forced at least 15,000 residents to retreat with them from the city, and executed Khmer Republic civil servants and military personnel.³⁶⁷ The attack on Kampong Cham was commanded by Ke Pauk and Koy Thuon, pursuant to orders from the Central Committee.³⁶⁸ The CPK leaders also ordered attacks on other provincial towns, such as Kampong Thom, Kampot and Kampong Seila.³⁶⁹
109. On 18 March 1974, CPK forces captured Oudong and promptly evacuated the entire population into the countryside.³⁷⁰ The attack on Oudong was conducted by CPK forces from the Southwest and North Zones, coordinated by Son Sen, pursuant to orders from the “higher level.”³⁷¹ Phy Phuon was at the B-5 office when Oudong was captured, and testified that the residents were evacuated to the west towards Amleang or Aoral, and that there were no people in Oudong town when he travelled back to the Chinit River base one week later.³⁷² Stephen Heder also visited Oudong weeks after the event, and testified that the town was “virtually empty” except for a few dozen people who “evaded the evacuation.”³⁷³ He was told of executions of Khmer Republic civil servants and military personnel, and saw an abandoned pagoda where six Buddhist nuns had

been killed.³⁷⁴ Based in part on interviews of local villagers who witnessed or experienced the events, expert Philip Short wrote:

*The population of the town, some 20,000 people, was rounded up and marched to the forest of Palhel, an uninhabited area to the east of Chrok Sdech, where Mok had a military base, before being resettled in co-operatives in the Special Zone and the South-West. Officials and uniformed soldiers were separated from the rest, led away and killed.*³⁷⁵

110. Short testified that the separation and execution of Lon Nol officials during the Oudong evacuation was “consistent with what had been happening before...and with, of course, what happened afterwards.”³⁷⁶ In a speech given in North Korea in early April 1974, **Khieu Sa mphan** described the attack on Oudong as follows: “On 18 March, our People’s National Liberation Armed Forces liberated another city, Udong, by annihilating all the puppet soldiers there along with their reinforcements; in other words over 5,000 enemies were eliminated, 1,500 of whom were captured.”³⁷⁷
111. **Nuon Chea** would later describe this military or “combat line” of the Party as follows:

*Attacking the enemy politically: Taking just one example, fighting to seize the people. ... Our line was to fight to seize the people: one, we took him; two, we took them; 100, we took them; 1,000, we took them, and so on until we fought for and seized the people from Phnom Penh too. The line of drying up the people from the enemy was very correct.*³⁷⁸
112. **Nuon Chea** cited Banam, the Chenla II battle in Kampong Thom and Oudong as examples of this strategy, and concluded: “This is a very important strategic line: control the people and seize the people.”³⁷⁹
113. Expert David Chandler wrote that the CPK strategy followed a “pattern of warfare that had been traditional in pre-colonial Southeast Asia, conforming to their own policies of ‘drying up the enemies’ population base.”³⁸⁰ At trial, Chandler explained that the CPK viewed the people in the cities as “intrinsically disloyal,” given that they were not “in the maquis supporting the revolution,” and hence they had to be “pulled away from these places where, if they were left behind,” they could oppose or fight against the Khmer Rouge.³⁸¹
114. Stephen Heder testified that the CPK phrases “seize the people” and “dry up the people from the enemy” referred to the CPK policy of reducing the “proportion of the population under enemy control” by “relocating” those people “from areas temporarily controlled by the enemy to the liberated zones.”³⁸² He further testified that those phrases were “frequently used in the radio broadcasts of the time” and “constantly came up when I was talking to people before April 1975 and since.”³⁸³

115. Another aspect of the CPK military strategy used to attack the enemy in the 1970-75 period was described by Pol Pot as follows:

*On the line of combat against the enemy, our Party also concretely defined its line of combat in great detail in order to be able to attack the enemy under any circumstances. Our line of combat was to launch offensives continuously, giving constant play to creative spirit and initiative on every front. We waged conventional warfare and guerrilla warfare at the same time, ... using guerrilla warfare as the foundation in order to harass the enemy everywhere without let-up, while using conventional warfare to wipe out enemy troops.*³⁸⁴

116. The lines of combat approved by the CPK leaders expressly authorized “guerrilla” attacks against non-military targets and encouraged combatants to take the “initiative” and to be “creative” so that the enemy was attacked “everywhere without let-up.”
117. In a January 1977 speech, **Nuon Chea** also described the combat lines of the Party during this period and emphasised the use of the two different types of combat, describing the role of “guerrilla attacks” as follows:

*Guerrilla fighting is being able to attack every day, and can be compared to fishing with a basket. Anyone can fish with a basket and get tiny shrimp. During the war, the Party said that we were to make guerrilla attacks throughout the country. One guerrilla team could attack the enemy and kill one enemy and wound one enemy per day. With 1,000 teams, 5,000 teams, how many enemies can we smash? Lots. This is people's war to wear the enemy out and break their morale and make the enemy crazy and in a state of turmoil.*³⁸⁵

118. CPK attacks on civilians included executions and shelling of refugees attempting to flee the “liberated zones,”³⁸⁶ and the launching of rockets into the city of Phnom Penh during the 1974 dry-season offensive.³⁸⁷ Philip Short described these attacks as a “daily blitz of indiscriminate terror” reflecting the Party’s view that the inhabitants of Phnom Penh were “human vermin” who had “diverged from the revolution.”³⁸⁸ The CPK’s acts were described by William Shawcross:

*Once within range they demonstrated their attitude toward the people of Phnom Penh by showering rockets and artillery shells over the heads of the defenders into the city. Day after day, night after night the missiles fell haphazardly into the streets, smashing a group of children here, a family there, a rickshaw driver pedaling home after work, houses and schools. The principal line of fire was directly into an area in which thousands of refugees squatted ... On one day in February 1974 alone, Khmer Rouge gunners killed 139 people and blew to smithereens the houses and shacks that gave meager shelter to some ten thousand people. More than one thousand people died in this one series of attacks before Lon Nol's troops were finally able to push the guns and rocket launchers out of range of the town.*³⁸⁹

ESTABLISHMENT OF SECURITY OFFICES

119. During the 1970-1975 period, security offices were established by the CPK across the country as regions were captured and fell under the control of the Party. The M-13 security office, whose chief was Kaing Guek Eav *alias* Duch, was established in July 1971 in Amleang commune, Thpong district, Kampong Speu province, part of the Special Zone run by Vorn Vet and Son Sen.³⁹⁰ Security offices were also established early on in the two original Party bases. In Tram Kak District, the Kraing Ta Chan prison (“Re-education Office 105”) began operations in 1972.³⁹¹ Multiple security offices existed in the Peam commune base in Kampong Chhnang province as of 1973. The Kok Kduoch security office in Kratie province was in operation as of 1973.³⁹²
120. **Nuon Chea** told Thet Sambath that a precursor to S-21 called S-39 was “created by Pol Pot in 1971 to root out traitors” and “detect spies who had infiltrated their movement.”³⁹³ S-39 was “charged with investigating and following suspected enemies,” and was purportedly closed because Pol Pot did not believe the reports and confessions generated by the security office which “accused many cadre of betrayal, spying and plotting” against the Party.³⁹⁴
121. Kaing Guek Eav *alias* Duch testified at trial that the “key enemies” during the 1970-75 period were “spies,” and that cadres were “instructed by the Party that anyone who entered the liberated zone would be considered as enemy.”³⁹⁵ People were not allowed to move freely within the liberated zones, and anyone caught entering into or travelling around the liberated zones was subject to arrest, detention, interrogation, torture and possible execution in the CPK security offices.³⁹⁶ Methods of interrogation and torture were developed at M-13 and other pre-1975 CPK security offices, pursuant to instructions by the Party leaders, which would later be used at S-21 and other DK-period security offices.³⁹⁷
122. The CPK instructed its cadres not to arrest and execute spies in public meetings, even though the “stance to smash the spies [was] correct,” in order to avoid frightening the people and making them think the Party was “extremely cruel.”³⁹⁸ Philip Short testified that the guiding principle behind this instruction was that “executing people is right when they are counter-revolutionary, when they’re against the Revolution,” but that it should not be done “in front of others” to avoid “harm[ing] the Revolution’s goals.”³⁹⁹

JUNE 1974 MEETING OF PARTY CENTRE

123. In June 1974, the CPK leaders met at the Party office near Meak village, Prek Kok commune, Stung Trang district to discuss plans for the liberation of Phnom Penh.⁴⁰⁰ The meeting “lasted more than a fortnight.”⁴⁰¹ It was attended by Pol Pot, **Nuon Chea**, Ieng Sary, **Khieu Samphan**, Sao Phim, Koy Thuon, Ta Mok, Vorn Vet, Ros Nhim and Son Sen.⁴⁰² The CPK leaders decided at this meeting that the residents of Phnom Penh and other Cambodian cities would be evacuated to rural areas when those cities were liberated, just as had been done with Kratie and Kampong Cham in 1973, Oudong in March 1974 and other towns and villages previously captured by the CPK (as described above).⁴⁰³

124. Phy Phuon described the CPK leaders’ reasons for evacuating Oudong and other cities and towns as follows:

*It was a radical solution designed to foil any attempt by the enemy to destabilize our forces - and at the same time it was an internal measure, because for our cadres, if they were living close together with the urban population, there was a risk that they would be politically and ideologically corrupted. They might be influenced by the new urban environment... If the town-dwellers were evacuated, that risk was avoided. You must understand that the final goal was the liberation of Phnom Penh, and to that end we had to sharpen our political and ideological stance. Was it so our cadres would avoid the ‘sugar-coated bullets of the bourgeoisie?’ Yes!*⁴⁰⁴

125. He also testified that CPK leaders were concerned that “if people remained in the cities, the Party would find it difficult to control them.”⁴⁰⁵ Phy Phuon testified that Pol Pot, **Nuon Chea** and **Khieu Samphan** all made presentations at study sessions in which they used these reasons to justify or explain the CPK practice of evacuating captured cities and towns.⁴⁰⁶ Ieng Sary also had a discussion with Pol Pot on this issue in 1974, after Chinese Premier Zhou Enlai asked him what the CPK’s plans were for Phnom Penh after they won.⁴⁰⁷ Pol Pot responded that the Chinese need not worry, as the CPK “already had all the experiences they needed” based on the evacuations they had carried out in Kratie and Stung Treng provinces.⁴⁰⁸

126. At the start of this trial, **Nuon Chea** provided a detailed statement describing the agenda of the mid-1974 meeting and the considerations that he contends led to the Party’s decision to evacuate Phnom Penh.⁴⁰⁹ He asserted that a major consideration of the CPK leaders was the insufficient food supplies in Phnom Penh for the “roughly 3 million people” who were located in the city, and the reliance of the Lon Nol government on food supplies from foreign countries.⁴¹⁰ At the same time, however, **Nuon Chea** admitted that the Party leaders also understood there would be short-term difficulties in

the provinces, as “the lack of food, medicine and health issue would be prominent because there will be more people who have to be moved to the countryside.”⁴¹¹ **Nuon Chea** provided no explanation as to why the food shortages in Phnom Penh made necessary the evacuation of all other cities and towns in Cambodia. Nor did he disclose that the CPK itself was responsible for causing food shortages in Phnom Penh, and that one of the decisions made at the June 1974 meeting was to “attack the lower Mekong River as the key to cut-off enemy food supplies and routes of communication.”⁴¹²

127. In the same detailed statement explaining the reasons for the CPK leaders’ decision to evacuate Phnom Penh, **Nuon Chea** made no mention of the threat of U.S. bombing as a factor behind that decision. To the contrary, he stated that the CPK leaders were aware that the U.S. Congress had acted to end the bombing of Cambodia as of mid-August 1973,⁴¹³ and that the conclusion reached at the mid-1974 meeting was that “America will no longer be an opposing party” and instead Vietnam would become the Party’s primary “opponent.”⁴¹⁴
128. In reaching their decision, the CPK leaders considered potential “destruction and sabotage” by “Lon Nol soldiers in Phnom Penh” after their defeat.⁴¹⁵ They concluded that if Phnom Penh was liberated, some Lon Nol soldiers would “remain hiding in Phnom Penh” and “would start fighting [and] attacking our people through means of guerrilla war.”⁴¹⁶ **Nuon Chea** acknowledged that one of the reasons for the evacuation of Phnom Penh was to deal with the Lon Nol soldiers who would continue opposing the CPK.⁴¹⁷
129. The Party leaders thus decided “unanimously” that once Phnom Penh was liberated, the CPK would “evacuate the people from Phnom Penh and [other] city centres temporarily in order to analyze the situation for a period of time; in particular to analyze the actual attitude of Vietnam.”⁴¹⁸ The Central Committee planned to conduct meetings with Zone Committees, Sector Secretaries and District Secretaries to “see how many people will be evacuated and in each co-operative, how many peoples are needed to manage those people or how many people can be accommodated in one co-operative.”⁴¹⁹
130. The June 1974 meeting also made a number of other significant decisions. In regards to the use of currency, **Nuon Chea** and the other Party leaders believed that money was “a very powerful weapon” for the enemy that was used by “spies” to “buy our cadres or soldiers,” and that the Party had been able to better control and “manage” the liberated zones without money.⁴²⁰ The leaders thus decided to hold off on the use of currency.⁴²¹

131. The meeting also addressed concerns regarding internal enemies within the Party ranks. **Nuon Chea** admitted that one of the meeting's agenda items was "destructive activities by the traitors who infiltrated in the party [or] in the cooperatives," and that Party leaders were concerned if they liberated Phnom Penh before Vietnam liberated Saigon (Prey Nokor), "Vietnam would do its best to encourage more traitors to infiltrate in all cooperatives."⁴²² As later explained in the Party's *Revolutionary Flag* publication:

*[I]n early 1974 there were many problems with the enemy conducting pacifist agent activities which damaged a number of our troops, our state authorities, our male and female combatants, and our cooperative committees. Since the proletarian stance of the Party was not yet solid, the enemy was able to bore holes from within our ranks... The Party assessed this situation and decided to close the door to the Party and the core organizations. Along with this, there were internal purges.*⁴²³

132. The purged cadres included Central Committee member and Koh Kong chief Prasith *alias* Chong, and many of his associates in Koh Kong, who were accused of "collaborat[ing] with the contemptible Nol and the Thai reactionaries."⁴²⁴ Expert Philip Short noted that this was the first occasion on which the CPK leadership had approved the execution of one of its own, and marked a "tipping point" in the Party's history and "the beginning of the internal purges which went on to devour" the CPK.⁴²⁵
133. While **Nuon Chea** claimed that neither Ieng Sary nor **Khieu Samphan** were present for the June 1974 meeting,⁴²⁶ the evidence proves the contrary. **Khieu Samphan** and Ieng Sary completed their eight-week trip to Eastern Europe and Africa in May 1974, returning to Beijing on 20 May 1974 and flying from there to Hanoi on 27 May 1974.⁴²⁷ On their return to Cambodia from Hanoi, they stopped in Laos from 2 to 8 June 1974 and in the Quang Tri liberated zone in Vietnam from 11 to 13 June 1974.⁴²⁸ **Khieu Samphan**'s wife confirmed that he returned to Cambodia in June 1974 (approximately one month after the birth of their son), at which time they went to the Meak office (the location where the June 1974 meeting was held).⁴²⁹ Ieng Sary admitted that he returned to Cambodia in 1974, and described having discussions with Pol Pot about the evacuation of Phnom Penh during that trip.⁴³⁰ Significantly, Phy Phuong testified at trial that both Ieng Sary and **Khieu Samphan** attended the meeting.⁴³¹ (Based on Phy Phuong's testimony, it appears likely that the meeting started in late June and continued into July 1974.)⁴³² Phy Phuong's testimony is therefore corroborated by clear and substantial evidence that Ieng Sary and **Khieu Samphan** ended their foreign trip and returned to Cambodia in time for this critical meeting of the Party Centre.

134. Following the June 1974 meeting, Pol Pot and **Nuon Chea** led a delegation to Vietnam to inform them of the CPK plan to liberate Phnom Penh and to request further supplies of weapons.⁴³³ The Zone Secretaries returned to their regions and convened study sessions with local cadres to discuss the situation on the battlefields and the “situation of the enemies” and to prepare to carry out the Party’s policies.⁴³⁴

FINAL OFFENSIVE ON PHNOM PENH

135. The final attack on Phnom Penh was planned in December 1974 at the B-5 forward base and Smach command post, with Son Sen named as the front commander and North Zone Secretary Koy Thuon his deputy.⁴³⁵ The offensive was announced in a statement by **Khieu Samphan** broadcast on the Voice of FUNK radio at 11 am on 31 December 1974,⁴³⁶ and began 14 hours later at 1 am on 1 January 1975 with CPK forces firing rockets into the city of Phnom Penh.⁴³⁷
136. For the next 15 weeks, CPK forces regularly and indiscriminately fired rockets into residential areas of Phnom Penh, killing or wounding hundreds of civilians and inflicting terror on the city’s population.⁴³⁸ The attacks were documented and reported extensively in January,⁴³⁹ February,⁴⁴⁰ March⁴⁴¹ and April 1975.⁴⁴² On 6 February 1975, a Khmer Rouge rocket hit a primary school in Phnom Penh, killing and wounding numerous young children.⁴⁴³ This event was recorded by Sydney Schanberg in his diary:

February 6: Just before 10 a.m., a rocket screams down loudly in the center of Phnom Penh. It explodes directly on a crowded school – a private elementary school for well-to-do children. The scene is another of the capital’s continuing horror stories. Mangled children writhing in pools of blood on the classroom floor, still alive but probably not for long. Frenzied parents racing up in cars and on foot, screaming their childrens’ names, praying they will find them alive. Unwounded children in shock, running around the schoolyard, shrieking in terror. Ambulances rushing in and out. Weeping teachers. Total chaos.

At least ten children are killed immediately and another 25 or 30 are wounded. It’s the first time an insurgent rocket has struck a school in session, but it’s a miracle it hasn’t happened before now, because the rockets are fired blindly, as an instrument of terror – and they come in every day.⁴⁴⁴

137. On 3 March 1975, a rocket landed outside the Monorom Hotel, leaving the street “strewn with bodies and pieces of bodies.”⁴⁴⁵ Two days later, Sydney Schanberg noted that “[i]n the nine weeks since the offensive began, about 1000 rockets have fallen on the capital, killing more than 150 civilians and wounding nearly 600 others.”⁴⁴⁶

138. Stephen Heder testified that the CPK shelling during this dry season offensive occurred from late 1974 to April 1975.⁴⁴⁷ He “had to dig a bunker under [his] house, sometimes live in the bunker” due to regular Khmer Rouge 105 mm shelling from the southwest, and described seeing 107 mm rockets fired from the east that would land “in the centre of town, around Monorom,” killing people.⁴⁴⁸ The 105 mm artillery fire from the southwest came from Special Zone troops commanded by In Lorn *alias* Nat, and the 107 mm rockets were fired by East Zone division troops, both of which were under the command of General Staff chairman Son Sen.⁴⁴⁹ Heder testified that the CPK artillery and rocket fire was “indiscriminate” and “fell primarily in residential areas,” and described an incident in which a “whole neighbourhood went up in flames.”⁴⁵⁰
139. As CPK forces attacked towards Phnom Penh, reports regarding the progress of the offensive were communicated by telegram to the Party headquarters, which provided instructions on “particular targets” to be attacked and responded to requests for “ammunition and weaponry.”⁴⁵¹ FUNK radio broadcasts (including statements by **Khieu Samphan**) regularly lauded the success of the CPK military’s shelling of Phnom Penh.⁴⁵² On 24 February 1975, the FUNK publicly stated that “the residences of traitors Lon Nol, Sirik Matak, Son Ngoc Thanh, Cheng Heng, In Tam, Long Boret and Sosthene Fernandez” were amongst the “main targets for our CPNLAF artillery units.”⁴⁵³ The following month, on 20 March 1975, the homes of Prime Minister Long Boret and Navy Commander Vong Serendy were hit by rockets, and “six Chinese built rockets” landed just outside the walls of the U.S. Embassy, in another day of CPK shelling of the city that “kill[ed] four people and wound[ed] 15 others”⁴⁵⁴
140. Pursuant to the strategy adopted at the June 1974 Central Committee meeting, CPK forces attacked river convoys and laid mines in the Mekong River, cutting off the critical supply route by which the city of Phnom Penh received rice, food and other necessities.⁴⁵⁵ **Khieu Samphan** issued a statement on 14 January 1975 announcing that the “sole route for the transportation of rice and other food, fuel oil and munitions from South Vietnam to feed the clique of traitor Lon Nol and associates” was “completely blocked,” that 20 battalions of enemy troops had been “annihilated” and thousands of people liberated from the “demonic claws of the traitor Lon Nol and his clique.” He called on CPNLAF combatants “to attack the enemy with greater vigor and to sweep him completely out of the entire lower part of the Mekong” so as to allow the “liberation of Phnom Penh and all of Cambodia.”⁴⁵⁶

141. In February 1975, a FUNK radio broadcast urged the United States to cease “all” aid to Cambodia.⁴⁵⁷ After stopping the transportation of food to Phnom Penh by river, the CPK intensified its shelling of Pochentong airport,⁴⁵⁸ publicly announcing on 5 March 1975: “The enemy is now in agony because the Mekong River has been cut for two months now and the air route and all other communication routes will be completely cut off in the very near future.”⁴⁵⁹ As testified by Sydney Schanberg, CPK forces directly targeted supply planes landing at the airport to deliver food and humanitarian aid.⁴⁶⁰ Pol Pot later confirmed that it was a designed and intended strategy of the CPK to “[cut] off all the enemy’s food supplies.”⁴⁶¹
142. On 24 and 25 February 1975, **Khieu Samphan** presided over the 2nd FUNK/GRUNK National Congress, which declared that senior Khmer Republic officials Lon Nol, Sirik Matak, Son Ngoc Thanh, Cheng Heng, In Tam, Long Boret and Sosthene Fernandez were the “chieftains of the traitors,” and that it was “absolutely necessary to kill these seven traitors.”⁴⁶² The press communique issued by the Congress was signed by **Khieu Samphan** and broadcast over the Voice of FUNK radio.⁴⁶³ The call for the execution of the seven top Khmer Republic leaders was frequently repeated on the Voice of FUNK radio and in statements published by AKI (the FUNK information bureau) in the weeks leading up to 17 April 1975,⁴⁶⁴ including a 15 March 1975 statement by **Khieu Samphan** asking people to “intensify your struggle against the traitors” and “put an end to [their] existence by riots and seizure of weapons,”⁴⁶⁵ and a 25 March 1975 statement by **Khieu Samphan** on behalf of the GRUNK Cabinet reaffirming the 2nd National Congress decision that “the existence of the fascist, rotten traitors must be ended at all costs.”⁴⁶⁶ On 10 April 1975, the AKI issued a statement noting that while five of the seven super-traitors had fled the country, Sirik Matak and Long Boret remained “in Phnom Penh,” and the “residents and youths will annihilate and put an end to [their] existence.”⁴⁶⁷ **Nuon Chea** testified at trial that he was aware of the radio broadcasts calling for the execution of the seven Lon Nol “super-traitors,” and confirmed that the CPK Standing and Central Committees took no action to renounce the call for the execution of those individuals.⁴⁶⁸
143. In regards to other officials or representatives of the Lon Nol government and military, the 2nd National Congress proclaimed that “other low or high-ranking government officials...army officers, police officers” from the Khmer Republic regime could join the FUNK, “provided they *immediately* cease their service to the seven traitors and stop cooperating with them.”⁴⁶⁹ As noted by Philip Short, the implication of this statement

was “if you don’t join the Revolution *immediately*, you will be in the same category as the super traitors.”⁴⁷⁰ Similar statements were issued through the AKI and Voice of FUNK right up until the capture of Phnom Penh,⁴⁷¹ including a 13 April 1975 statement by GRUNK Prime Minister Penn Nouth warning that “time is very short” and that:

*the supertraitors have now fled the country and abandoned you to die in their stead. You should take this good opportunity to defect from their ranks and join the patriotic ranks of the people in order to avoid passing on a bad name to your children who will be indelibly marked as the descendants of traitors.*⁴⁷²

144. The final plans for the evacuation of Phnom Penh were made at a meeting held at B-5 in early April 1975, attended by Pol Pot, **Nuon Chea**, **Khieu Samphan**, Ta Mok, Son Sen, Koy Thuon, Vorn Vet, Cheng An and Sao Phim.⁴⁷³ The meeting took place in the morning, from around 7 to 11 am⁴⁷⁴ It was conducted “in the open” in a shed or hut with no walls and a thatched roof “covered by palm leaves,” which had maps of Cambodia.⁴⁷⁵ (A video showing Pol Pot, **Nuon Chea** and **Khieu Samphan** studying a map at this location was identified by Phy Phuon).⁴⁷⁶ During the meeting, the Zone commanders reported on the situation at each battlefield.⁴⁷⁷ Pol Pot and **Nuon Chea** discussed the experiences learned from the liberation and evacuation of other towns and cities, and “people who engaged in the battlefields shared their opinion and said that if people remained in the cities the Party would find it difficult to control them.”⁴⁷⁸ Both **Nuon Chea** and **Khieu Samphan** spoke at the meeting, stated their views and expressly agreed to the plan to evacuate Phnom Penh.⁴⁷⁹ None of the participants expressed any concerns about evacuating all the people out of Phnom Penh city.⁴⁸⁰ The evacuation plan was approved, and “the whole meeting applauded.”⁴⁸¹
145. **Khieu Samphan** admits that he moved to Pol Pot’s headquarters west of Oudong at the end of March 1975, where on a “regular basis” he saw the commanders of the Zone armies that were fighting towards Phnom Penh, including Ta Mok, Koy Thuon, Ke Pauk and Sao Phim.⁴⁸² Saloth Ban *alias* So Hong, the nephew and then bodyguard of Pol Pot, witnessed **Khieu Samphan** attend a meeting at Pol Pot’s office in Peam commune before the attack on Phnom Penh and assist in making a list of required ammunition.⁴⁸³ **Nuon Chea** confirms that Pol Pot was at the B-5 office as of early April 1975 “in order to command” the battle for “the liberation of Phnom Penh,”⁴⁸⁴ and has admitted that he went to B-5 for meetings with Pol Pot and was in Peam commune for two weeks around the time of the capture of Phnom Penh.⁴⁸⁵

146. In the final days and weeks leading up to 17 April 1975, meetings were held with the CPNLAF divisions that would be mounting the final attack on Phnom Penh to convey the orders of the CPK leaders.⁴⁸⁶ In Sector 35, Southwest Zone Secretary Ta Mok chaired a meeting of his military commanders to communicate the plan to evacuate all cities.⁴⁸⁷ East Zone military commander Chan Chakrei received instructions to “temporarily” evacuate the people out of Phnom Penh at a 4 April 1975 meeting, and then passed the order on to his officers.⁴⁸⁸ Regiment Commander Ung Ren attended a meeting at the Damnak Smach base 15 days prior to the attack of Phnom Penh, at which Son Sen “called the brigade, the regiment, and the battalions” to “receive the plan,” divide forces into various groups and “prepare our political stance in anticipation of the attack on Phnom Penh.”⁴⁸⁹ [
147. On 1 April 1975, after CPK forces captured the strategic river port of Neak Luong,⁴⁹⁰ President Lon Nol resigned and went into exile.⁴⁹¹ Later that day, **Khieu Samphan** issued a statement that appealed to Khmer Republic officers and soldiers to “lay down their weapons immediately and join the NUFC at once,” but rejected calls for negotiations as a “trick.”⁴⁹² Two days later, **Khieu Samphan** issued a statement that described in detail the capture of Neak Luong, including the specific Khmer Republic brigades that were defeated and the number of soldiers (5,000), “field-grade officers” (20) and “general officers” (65) who were “killed, wounded [or] captured,” and announced that the CPNLAF would “continue to launch offensives on Phnom Penh and the few provincial capitals under temporary enemy control,” notwithstanding the “scheme of negotiation” that had been “cook[ed] up” by the “U.S. imperialists.”⁴⁹³ On 8 April 1975, **Khieu Samphan** issued an angry denial of reports in the Western media that Long Boret had “met with a representative of the other side for 4 hours,” reiterating that the FUNK and GRUNK “have absolutely never negotiated with nor will they ever accept negotiations with the traitorous clique.”⁴⁹⁴
148. On 12 April 1975, the U.S. Ambassador and remaining embassy personnel left Phnom Penh, taking with them Acting President Saukam Khoy.⁴⁹⁵ On that same date, the French Foreign Ministry announced that it was recognizing and establishing diplomatic relations with the GRUNK.⁴⁹⁶
149. The following day, **Khieu Samphan** issued a statement through the Voice of FUNK noting the American evacuation and “escape” of Lon Nol and other “supertraitors,” asserting that the newly-formed “Supreme Committee” of the Khmer Republic was

“another traitorous organization” established to “continue the treachery of the last bunch of traitors,” and appealed to “officers and troops in the traitorous army:”

*Now you must think the matter over again in order to see what the future holds for you. The U.S. imperialists have all deserted you, as have the traitors. There is no more aid, since transportation activities have ended. There are no more planes, no ammunition, no fuel and no rice. The situation is hopeless. The only thing in view is destruction.*⁴⁹⁷

150. By 14 April 1975, CPK forces were engaged in combat at the Pochentong market and had advanced into Toul Kork on the northwest edge of the city.⁴⁹⁸ That same day, a government pilot heeded **Khieu Samphan**’s call to join the FUNK, and dropped two bombs on the Khmer Republic military headquarters in the heart of Phnom Penh in the process of his desertion, killing seven people.⁴⁹⁹ The bombing was hailed as a “brilliant patriotic act” by the FUNK, who called on other Khmer Republic officers and soldiers to “follow the example” set and “join the CPNLAF to totally annihilate the enemy.”⁵⁰⁰
151. On 15 April 1975, CPK forces captured Pochentong airport, controlled the entire east bank of the Mekong River, and advanced through Takhmau to the southern edge of Phnom Penh; late into the evening, battles raged and fires burned around the entire city.⁵⁰¹ Sydney Schanberg described the scene overlooking the United Nations bridge at 4 am on the 16th as follows:

*The sky looks like sunset. Thousands of houses must be burning. It’s the biggest fire I’ve ever seen. The noise of the battle is also enormous – grenades and mortars and machineguns and recoilless cannon all exploding at once.*⁵⁰²
152. On 16 April 1975, the Hotel Le Phnom was declared a “neutral international zone” and the Red Cross established medical facilities on the hotel premises.⁵⁰³ A ceasefire proposal was sent by the Khmer Republic leadership (through the Red Cross) that offered “an immediate transfer of power” to the GRUNK, in exchange for assurances there would be no “acts of reprisals or discrimination against people and organizations because of their activities during the hostilities.”⁵⁰⁴ It was immediately rejected by the resistance, who asked the International Red Cross to “cease interfering in the internal affairs of Cambodia,” and declared that the Khmer Republic leaders “deserve nothing but the gallows” and that “if second-rank traitors wish to save their lives, they should immediately...raise the white flag and rally unconditionally” to the FUNK, GRUNK and CPNLAF.⁵⁰⁵
153. By the evening of 16 April 1975, CPK military divisions from the North, Southwest, East and Special Zones had surrounded Phnom Penh and were prepared to enter the city.⁵⁰⁶ Their military commanders had received their orders from the CPK leaders, who

stood by at the Party's forward bases near Phnom Penh, from where they would monitor and direct the final attack on the city.

B. JOINT CRIMINAL ENTERPRISE: CRIMINAL POLICIES

1. INTRODUCTION

154. On or before 17 April 1975, the leaders of the CPK, including **Nuon Chea** and **Khieu Samphan**, agreed on the Common Criminal Plan to create a slave state and kill real or perceived enemies of the Party, by, *inter alia*: a) evacuating the country's entire urban population, forcibly transferring and enslaving them in CPK-run co-operatives; and b) seeking out and eliminating targeted groups, including officials and military officers of the Khmer Republic regime.
155. Starting on 17 April 1975, in pursuance of the Common Criminal Plan, the CPK leadership created the World's first modern slave state,⁵⁰⁷ emptying every city and urban centre in Cambodia, abolishing all rights, breaking up families, imprisoning the civilian population in cooperatives and worksites, and implementing a system of terror to search out and eliminate groups which the Party perceived as its enemies. The Closing Order sets out five criminal policies which formed part of this Plan: a) forced movements of populations; b) confinement of the civilian population to cooperatives and worksites; c) re-education of "bad-elements" and killing of "enemies;" d) targeting of specific groups (Cham, Vietnamese, Buddhists and former officials of the Khmer Republic); and e) forced marriage.
156. As discussed in the *General Matters Section*, the Trial Chamber has limited the scope of this trial to a detailed examination of only two of the above policies (forced transfers and the targeting of Khmer Republic officials). It has also admitted evidence of the remaining three policies in order to examine the manner in which policy was developed. The following section focuses on the policies of forced transfer and targeting of Khmer Republic officials, while also providing an overview of the remaining policies.

2. THE CRIMINAL POLICIES

POLICY ON FORCED TRANSFERS

EARLY IMPLEMENTATION

157. The forced evacuations and transfers of civilian populations that commenced on 17 April 1975 were neither isolated nor unprecedented events. They followed a well-established policy which the CPK leadership had implemented consistently during the

- civil war against the Khmer Republic regime. As Professor Chandler testified, the “repetitive pattern” of the forced evacuations of towns such as Kampong Cham, Takeo, Oudong and Kratie “reached its...climax in the evacuation of Phnom Penh.”⁵⁰⁸
158. As discussed in the *Development of CPK Policies and Role of Accused (Pre-17 April 1975)* Section, the practice of forcibly moving civilian populations out of urban areas and into areas controlled by CPK forces was adopted from 1973 onwards. This practice was implemented whenever the CPK forces captured an urban centre controlled by their enemy, the Khmer Republic Regime.⁵⁰⁹ The forcible evacuations were designed to: a) drain the Khmer Republic of any support base in the event that it re-took the urban area;⁵¹⁰ and b) forcibly relocate the evacuated civilian population to CPK-controlled rural cooperatives in the “liberated zones,” where the population would be enslaved and used as a production base for the revolution.⁵¹¹
159. The evidence describes the forced evacuations in 1973 and 1974 of towns including: Kratie,⁵¹² Kampong,⁵¹³ Kampong Cham,⁵¹⁴ Oudong and Banam. In the same period, CPK carried out large scale movements of rural populations, including in the Kampot Province.⁵¹⁵ In a speech published in the December 1976 / January 1977 *Revolutionary Flag* magazine, **Nuon Chea** described a number of pre-1975 forced transfers of civilian populations (including Banam town and Oudong), confirming that these operations were part of the Party’s line of “seizing the people” and “drying up the people from the enemy.”⁵¹⁶ The latter phrase was used frequently in Khmer Rouge radio broadcasts before the fall of Phnom Penh.⁵¹⁷
160. The forced mass evacuations were carried out without regard for the suffering inflicted on the victims, as the Party acknowledged in the July 1973 issue of the *Revolutionary Flag* magazine.⁵¹⁸ An example of this was provided by Witness Nou Mao, a member of a commune committee in the Oudong District in 1974:
- At that time, I was living in Cheung Roas commune, Udong district. Then the superior at the upper level told us that we had to receive people from Udong...They captured some soldiers, and then they evacuated some people all the way through Amleang...There was nothing over there. The land was barren...We had nothing to eat but wild potatoes and some wild plants. So there were a lot of casualties. Some people died of starvation. Some died of diseases, because they did not have access to medicines.*⁵¹⁹
161. Describing pre-1975 evacuations generally, Nou Mao testified:
- At that time, wherever the soldiers arrived, people were evacuated. When they evacuated people, actually they did not -- or they were not prepared for the people. People had nothing to eat. No -- not sufficient rice to eat; and they ate virtually everything edible. They did not have rice stock for them to eat, or any foodstuffs to eat. So, most -- some of*

*them eventually died of starvation, and some disappeared mysteriously, and some barely survived.*⁵²⁰

162. CPK's inherently violent and discriminatory treatment of urban populations was driven by the CPK leaders' determination that the cities were a natural base for the enemies of the revolution. Describing CPK's pre-1975 revolutionary struggle, **Nuon Chea** asserted that there were "few enemies" in rural areas, but "many enemies" in the cities.⁵²¹ The CPK indoctrinated its cadres and members of the military that the cities were riddled with moral turpitude and filth, and that cities were occupied by the enemy.⁵²² Professor Chandler described this as follows:

*[T]he people in the cities were, by definition, enemies...feudalism and imperialism...were located, in the eyes of the leaders of the CPK...in the cities. The cities were where the bad things were happening.*⁵²³

163. Describing this ideological delineation, Philip Short wrote: "Soldiers were urged to 'cut off their hearts' towards potential enemies, a category which included all urban deportees." He expanded on this in his testimony before the Chamber, stating:

*"[I]t's consistent with everything...we've been describing about the ends justifying the means...making a clear line of demarcation between the enemy and ourselves, about...those who chose to 'vote with their feet' and stay in the cities rather than joining the Revolution being untrustworthy."*⁵²⁴

164. The Chamber has heard direct testimony describing two large forced evacuations by CPK forces in the pre-1975 period: the cities of Kampong Cham and Oudong. In both cases, CPK forces held the towns for short periods of time, and yet evacuated the entire civilian populations as soon as they established control. This occurred during the Khmer Rouge capture of a part of the city of Kampong Cham in September 1973.⁵²⁵ In March 1974, having taken control of the city of Oudong for only 24 hours,⁵²⁶ the CPK forcibly evacuated its entire population of 20,000 people.⁵²⁷
165. The forced evacuation of Oudong was a seminal event as the CPK leadership determined that it provided the template to be followed in the case of Phnom Penh once the Party achieves final victory.⁵²⁸ In the months that followed, Pol Pot, **Nuon Chea** and **Khieu Samphan** lectured CPK cadres on the policy of forced evacuations, stating that the evacuation of Oudong enabled the Party to "foil any attempt by the enemy to destabilize our forces."⁵²⁹ Cadres at commune level were also taught about this successful operation.⁵³⁰

DECISION AND REASONS FOR EVACUATING THE CITIES IN 1975

166. As discussed in the *Development of CPK Policies and Role of Accused (Pre-17 April 1975)* Section, the decision to evacuate Phnom Penh following victory was made at a June 1974 meeting of the Party Centre attended by **Nuon Chea** and **Khieu Samphan**.⁵³¹ The dual rationale for the evacuation of Phnom Penh was consistent with the reasons for the forced evacuations in the pre-1975 period: to achieve a military victory against the Party's enemies, and to enslave the urban population in CPK-run cooperatives.
167. The plan to evacuate Phnom Penh by force was developed well in advance. By 1974 cadres learnt in study sessions that Hou Yuon and Chou Chet were against the plan to evacuate the cities, while **Khieu Samphan** and Ta Mok were in favour.⁵³² As discussed in detail in the *Development of CPK Policies and Role of Accused (Pre-17 April 1975)* Section, final plans for the forced evacuation of Phnom Penh were made at a meeting attended by Pol Pot, **Nuon Chea**, **Khieu Samphan** and various zone and military commanders in early April 1975.⁵³³ The meeting took place at Office B-5, one of CPK's advanced battlefield command posts west of Oudong. The attendees resolved unanimously to evacuate Phnom Penh, and designated troops responsible for various "spearheads" in the attack.⁵³⁴ Both Accused spoke and voted in favour of the evacuation.⁵³⁵ The orders issued by this meeting were passed down to the military units who were charged with implementing them.⁵³⁶

Breaking up the Enemies, Waging Class Struggle

168. The CPK leadership took the view that its military victory could only be complete if the Party identifies and eliminates enemies and spies hiding in the cities. Pol Pot explained in a September 1977 speech that the decision to evacuate the cities was taken in order to effect the "smashing of all sorts of enemy spy organizations."⁵³⁷ Similarly, **Nuon Chea** stated in a 1978 interview:

*It is more widely known that the USA planned to seize power from us six months after liberation. The plan involved joint action on the part of the USA, the KGB and Vietnam. There was to be combined struggle from inside and outside. But we smashed the plan. 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.*⁵³⁸

169. In a recent interview, **Khieu Samphan** also sought to justify the evacuation as necessary to avert the threat of a "rebellion" by CIA and Khmer Republic agents which would have enabled the Vietnamese to invade:

*And if in addition there was incitement by the CIA, more rebels, and the remnants the Lon Nol army throughout Phnom and the countryside, there would be rebellion....A more serious danger was that the Vietnamese were nearby...during a rebellion the Vietnamese would come, come on the grounds that they were coming to help protect Kampuchea from falling into the hands of the Americans.*⁵³⁹

170. Party circulars confirm that the CPK leadership deemed the forced evacuation of the cities in April 1975 a success because it broke up and “smashed” supposed enemy networks.⁵⁴⁰ Expert analyses confirm that a key policy reason for the evacuation of the cities in 1975 was to break up enemy networks and to subject the urban populations to the CPK’s enslavement program. Professor Chandler has written:

*This brutal order, never thoroughly explained, added several thousand deaths to the approximately five hundred thousand in the civil war...Perhaps the overriding reason, however, was the desire to assert the victory of the CPK, the dominance of the countryside over the cities, and the privileged position of the poor. Saloth Sar and his colleagues had not spent seven years in the forest and five years fighting a civil war to take office as city councilors. They saw the cities as breeding grounds for counterrevolution, and their economic priorities were based on the transformation of Cambodian agriculture, especially on increasing the national production of rice.*⁵⁴¹

171. Similarly, Philip Short testified that the policy reasons for the evacuations included “breaking up the network among city-dwellers so that they were no longer in a position to resist the regime.”⁵⁴²
172. The April 1975 evacuations of the city were also designed to destroy and eliminate CPK’s class enemies and their regime. The leaders held that “[w]hen we evacuated the people from the cities, we carried out class struggle.”⁵⁴³ Thus, the evacuations “attacked and demolished the feudal-land owner class...[and] capitalists in cities.”⁵⁴⁴ Stephen Heder states that the evacuations were carried out “to abolish the urban-based, feudalist, bourgeois and petty bourgeois intellectual strata as classes.”⁵⁴⁵ Philip Short’s analysis and his testimony before the Court encapsulate the ruthlessness of the Party Centre’s decision to evacuate Phnom Penh and other cities, and its impact on the victims:

*[T]he ruthlessness, and single-mindedness, and the lack of concern for human values, for human suffering, for individual values that were shown during the evacuation...in everything the same approach, and in many cases the same finalities - that is, large numbers of dead along the way - were how those programs were characterized. And you find all that in the very first step, which was the evacuation of the cities.*⁵⁴⁶

Enslavement

173. As noted above, the second reason for forced evacuations was to enslave civilian populations in CPK-run cooperatives. The introduction of cooperatives from 1972

onwards entailed the implementation of collectivization policies which were inherently oppressive. Being a production base, cooperatives served an important function in supporting the Party's war efforts. As discussed in the *Development of CPK Policies and Role of Accused (Pre-17 April 1975)* Section, they were also an expression of the Party's ideological and class struggle against imperialists and feudalists.⁵⁴⁷

174. At a key Central Committee meeting in May 1972 the leaders determined that, in order to sweep away the traits of feudalism and imperialism, it was necessary to intensify class struggle and implement the collectivisation of agriculture and the suppression of private trade as soon as possible.⁵⁴⁸ From May 1973, the Party introduced high level cooperatives in which collectivisation was implemented by force.⁵⁴⁹ By April 1975, high level cooperatives were established throughout the areas controlled by the CPK.
175. While the primary rationale of the forced evacuations of the cities in April was to destroy or break up the Party's class enemies and their "networks," the evacuations also enabled the Party to uproot the country's entire urban population and subject it to the Party's enslavement program in cooperatives and worksites. In the eyes of the Party leaders, the threat posed by external enemies, primarily Vietnam, warranted the institution of a rapid program to develop and defend the country, without regard for the human cost.

Implementation – April 1975

176. As discussed in the *First Forced Transfer Section*, within hours of taking control of Phnom Penh, the CPK troops commenced the forced evacuation of the entire city. At least two million people were marched out of the city, with no exceptions for the elderly, sick, injured or infirm. The evacuees were not given time to prepare for the journey, nor were they permitted to carry sufficient supplies.⁵⁵⁰ No food, shelter, humanitarian aid or medical assistance was provided along the way. Virtually every urban resident suffered physical and psychological injuries caused by the manner in which they were evacuated and treated. Thousands died during the forced march as a direct result of the inhumane conditions inflicted upon them by CPK forces, including exhaustion, starvation, disease and a lack of medical care.⁵⁵¹ Furthermore, residents refusing to comply, as well as Khmer Republic civilian and military personnel, were executed. A number of evacuees committed suicide.
177. The evidence on the ground confirms that the forced evacuation of Phnom Penh was organized and systematic, and centrally coordinated. Despite a degree of variation in the

severity of treatment meted out to the evacuees, all forces implemented immediately the order to evacuate the civilians.⁵⁵² The residents in various parts of the city were told the same lie:⁵⁵³ that the revolutionaries were evacuating the city in order to protect the people from an imminent American bombardment. The Khmer Rouge troops were armed, organized and highly disciplined⁵⁵⁴ - they were described by eye witness Sydney Schanberg as people who used weapons to force people out of their homes, and “meant business.”⁵⁵⁵ Within 48 hours of the victory, Son Sen, the Minister for Defence, entered the city to ensure that military control was established, and to give orders for the harmonization of the evacuation.⁵⁵⁶

178. On 17 April, and the days immediately following, CPK troops also forcibly evacuated all other cities and urban centres in Cambodia,⁵⁵⁷ including:⁵⁵⁸ Battambang,⁵⁵⁹ Siem Reap,⁵⁶⁰ Svay Rieng,⁵⁶¹ Kampong Chhnang,⁵⁶² Kampong Cham,⁵⁶³ Palin,⁵⁶⁴ Prey Veng,⁵⁶⁵ Pursat,⁵⁶⁶ Sihanoukville⁵⁶⁷ and Takeo⁵⁶⁸ provinces. As with the evacuation of Phnom Penh, these evacuations were organized and carried out without exception or regard for human suffering. As in the case of Phnom Penh, no humanitarian or medical assistance was provided, and Khmer Republic officials and military personnel were separated and executed.
179. As discussed in the *CPK Leaders’ Decisions 17 April – September 1975* Section, by May 1975, the Party Centre resolved that the evacuation of the cities was to be permanent.

DECISION AND REASONS FOR THE SECOND FORCED TRANSFER

Continuation of the CPK Enslavement Program

180. As discussed in the *CPK Leaders’ Decisions 17 April – September 1975* Section, in the period May - September 1975, the CPK leadership made a series of decisions which continued the Party’s enslavement program and the use of forced transfers. At a 10-day meeting held in May 1975 at the Silver Pagoda, in which both **Nuon Chea** and **Khieu Samphan** participated, the Central Committee resolved to rapidly implement socialist revolution by subjecting the entire population to forced labour, placing all land under cooperatives and abolishing private property.⁵⁶⁹
181. Having visited the Northwest Zone in August 1975, the Standing Committee resolved to transfer another 500,000 people to the area in order to increase agricultural production.⁵⁷⁰ In September, the Central Committee endorsed this decision, and further decided to transfer another 20,000 people to the North. It also considered what rice

- production quota is to be imposed.⁵⁷¹ In October / November 1975, the *Revolutionary Flag* declared that the production quota of three tons of rice per hectare had been set by the Party Centre as a “common resolution” for the entire country.⁵⁷²
182. Pursuant to these decisions, the CPK leadership carried out a second mass wave of forced relocations from September 1975 through 1976. At least 500,000 civilians, mostly recently evacuated New People, were forcibly transferred to the Northwest Zone, as well as tens of thousands to the old North Zone and Preah Vihear region. As noted above, these forced transfers were part of the CPK Party Centre’s decision to increase agricultural production in these areas through the means of forced labour.
183. The victims of this transfer were again New People – the evacuees who had been uprooted from their homes only months earlier. The CPK leadership saw this population as a labour force to be used at their whim.⁵⁷³ As Philip Short wrote, “the Cambodian people were no longer individual human beings, each with hopes and fears, desires and aspirations. They had become soulless instruments in the working out of a grand national design.”⁵⁷⁴
184. Contemporaneous documents evidence the CPK’s discriminatory treatment of the urban evacuees – people who were the primary victims of the second forced transfer:
- Now the colonialists and imperialists have been overthrown, the landowners and feudalists have been overthrown, the capitalists have been overthrown, and the petty bourgeoisie has no one to rely upon. Therefore, they are subjugated to the state power of the worker-peasants...All of these persons are the new peasants...Their class has been overthrown...but their outlook and their desires remain the same. Therefore, they continue to be in conflict with the revolution.*⁵⁷⁵
185. A 1976 Party publication makes clear the CPK’s discriminatory treatment of the urban classes:
- On the revolution side, the worker-peasant has the right and power...we have to apply the dictatorship rule on the oppressive classes so that they will not have the freedom to strengthen...When recruiting cooperative cadre and factory cadres, do not recruit them from the elements of the capitalist or of the other classes...If we recruit them as cadres, they will have the right to manage materials, and more dangerously, they will have the right to include their people in the cooperative and factory leadership committees.*⁵⁷⁶

Implementation

186. The evidence discussed in the *Second Forced Transfer* Section establishes that this movement was carried out by threats, force, and in some cases coercion by means of deceit.⁵⁷⁷ CPK soldiers killed those who tried to evade the transfer. The entire forced movement was highly organised. Ox carts were used to deliver the victims to collection

points from which large numbers were transferred by boat, train or truck. Despite this level of organisation, no food, medical assistance or shelter was provided for the people who were moved. This movement resulted in large numbers of deaths from starvation, illness, injury and exhaustion during the journey and immediately upon arrival.

Third Forced Transfer

187. The CPK continued to implement its forced transfer policies throughout the CK period. In 1978, towards the end of CPK's rule, having initiated a mass purge of its own cadres in the East Zone in 1978, the Party Centre carried out forced transfers of virtually the entire population of the East Zone. Thousands of victims were moved to the Central, new North, Northwest, Northeast, West and Southwest Zones. This transfer was motivated primarily by the CPK's desire to identify and control "enemies" due to the perceived infiltration of the East Zone by Vietnamese spies and supporters. Similarly, with the first and second wave of forced transfers in the DK period, many evacuees were murdered by execution or from the inhumane conditions occurring *en route* or on arrival at their destination.⁵⁷⁸

POLICY ON TARGETING OF KHMER REPUBLIC OFFICIALS

DECISIONS AND REASONS FOR TARGETING OF THE GROUP

188. The CPK had been in constant "class struggle" with those perceived as "oppressive" or "exploitative classes" since its inception. As discussed in the *History of the CPK Section*, as early as 1960, the CPK leadership adopted the use of revolutionary violence in its struggle against those it defined as oppressive classes: imperialists, capitalists, feudalists and the petty bourgeoisie. The waging of a constant and unrelenting class struggle against these perceived enemies remained a core tenet of the Party's ideology from the 1960s until the very end of the DK regime. The fundamental demarcation between the Party and those external to its ranks permeated all CPK policies - the Party's view essentially became that *those who are not with us are against us*.⁵⁷⁹ An early manifestation of this was the determination, in 1965, that the working classes in the cities had been infiltrated by enemy agents.⁵⁸⁰
189. The CPK had begun to take a no-prisoners approach to captured soldiers of the Khmer Republic regime in the late 1960s.⁵⁸¹ In the early 1970s, while the CPK did not execute its enemies as a matter of course, opposing the Party usually meant death.⁵⁸² The CPK policy specifically targeting Khmer Republic military personnel was evident during the conduct of hostilities as early as 1972 when CPK forces captured and then summarily

executed 500 Khmer Republic soldiers.⁵⁸³ As discussed in the *Development of CPK Policies and Role of Accused (Pre-17 April 1975)* Section, from 1973 killings of captured Khmer Republic soldiers, suspected enemy collaborators and deserters became systematic with the establishment of security centres.⁵⁸⁴ By July 1973, the leaders were issuing instructions as to the methods of executing enemies to ensure this was done away from civilian populations.⁵⁸⁵ As set out above in the *Policy on Forced Transfers* Section above, when the CPK forces captured part of the provincial town of Kampong Cham in September 1973, they executed Khmer Republic military personnel. Six months later, in March 1974, Khmer Republic personnel were again segregated by the CPK, then executed following the evacuation of Oudong.⁵⁸⁶

190. In 1973, the Party Centre defined two “special classes” of enemies: “police and soldiers” and “monks [and] educated Buddhists.”⁵⁸⁷ The Party line identifying special classes of enemies is corroborated in a CPK cadre notebook⁵⁸⁸ from a study session, where the author records directives on “separate” class types deemed “absolutely reactionary,”⁵⁸⁹ including “Khmer Republic soldiers, police, monks, intellectuals and minorities.”⁵⁹⁰ In this respect, Stephen Heder confirmed to the Chamber the contents and sources of his prior work, indicating:

*Also to be abolished into the worker-peasants as part of this uprooting socialist revolution were members of what the official CPK class analysis designated ‘separate’ or ‘special class types’ that did not fit neatly into its broader class [scheme] feudalists, bourgeoisie, petty bourgeoisie, peasants and workers. In addition to intellectuals, these other class types included Republican soldiers and police, Buddhist monks and ‘all nationalities’ (‘chun-cheat’, i.e. ‘national minorities’).*⁵⁹¹

191. In the September - October 1972 issue of the *Revolutionary Flag*, the CPK identified two leaders of the Khmer Republic regime, President Lon Nol and Prince Sirik Matak, as traitors who they must “crush.”⁵⁹² As discussed in the *Role of Khieu Samphan* Section, between 1970 and April 1975, the CPK leadership issued numerous statements calling for and praising the killings of Khmer Republic soldiers. On 24 and 25 February 1975, **Khieu Samphan** communicated via radio a resolution of the Second National Congress that it was “absolutely necessary” to kill seven leaders of the Khmer Republic regime.⁵⁹³ At the same time he issued a threat to Khmer Republic military and officials that: “other low or high-ranking government officials...army officers, police officers...politicians” would be permitted to join FUNK, but only if “they immediately cease their service to the seven traitors and stop co-operating with them.”⁵⁹⁴ As discussed in the *Forced Movement of the Population from Phnom Penh* Section, two of

the seven traitors, Prime Minister Long Boret and Prince Sirik Matak, were captured by Khmer Rouge troops following the fall of Phnom Penh and executed along with scores of other Khmer Republic military officers and officials.⁵⁹⁵

IMPLEMENTATION

192. On 17 April 1975 and the days following, in Phnom Penh and numerous other cities and towns across the country, including Tuol Po Chrey, the full impact of the CPK's policy to kill former Khmer Republic officials was realised. In nearly every DK Zone, CPK forces sought out, selected, segregated, rounded up, detained and executed former Khmer Republic officials and soldiers. In particular, the CPK implemented the policy in the following zones: Northwest Zone (Battambang,⁵⁹⁶ Banteay Meanchey⁵⁹⁷ and Pursat province),⁵⁹⁸ North Zone (Preah Vihear⁵⁹⁹ and Siem Reap province⁶⁰⁰), East Zone (Prey Veng province⁶⁰¹), Southwest Zone (Kandal,⁶⁰² and Takeo province⁶⁰³) and the Central Zone (Kampong Thom⁶⁰⁴ and Kampong Cham province).⁶⁰⁵ Witnesses have provided further extensive evidence of detention and killings of former Khmer Republic officials in a number of specific locations.⁶⁰⁶ The large scale countrywide killings of former Khmer Republic officials are corroborated by contemporaneous press reports from April and May 1975.⁶⁰⁷
193. Ieng Sary admitted to Stephen Heder in 1996 that large-scale killings of former Khmer Republic officials, soldiers and others in April 1975 were carried out in response to a CPK decision to "make it impossible for [Lon Nol military] to stage a counter revolutionary comeback."⁶⁰⁸ Mr Heder testified that the requirement for the New People to register their names during the first forced transfer was "done everywhere"⁶⁰⁹ and that in the later half of 1976, orders went out to further identify and kill former Khmer Republic officials who had survived.⁶¹⁰
194. Francois Ponchaud, who interviewed hundreds of refugees who had fled CPK rule in 1975, confirmed the country-wide nature of the policy to kill former Khmer Republic officials and soldiers.⁶¹¹ He further testified that CPK forces "aimed to destroy all the people who worked for...the Lon Nol regime, who were regarded as traitors."⁶¹² He gave evidence that the Khmer Rouge used deception to lure Lon Nol soldiers and officials into revealing their identities.⁶¹³ The practice of luring Lon Nol soldiers *hors de combat* to execution is corroborated by a UK government analytical report dating from the DK period,⁶¹⁴ and confirmed by Stephen Heder⁶¹⁵ and Philip Short.⁶¹⁶

195. Many witnesses have described coordinated processes of identification, segregation,⁶¹⁷ detention and extrajudicial execution⁶¹⁸ which extended to the officials and soldiers' family members as well.⁶¹⁹ Ma Saem, who witnessed "selection meetings" in two different areas confirmed that the same process was followed in both places.⁶²⁰
196. Given the CPK's highly centralised and hierarchical authority structure, as well as the high level of discipline among its forces, there can be no doubt that all killings of Khmer Republic officials taking place throughout the territory of Cambodia on and following 17 April 1975 were carried out in pursuance of orders from the Party Centre. In response to questioning from the Defence for **Nuon Chea**, Philip Short stated:

*It would not have been possible for Zone commanders to act against or outside the broad policy consensus which had been laid down by the Centre. You are not dealing with an army which descends into banditry, which - on a large scale, which takes matters into its own head and carries out massacres. You're dealing with an army which was quite small, not an enormous force, which was very rigidly controlled. Yes, there were individual cases of looting, there were bound to be, but large-scale systematic killings of particular groups, no, I find it inconceivable that that would have happened outside a broad policy consensus, which had already laid down.*⁶²¹

David Chandler also confirms the existence of a state-wide policy to kill Khmer Republic soldiers.⁶²²

197. In 1975, **Nuon Chea** confirmed that the CPK had "liquified" the top leadership of the Khmer Republic regime and in a 2007 interview confirmed that the "political orders" for the four or five senior Khmer Republic leaders was straightforward: "They were to be liquidated."⁶²³ The rationale for the policy of killing Khmer Republic military and officials was also confirmed by the former Central Zone Secretary, Kae Pauk, in his interview with Stephen Heder, when he confirmed that the executions were a necessary part of "attacking the old social regime."⁶²⁴
198. The policy of killing Khmer Republic military and officials continued to be implemented in the months following April 1975. A military order issued in June 1975 confirms the CPK leadership's continuing policy of killing former Khmer Republic officials. Comrade Pin, the commander of a Special Zone brigade seconded to the Party Centre, ordered the execution of 17 Khmer Republic military officers, stating that: "All these seventeen persons have been examined by the Party and the Party has decided that they are to be smashed."⁶²⁵ Ieng Sary confirmed the authenticity of this order and further confirmed that the order required the Khmer Republic officers on the list to be "smashed."⁶²⁶ The August 1975 *Revolutionary Flag* stated: "as for defending Phnom

Penh and smashing espionage groups and smashing saboteurs that want to wreck and destroy our revolution, we will continue to smash the defeated enemy remnants to consolidate our victory.”

199. The CPK’s policy to execute Khmer Republic soldiers and officials was implemented until the end of the DK regime in 1979. Kaing Guek Eav *alias* Duch confirmed that Khmer Republic soldiers were sent to S-21.⁶²⁷ Killings continued unabated despite statements that the “entire feudal regime has been permanently smashed” at the March 1976 Standing Committee meeting attended by **Nuon C hea** and **Khieu Samphan**.⁶²⁸ The continuation of targeted killings is demonstrated by detailed records cataloguing the arrest, detention, torture and killing of Khmer Republic officials at security offices, such as S-21.⁶²⁹ The killings were not limited to S-21. A news report from May 1976 indicated that former Khmer Republic soldiers “were still being executed” in Battambang Province.⁶³⁰ A July 1976 news report detailed the execution of 350 Khmer Republic soldiers who were machine-gunned *en masse* upon their return from Thailand.⁶³¹ In a September 1976 meeting, Son Sen directed that “soldier elements must be rounded up.”⁶³²
200. CPK communications through the security office network confirm that arrests and executions of Khmer Republic officials and soldiers continued into 1977⁶³³ and 1978.⁶³⁴ For example, on 19 March 1978 the North Zone Secretary sent a telegram to Committee 870 advising that “In this dry season, the remained enemies re-emerged...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.”⁶³⁵

POLICY ON ENSLAVEMENT IN WORKSITES AND COOPERATIVES

DEVELOPMENT AND ESTABLISHMENT OF POLICY

201. As with the forced transfer policy, the policy to enslave the population through the establishment of co-operatives and worksites came into existence well before the April 1975 evacuations of Phnom Penh and other urban centres, and remained in force until the overthrow of the DK government in 1979. As demonstrated in the *Development of CPK Policies and Role of Accused (Pre-17 April 1975)* Section, in late 1971 and 1972, the CPK established low-level cooperatives in areas under its control. By May 1972, the CPK Central Committee began the collectivisation of the entire economy. It closed markets in the liberated zones to prepare for the establishment of co-operatives. By

- 1973, the CPK had established co-operatives in areas under its control including Kampot (Sector 35), Preah Vihear (Sector 103), Siem Reap (Sector 106), Peam Commune (Kampong Chhnang province) and Amleang commune (Kampong Speu province). Even in these early co-operatives, the inhabitants were not free to leave.
202. Having taken control of the entire territory, the CPK immediately implemented a policy of enslaving the entire civilian population in co-operatives and worksites.⁶³⁶ Co-operatives and worksites existed in every zone, including Phnom Penh (Special Zone),⁶³⁷ Central/Old North,⁶³⁸ New North,⁶³⁹ Northeast,⁶⁴⁰ East,⁶⁴¹ Northwest,⁶⁴² West,⁶⁴³ Southwest⁶⁴⁴ and the Kratie Region.⁶⁴⁵ Simultaneously, the Party Centre deployed hundreds of thousands of forced labourers to agricultural and infrastructure projects, such as the 1st January Dam (Central Zone),⁶⁴⁶ Trapeang Thma Dam (Northwest Zone),⁶⁴⁷ Kampong Chhnang Airport Construction site (West Zone),⁶⁴⁸ Srae Ambel worksite (Southwest Zone),⁶⁴⁹ Tram Kok cooperatives (Southwest Zone)⁶⁵⁰ and the Prey Sar (S-24) worksite (Southwest Zone).⁶⁵¹
203. The Party Centre required that cooperatives and worksites adopt a similar structure and method of operation across the country.⁶⁵² As a result of the forced transfers, the population of each cooperative “expanded rapidly.”⁶⁵³ Evidence of the existence of the cooperatives and worksites throughout the DK period and the RAK’s involvement in overseeing them can be seen in the RAK military minutes,⁶⁵⁴ DK telegrams⁶⁵⁵ and the State controlled media.⁶⁵⁶
204. The extent of and coercive nature of this enslavement policy in worksites and co-operatives is confirmed by the CPK leadership. In October 1975, the Party Centre confirmed that: “99.9% of the Kampuchean people have been obliged to live in the countryside”⁶⁵⁷ in order to “relentlessly strengthen and expand the cooperatives.”⁶⁵⁸ This enslavement policy continued beyond 1975 until 1979 as demonstrated above and through statements made in CPK policy documents on a frequent basis throughout the DK period.⁶⁵⁹
205. The establishment of the co-operatives and worksites and the inhumane conditions in which the inhabitants lived, worked and died is amply demonstrated in analytical reports from governmental and non-governmental organisations.⁶⁶⁰ Under the unyielding supervision of the CPK cadres, across the country tens of thousands of workers, including child labourers, were forced to labour by hand or using rudimentary tools, for long hours. The conditions included the adoption of grossly unrealistic production targets, inhumane working hours, strict rationing of food, collective eating, separation

- of parents and children, criticism and self-criticism, and harsh discipline. Those who protested were suspected of foraging or stealing food, or were deemed not to meet work targets. They were deliberately starved, beaten, tortured, forced to undertake additional tasks, subjected to “tempering” and “re-education,” arrested or summarily executed. In order to manage the agricultural production and enforce the labour conditions, the Party Centre deployed RAK units for this task.⁶⁶¹ The inherently coercive and repressive character of the cooperatives and worksites are also confirmed by the statements of witnesses who did not testify at trial.⁶⁶²
206. CPK documents admitted at trial demonstrate the grossly inadequate living and working conditions in the co-operatives which led to starvation, sickness and disease. The CPK Standing Committee, Council of Ministers and other DK Government entities provide evidence of these facts.⁶⁶³ Similarly, DK telegrams sent to the Party Centre report food shortages and starvation at the co-operatives and worksites.⁶⁶⁴ Other contemporaneous diplomatic and media reports also provide extensive evidence of these inhumane conditions.⁶⁶⁵
207. During the DK period the Party Centre did not take any steps to alleviate the inhumane conditions on the enslaved population.⁶⁶⁶ It refused international aid⁶⁶⁷ other than limited support from China.⁶⁶⁸ Defying reality, two years after the fall of Phnom Penh, **Khieu Samphan** stated that the regime had successfully restored the economy and resolved issues relating to living standards and availability of food. He acknowledged the existence of mass construction sites where 10,000, 20,000 or 30,000 workers, including children, performed manual labour. He indicated the DK regime was responsible for allocation of food rations and that it was now exporting food supplies to other countries.⁶⁶⁹
208. The overwhelming evidence admitted at trial clearly demonstrates that the policy of the enslavement of the population in cooperatives and worksites was established from as early as 1971 and continued through for a period of 8 years until the fall of the DK regime in 1979.

REASONS FOR POLICY

To Find, Monitor, Control and Kill Perceived Enemies

209. As with the policy to forcibly transfer the population, a central goal of the CPK’s worksites and co-operatives policy was to find, identify, monitor, control and kill perceived enemies of the CPK. The CPK leadership vigorously promoted and

- disseminated the idea that “enemies,” as defined by the shifting views of the leadership, remained within the population, and that the tightly-controlled cooperatives would enable the DK regime to more easily identify and control these enemy groups.⁶⁷⁰ The CPK leadership argued that cooperatives would enable loyal cadres “to inspect and monitor and help in warning and reminding one another at all times”⁶⁷¹ as well as to administer “criticism,” “self-criticism,” and study/lifestyle meetings in order to foster “political stances and revolutionary ideology.”⁶⁷²
210. The CPK’s pre-occupation with locating enemies within new people being transferred to the co-operatives and worksites is apparent in the August 1975 *Revolutionary Youth* magazine. In this issue, the leaders warned CPK cadre of the “complex situation where more than two million new people have just gone down to live in the countryside and enemy agents and various other bad elements are still chaotically mixed in among the ranks of the new people...”⁶⁷³ In October 1975, *Revolutionary Youth* characterised the cooperatives as sites of “class combat”⁶⁷⁴ where enemy agents were present who should be immediately killed. They identify these enemy agents as “feudal individuals and capitalist individuals that today have gone down to increase production in the countryside along with our peasants ...their greedy desires from the old days when they exploited the workers and the peasants still reside within their bodies and their thoughts. Their outlook, stances, ideology, worldview and credo are aphysical objects that are impossible to attack, completely smash and dispose of immediately...”⁶⁷⁵ By August 1977 the same publication issued a screed against “germs,” “rotten flesh” and “no-good elements holding power in the cooperatives.”⁶⁷⁶
211. This pre-occupation with the role of co-operative authorities to find, monitor and kill perceived enemies was not just political propaganda but was monitored in a meticulous manner by the Party Centre. The Standing Committee in August 1975 specifically identify the need to “absorb the new people” in order to insulate cooperatives from the machinations of the “enemy,” which included “comings and goings...and...requests for food.”⁶⁷⁷
212. The Party Centre received regular reports of the activities of “internal enemies” in cooperatives. One such report, covering a period of just 10 days and sent to *Angkar* from the Western Zone office (M-401), catalogues the following acts of named “internal enemies” in cooperatives, among many others: Lin, who stated, “living in this place, things are very difficult”; Seng, a woman who said she preferred death to staying in hospital; Chhuon, who refused to let his sons be taken away by a Children’s Brigade;

Sman, who cursed the land for being so difficult to plough; Kroem, who refused to attend a meeting because these “are held very often, but are not useful as they deal with the same things”; and Peng, a child, who said, “Khmer and Vietnamese have learn[t] from a common teacher, so they should not have splashed water [on] each other.”⁶⁷⁸ In 1977, Pol Pot recognized the role cooperatives played in monitoring and controlling enemies despite the difficulties he perceived. He observed, “...[t]he enemy's secret agent network lying low in our country was very massive and complicated. ... Their forces were scattered in various co-operatives which are in our grip.”⁶⁷⁹ Philip Short confirmed that the establishment of the cooperatives helped to identify who agreed with the DK regime,⁶⁸⁰ and that perceived “bourgeois” behavior in the cooperatives was punished with death.⁶⁸¹

To Implement a Rapid Socialist Agricultural Campaign:

213. As with the policies underlying the First Forced Transfer, a core goal of the CPK co-operatives and worksites policy was to rapidly establish a socialist collectivist society at all costs. The DK Constitution and Statute encapsulate this central policy emphasizing the importance and existence of “collectives,” “co-operatives” and “no unemployment.”⁶⁸² **Nuon Chea**,⁶⁸³ **Khieu Samphan**⁶⁸⁴ and Ieng Sary⁶⁸⁵ all confirmed that a goal of the co-operative and worksite policy was to rapidly increase the agricultural production in a collective manner. Evidence of the rapid agricultural production goals of the brutally collectivist policies across the country is plainly and extensively seen in the *Revolutionary Flag* and *Revolutionary Youth* magazines issued throughout the DK period.⁶⁸⁶ The Party Centre, through the sham People's Representative Assembly, stated the importance of a rapid agricultural expansion of DK as a central goal during the DK period, and urged “the entire people to be on the offensive on every battlefield, production in every sector, especially in agriculture, aiming to produce the maximum amount of rice...to push the building of our country even faster in a great and miraculous leap.”⁶⁸⁷
214. Philip Short testified that the CPK leadership considered that “agricultural production was going to be the way in which Democratic Kampuchea developed, became prosperous and strong and therefore, the more people who could be put into collectives and made to work on the farms, the more agricultural production there would be; the stronger, the more quickly a strong Cambodia would develop.”⁶⁸⁸

215. In addition to aiming to increase agricultural production, the setting up of co-operatives provided a mechanism for a form of class struggle whereby Cambodia would transform from a capitalist to a socialist society. The expressed collective will of the members of the Party Centre was to “thwart...the economic power of land owners and capitalists, cut off private trading, control traders, dismantle the former means of production, establish new ones and organise cooperatives.”⁶⁸⁹ Moreover, the collectives were seen as ideological “purification zones”⁶⁹⁰ to which the CPK would move the population so that they would be “instilled with the spirit of service to the revolution” and “start their life from zero, free of the artificial needs of the Western world.”⁶⁹¹

POLICY ON KILLING OF “ENEMIES”

216. The Party Centre decided on a policy to kill individuals who were believed to be enemies of the Party and to “re-educate” – that is, to victimise through criminal means – “bad elements,” both in and outside of party ranks. The purpose of this policy was to permanently remove perceived opposition to the CPK’s aim of creating a socialist collectivist society.
217. The CPK policy to kill enemies was established 15 years before the killing of New People and former Khmer Republic military and civil servants during the evacuation of Phnom Penh on and following 17 April 1975. As demonstrated in the Historical Background Section, the origin of the policy to kill and re-educate enemies can be dated back to the 1960s. In the context of the CPK socialist revolution, the CPK viewed many people, groups, classes, organisations and governments as its enemies.
218. In the pre 1975 period the CPK enemies were divided into three core groups; class, government and internal enemies. After 1975 these groups remained enemies however further enemies were identified such as the Vietnamese, the Cham and Buddhists. Despite these groupings of CPK enemies David Chandler observed that the term enemy was often used in an undefined way referring by way of example to the use of the term in the August 1975 edition of the Revolutionary Flag. He viewed that was useful to the CPK in that “[T]his is menacing and very helpful to the regime to keep everybody off balance.”⁶⁹²
219. Class groups were identified as enemies as early as 1960. In September of that year, the CPK leadership decided that 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...”⁶⁹³ After 1975, class groups continued to

- be perceived as CPK enemies. Duch testified that feudalist landlords and members of the royal family were smashed.⁶⁹⁴ Other enemy groups referred to above are further described under the targeting of specific groups policy section below.
220. The CPK policy to kill whoever they deemed to be enemies commenced as early as 1960. **Nuon Chea** stated that: "...after 1960 our Revolutionary Organisation clearly decided that political action and armed violence must be used to overthrow and crush the enemy."⁶⁹⁵ He explained that the CPK's Secret Defence Units established in 1961 provided the means to "covertly smash the enemy, the government agents and various reactionaries."⁶⁹⁶ **Nuon Chea** described the "revolution" of the CPK as "just," in part, because it "smashed and eliminated enemies..."⁶⁹⁷
221. This policy was consistently reaffirmed at subsequent Party Congresses and meetings of the Central Committee, including in a January 1965 Central Committee resolution confirming that it was "absolutely necessary to use revolutionary violence."⁶⁹⁸
222. Duch confirmed that the policy to kill enemies operated outside of the lawful combat activities but was an imperative on CPK members once someone was named an enemy. Duch testified that: "The policy was applied the same...whenever the Party regarded someone as an enemy we had to smash him or her, and we had no way to contest it. When the Party determined a person as an enemy, we had nothing but to smash that enemy for the Party."⁶⁹⁹ Duch testified that "[s]mash means executed...the ultimate goal is that the person is dead."⁷⁰⁰ Stephen Heder confirmed this interpretation.⁷⁰¹ The use of the term 'smash' is used throughout the DK period to describe extra judicial killings.⁷⁰²
223. This policy could be seen to be implemented systematically after 1970. As early as 1971, in areas under the CPK's control, the CPK executed this policy through the establishment of security offices. In that year, under the supervision of the CPK leadership, M-13 security office was established with Duch in charge of its operation and management.⁷⁰³ In the following year, 1972, the CPK established Kraing Ta Chan security office.⁷⁰⁴ In these and other security offices established in CPK controlled areas, under CPK supervision its enemies were detained, interrogated, tortured and executed.
224. In the June 1974 *Revolutionary Flag* magazine the CPK leaders policy authorizing summary executions of enemies is chillingly plain. There concern was not with the summary executions, in fact they approved them, but it was with the negative impact public executions may create, "For example: If the spies are arrested to be executed in the meeting before the people, some people may be frightened of us. They think that we

are extremely cruel. The stance to smash the spies is correct but it is inappropriately carried out. Like it or not, it is already authoritarianism. Therefore, it provides more negative impacts on politics.”⁷⁰⁵

225. On 17 April 1975 once the CPK gained full control of Cambodia, and the surrender of Lon Nol forces had occurred, the implementation of the policy to kill and re-educate enemies, both internal and external, did not stop but alarmingly accelerated at a rapid pace. In fact, this policy was entrenched systematically in the CPK organisational structure by way of the establishment of security offices across the country. The CPK leadership operated these approximately 260 re-education and security offices and hundreds of mass execution sites throughout the DK period.
226. Anyone perceived to be in opposition to the CPK rule, or to sympathise with those deemed to be enemies, was subject to arrest, detention, interrogation, torture and execution at these re-education or security offices. Potential “enemies” were identified by two primary means. People living in cooperatives or worksites were closely monitored by the CPK through the preparation of individual biographies and daily “criticism sessions.” In addition, individuals taken to security offices were interrogated using torture in order to obtain detailed confessions identifying purported “networks” of enemies. Hundreds of thousands of Cambodians were interred at these security offices during the DK period, including at S-21, Koh Kyang, Prey Damrei Srot, Kraing Ta Chan, Sang, Kok Kduoch, Phnom Kraol, Wat Tlork, O Kanseng (Phum 3), Wat Kirirum, and Siem Reap. The numerous analytical reports admitted in this trial demonstrate the existence of these security offices.⁷⁰⁶
227. Aside from the analytical reports, numerous trial witnesses gave evidence about some of these security offices that existed across every zone in Democratic Kampuchea, including : *Phnom Penh* (S-21,⁷⁰⁷ B-1,⁷⁰⁸ K-7,⁷⁰⁹ a prison north of Wat Phnom⁷¹⁰ and Prey Sar),⁷¹¹ *West Zone* (Koh Khyang Security office,⁷¹² Damrei Srot prison and its associated worksite, Trapaing Pring⁷¹³), *East Zone* (Trapeang Leak Kbal, TuolPrasrey,⁷¹⁴ Samraong village and ToekThla village⁷¹⁵), *Southwest Zone* (Sector 35,⁷¹⁶ Kraing Ta Chan,⁷¹⁷ Tbaung Kdei,⁷¹⁸ Krang Chheh,⁷¹⁹ Sanlung re-education office⁷²⁰ and Office 15 in Po Ban village),⁷²¹ *Northwest Zone* (Tuk Thkoul re-education office,⁷²² the Artillery security office known as the Mortar Fort office⁷²³ near Tuol Po Chrey, Bak Chornh Ching field, Thkaul prison,⁷²⁴ Tuol Tapev security office, Charoek security office,⁷²⁵ Trapaing Chornh security office,⁷²⁶ Tuol Kaun Ngar,⁷²⁷ Tuol Watp),⁷²⁸ *Northeast Zone* (Au Kansaeng),⁷²⁹ *Siem Reap-Oddar Meanchey Region* (Siem

- Reap Zone security office,⁷³⁰ Pongro security office⁷³¹ and Prey Sloek security office, also known as Kraing Tasam),⁷³² *Kratie Region* (Phnom Kraol,⁷³³ Prasral⁷³⁴ and Kok Kduoch)⁷³⁵ and *Preah Vihear Region* (within Rovieng district).⁷³⁶
228. There was nothing secret about this policy to kill enemies. It was openly, publicly and often proudly promulgated and implemented right up to the last day of DK rule on 7 January 1979. The CPK leadership continuously communicated this policy to its CPK cadre through the *Revolutionary Flag* and *Revolutionary Youth* magazines throughout the DK period.⁷³⁷ Issues of the *Revolutionary Flag* published in 1975 and 1976 boasted about the CPK's achievements in respect of the implementation of the enemy policy.⁷³⁸ For example, the August 1975 issue of the *Revolutionary Flag* stated that "after several months of fighting and sweeping them away, the enemy was smashed. We were mighty, militarily mighty and politically mighty, both inside and outside the country."⁷³⁹
229. The April 1977 issue of the *Revolutionary Flag* clearly stated the CPK's position for that year and future years: "[a]s for the enemies that are "CIA," "KGB," and "Y[uon]" agents...[w]e 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."⁷⁴⁰
230. Indeed, in 1978 the killing of enemies continued. This was illustrated by the July 1978 issue of the *Revolutionary Flag*: "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."⁷⁴¹ The extent to which the enemy policy appeared in the *Revolutionary Flag* and *Revolutionary Youth* magazines can be gleaned from the fact that the word "smash" was used 471 times in those magazines between 1975 and 1978 in relation to the elimination of enemies.⁷⁴²
231. Similarly, and in a very public manner, the CPK used the radio to encourage and incite the killing of enemies. Immediately before the fall of Phnom Penh, a CPK radio broadcast urged the population to "rise up...and annihilate the enemy."⁷⁴³ The radio was also used by the CPK to inform the population of its perceived successes in killing its enemies. For example, in September 1977, the CPK proudly reported via the radio the "smashing" of enemy "manoeuvres" as a means to "defend and protect national independence and sovereignty."⁷⁴⁴

232. In order to effectively implement the killing policy the CPK leadership vilified its enemies in order to encourage, incite and justify to their subordinates to carry it out. Prior to 17 April 1975, a CPK Party Representative described how the Party “arouse[d] the peasants...to burn with class hatred.”⁷⁴⁵ The Central Committee in February 1976 authorised strategies to “stir up hatred against the enemy.”⁷⁴⁶ Throughout the period, CPK enemies were characterised *inter alia* as “bad elements,”⁷⁴⁷ “cliques,”⁷⁴⁸ “bandits,”⁷⁴⁹ “contemptible,”⁷⁵⁰ “agents embedded inside,”⁷⁵¹ “sneakily embedded,”⁷⁵² “boring from within,”⁷⁵³ “traitors and traitorous strings,”⁷⁵⁴ “causing trouble for the people,”⁷⁵⁵ “human vermin,”⁷⁵⁶ “CIA, KGB and Yuon territory-swallowers,”⁷⁵⁷ “noxious to the uttermost,”⁷⁵⁸ “the uttermost danger,”⁷⁵⁹ “genocidal,”⁷⁶⁰ “stink[ing] to high heaven and degradingly despised as nothing,”⁷⁶¹ and, somewhat benignly, as “misled.”⁷⁶² One torture victim went to his death as a “pacification agent.”⁷⁶³
233. The CPK leaders constantly monitored the population to search for enemies and required their subordinates to do the same. Consistent with the obligation of the CPK party members in the Statute to seek out enemies, the need for “revolutionary vigilance” against “every form of enemy activity” appears as a continuous obligation throughout the documents produced by the CPK.⁷⁶⁴ **Nuon Chea** stated the task of “purging internal enemies” was one of the functions of the Party Centre Military Committee.⁷⁶⁵ Minutes of the DK military heads confirm this fact.⁷⁶⁶ For example, at a DK military meeting on 9 September 1976, they decided: “[w]e must have the perspective of high revolutionary vigilance because contradictions have deepened and the class wrath of the enemies both in the west and east against the Kampuchean Revolution has intensified.”⁷⁶⁷ The minutes from that meeting also provide an example of the close collaboration between CPK military commanders to implement the enemy policy.⁷⁶⁸ The policy to kill enemies is also evident at the highest⁷⁶⁹ and lowest⁷⁷⁰ military levels and within other DK government ministries, including the Commerce Committee.⁷⁷¹
234. Due to the number of enemies the CPK intended to kill it was not possible for them to carry those killings out themselves so they authorized their subordinates to kill on their behalf. On 30 March 1976, the Central Committee authorized particular Committees and Offices to “smash” enemies both “inside and outside the ranks.”⁷⁷² In some areas, the decision to smash was made by the sectors subordinated to zones⁷⁷³ or, at the very least, decisions by districts to smash were overseen by the sectors subordinated to zones.⁷⁷⁴ Other witnesses state that the power to kill was authorized at the cooperative

- level.⁷⁷⁵ During this period, the power of arrest was deemed synonymous with the power to kill.⁷⁷⁶
235. Despite the delegation of powers, the CPK leadership continued to oversee the implementation of the enemy policy at lower levels. For example, multiple military reports copied to **Nuon Chea** inform the CPK leadership of the arrest and execution of both “internal enemies” and Vietnamese combatants and request orders as to whether detainees should be “kept” or “sent”.⁷⁷⁷
236. Although the CPK policy to kill enemies was implemented in an unrelenting manner throughout the period, in June 1978 the CPK Central Committee “softened” its killing policy by providing an option for certain classes of enemy such as recalcitrant “CIA, Yuon and KGB traitors” to undertake “re-education.”⁷⁷⁸ However, failure to undertake that option resulted in execution.⁷⁷⁹
237. **Nuon Chea** is candid about the existence and justification of the CPK killing policy. He described the revolution as “just” on the basis that it “smashed and eliminated enemies, maintained an independent Kampuchea, neutral, non-aligned, that is, all the struggles prevented the nation from falling into the hands of foreigners.”⁷⁸⁰ He admitted that Party members suspected of enemy activity who could not be “corrected” would be “categorised as criminals” who were “killed and destroyed.”⁷⁸¹
238. The reason for the killing, according to **Nuon Chea**, was simple and straightforward: “We had to solve the traitor problem in the way that we did...so it didn’t get out of control. And infect the innocent people lower down...If we had shown mercy to these people, the nation would have been lost...If we had let them live, the Party line would have been hijacked. They were enemies of the people.”⁷⁸²

POLICIES TARGETING OTHER GROUPS

239. As part of their established policy to kill enemies, the Party Centre specifically targeted the Cham,⁷⁸³ Vietnamese,⁷⁸⁴ Buddhists⁷⁸⁵ and their families. From 1976, the Party Centre’s suspicions of infiltration escalated to the extreme, and CPK cadre perceived to be “internal enemies” were purged *en masse*.⁷⁸⁶ These policies are not central to the scope of Case 002/01 as set out by the Chamber.

POLICY ON FORCED MARRIAGE

240. The Party Centre forced marriage on the population of Cambodia in order to rapidly increase the population and thus rapidly increase agricultural production without regard to the right to marry and found a family.⁷⁸⁷ Such forced marriages were often followed

by forced sexual intercourse, rape and torture.⁷⁸⁸ This policy is not central to the scope of Case 002/01 as set out by the Chamber.

C. CRIMES

1. FORCED MOVEMENT OF THE POPULATION FROM PHNOM PENH THURSDAY 17 APRIL 1975 – SUMMARY OF KEY EVENTS

241. The events of 17 April 1975 offered the people of Phnom Penh only false hope, false promises, and a future blighted beyond imagination. As Khmer Rouge troops closed in on Phnom Penh in the final stages of a military offensive that had commenced at the beginning of the year it was obvious that victory was imminent and inevitable. Early that morning, just before 2 am, the President of the Supreme Council of the Republic, General Sak Sutsakhan, transmitted an offer of surrender on behalf of the Khmer Republic, via the International Committee of the Red Cross (“ICRC”). He asked only for no reprisals.⁷⁸⁹ However, the offer was summarily rejected.⁷⁹⁰
242. By 6 am, advance columns of Khmer Rouge forces moved into Phnom Penh from the North, South, East and West.⁷⁹¹ At 7:20 am the Khmer Rouge radio announced that “the regime of the traitors is falling apart.”⁷⁹² Witnesses based near Hotel Le Phnom saw additional Khmer Rouge combatants enter Phnom Penh around 8 or 9 am,⁷⁹³ fanning out across the city.
243. The Khmer Rouge entered victorious, facing no significant armed resistance.⁷⁹⁴ The bulk of the Khmer Republic forces surrendered.⁷⁹⁵ Those government soldiers who still had weapons were disarmed.⁷⁹⁶ Exchanges of gunfire largely subsided in the northern part of the city, by 10 am,⁷⁹⁷ although some fighting continued in the western area of the city near the airport.⁷⁹⁸ Many of the civilian residents of the city mistakenly believed that the Khmer Rouge victors were “liberators” and welcomed them.⁷⁹⁹ “People rushed into the streets waiving handkerchiefs and chanting ‘peace, peace’”⁸⁰⁰ and “long live to the liberation forces.”⁸⁰¹ White flags began being prominently displayed on houses, military vehicles, and hotels.⁸⁰² In these first hours of occupation in parts of the city the Khmer Rouge soldiers moved about freely in vehicles, alongside government soldiers and monks.⁸⁰³ They fuelled the jubilant atmosphere, carrying bullhorns proclaiming, “the war is over, the war is over.”⁸⁰⁴ It was true that the military conflict was over, but the misery of the city’s inhabitants had only just begun. Members of The Khmer Republic Army and the civilian administration had been targetted for immediate

- execution. By late morning, one witness saw disarmed soldiers being marched under light Khmer Rouge guard in the direction of Olympic Stadium.⁸⁰⁵
244. During the course of the day multiple radio broadcasts were made. This began when The Voice of FUNK announced that its forces from the North and Northwest had linked up in the centre of Phnom Penh by 9 am.⁸⁰⁶ Meanwhile, a group of self-professed “nationalists” headed by Hem Keth Dara took over the Ministry of Information and claimed, falsely, to have “liberated” the city along with 300 men.⁸⁰⁷ A leader of the “nationalists” broadcast a message over the radio paying respect to the “elder brothers” of the Khmer Rouge.⁸⁰⁸ The leader stated that at 9 am they “took measures to get the people in Phnom Penh to lay down their weapons.”⁸⁰⁹ They invited the Khmer Rouge to meet at the Ministry of Information and discuss a “settlement as circumstances permit.”⁸¹⁰
245. The Khmer Rouge gained control of substantially all of Phnom Penh by 10 am.⁸¹¹ At that time, senior government military officers, including General Sak Sutsakhan, fled Phnom Penh by helicopter from the Olympic Stadium.⁸¹² Conscious of the need to avoid further conflict and bloodshed the patriarchs of the main two religious orders made radio broadcasts appealing to the fighters of both sides to cease combat, and for the Khmer Rouge to meet with leaders of the Khmer Republic. At 11 am⁸¹³ General May Sichan, Chairman and Representative of the Cambodian National Armed Forces Staff, noting the absence of the Supreme Committee and Government of the Khmer Republic, ordered by broadcast all government military services to cease fire and invited Khmer Rouge representatives to “come to Phnom Penh and other provincial capitals, which are open to you.”⁸¹⁴
246. The Khmer Rouge took control of the radio station at the Ministry of Information.⁸¹⁵ They were peremptory in rejecting the entreaties for calm and negotiation. In a broadcast made on behalf of the Khmer Rouge the message was direct and abrupt: “[We] inform the contemptible, traitorous, Lon Nol clique and all its commanders that we are not coming here for negotiations: We are entering the capital through force of arms of the CPNLAF.”⁸¹⁶ Commanders of the victorious troops were directed to meet at the Ministry of Information. The same announcer continued, “[a]s for the remaining members of the traitorous Lon Nol clique, we do not need to negotiate with them.”⁸¹⁷ The CPNLAF demanded that the government surrender to their forces and to allied nationalist forces.⁸¹⁸ By noon however, Hem Keth Dara was a “semi-prisoner”⁸¹⁹ of the Khmer Rouge at the Ministry of Information. His men had also been disarmed.

247. Shortly thereafter, the CPNLAF announced that Chhim Chmmon, Lon Non, and the supreme patriarchs of the main two religious movements had met with the national liberation front and that the army had agreed to surrender to the CPNLAF “which has victoriously entered Phnom Penh.”⁸²⁰ Government ministers and generals were asked “to immediately turn themselves over at the Information Ministry to help formulate measures to restore order.”⁸²¹
248. In a broadcast around 11 am,⁸²² the Khmer Rouge stated that the government had surrendered by 9:30 am and that they had occupied the Chamcar Mon Palace and the General Staff headquarters.⁸²³ By 11 am the Khmer Rouge were “firmly in control” of the town centre.⁸²⁴ In the first few hours after the Khmer Rouge entered Phnom Penh, there was no mass movement of people.⁸²⁵ However, around noon, the forced evacuation began.⁸²⁶ The Khmer Rouge entered the Hotel Le Phnom, which had been declared a “neutral zone” by the ICRC and forced the residents out “brandishing guns and rocket launchers.”⁸²⁷ The residents relocated to the French Embassy, where “a thousand frantic Cambodians screamed and wept for asylum...flung themselves against the barbed wire and hurled suitcases - and even their children - over the walls.”⁸²⁸ The French Consul ultimately allowed entry to some government officials including Sirik Matak and Hong Boun Hor.⁸²⁹ However, Long Boret’s wife and children were refused entry.⁸³⁰ Sirik Matak was the former Prime Minister and now a senior member of the Khmer Republic and he was one of the Seven Traitors identified for execution by **Khieu Samphan**. He sought political asylum, but after the Khmer Rouge threatened to come into the compound and remove certain individuals by force, he left the embassy and was taken into the custody of the awaiting Khmer Rouge troops.⁸³¹ He did not survive, although the precise circumstance of his death are not clear.⁸³²
249. In the afternoon, the mood of the city grew more ominous. The pace of looting of shops, businesses, and homes increased.⁸³³ The governor of the *Banque Khmer de Commerce* remained in his office, dutifully waiting to hand the keys to the safe over to the new government. A group of soldiers entered, forced him out into the street, and ransacked the bank, setting ablaze documentary records and “millions upon millions of riels.”⁸³⁴
250. By 4 pm dozens of prisoners were being held by armed Khmer Rouge soldiers at the Ministry of Information including Lon Non, Hou Hang Sin, Chim Chhun, and several generals.⁸³⁵ A Khmer Rouge soldier used a bullhorn to divide the prisoners into three groups: military, political, and ordinary civilians.⁸³⁶ The leader, talking to the prisoners, lied to them stating that there were only seven “arch traitors” and that the assembled

prisoners should not consider themselves captives, but as “surrendered peoples.”⁸³⁷ He told them, “My chief is **Khieu Samp han**. I am a Member of the People’s National Liberation Armed Forces of Kampuchea [...] I greet you with great joy as one Khmer finding another. Your lives will be protected. There will be no reprisals.”⁸³⁸

251. Long Boret, The Prime Minister of the defeated regime and one of the “Seven Traitors”, had remained in the city. At 4.50 p.m. he arrived at the Ministry of Information in a car driven by his wife.⁸³⁹ The ranking Khmer Rouge soldier, speaking for the armed forces, was asked by a journalist whether they will “kill Americans as the US Embassy has predicted?” He responded that he would “had no idea what the political leaders would do” and that “[l]ater the politicians would come.”⁸⁴⁰ Most prisoners were corralled into the Ministry of Information.⁸⁴¹ Long Boret was driven away.⁸⁴² As ordered by **Khieu Samphan** he too was executed.

EVIDENCE OF THE FORCED TRANSFER

252. Sydney Schanberg, an American journalist present at the French Embassy that day described the events on 17 April 1975 before the Chamber.⁸⁴³ He testified that on 17 April 1975, the entire population of Phnom Penh, more than two million people,⁸⁴⁴ was evacuated to the countryside.⁸⁴⁵ He prepared a daily journal from 4 January 1975 to 3 May 1975 containing his notes on the fall of the Khmer Republic to the Khmer Rouge.⁸⁴⁶ The day the Khmer Rouge entered Phnom Penh, he witnessed armed Khmer Rouge soldiers ordering people to leave their homes immediately and head to the countryside.⁸⁴⁷ The soldiers were waving pistols and rifles, some were shouting and some were using bull horns.⁸⁴⁸ They fired shots into the air to force people to leave their houses quickly.⁸⁴⁹ The people of Phnom Penh were informed by the Khmer Rouge soldiers that a bombing by the Americans was imminent.⁸⁵⁰
253. The people, mainly civilians,⁸⁵¹ crowded the streets in rickshaws, cars and on foot.⁸⁵² They included men, women and children,⁸⁵³ amputees, people in wheelchairs and hospital patients still in their beds.⁸⁵⁴ Almost everyone was required to leave the city regardless of their health,⁸⁵⁵ and no medical care was provided to them.⁸⁵⁶ A few of those who were too sick to move at all were left alone in the hospitals to die.⁸⁵⁷
254. The population was forced to move quickly, scattering personal belongings including shoes along the roadside in their enforced haste.⁸⁵⁸ Sydney Schanberg described the population as being “driven out of the city; not driven in cars but driven like you drive cows” out of the city into the countryside.⁸⁵⁹ Apart from a few stragglers, almost the

entire population of Phnom Penh was evacuated on 17 April 1975.⁸⁶⁰ Sydney Schanberg described Phnom Penh after that time as a “ghost town.”⁸⁶¹ The shops had been looted⁸⁶² and only members of the Khmer Rouge were present.⁸⁶³

255. Schanberg testified that once the population, was forcibly expelled from their homes, they were subject to inhumane conditions by the Khmer Rouge forces overseeing the movement. In the course of the evacuation people were not given food, water or any kind of aid,⁸⁶⁴ and some had their belongings taken.⁸⁶⁵ Dead bodies were scattered along the roads.⁸⁶⁶ Despite these dire circumstances, foreign interference and offers of humanitarian assistance were rejected.⁸⁶⁷
256. Sydney Schanberg testified that seven senior leaders of the Lon Nol regime were identified as traitors and were targeted for execution.⁸⁶⁸ The Khmer Rouge leaders made statements indicating that at least some of the “traitors” were executed.⁸⁶⁹ Lower level officials and soldiers of the Khmer Republic were also executed. Even after the evacuation of Phnom Penh had taken place, the Khmer Rouge continued to search the city for officials of the former Khmer Republic regime.⁸⁷⁰
257. Schanberg testified that there was no necessity for the evacuation. He gave evidence that the suggestion that Phnom Penh was going to be bombed by the Americans was “not true.”⁸⁷¹ He received no indication prior to 17 April 1975 that the American’s were planning a bombing,⁸⁷² nor did such bombing occur.⁸⁷³ It was also suggested by the Khmer Rouge that the evacuation was necessary because of the food shortage which existed in Phnom Penh leading up to 17 April 1975. Sydney Schanberg also rejected this as a valid reason, stating that : “I think that was a false explanation...all they had to do was stop blocking the Mekong River that came from Saigon to Cambodia, because that’s where the ships brought in the supplies.”⁸⁷⁴ He stressed that that it was the Khmer Rouge that was preventing food supplies from reaching Phnom Penh prior to the evacuation.⁸⁷⁵ In particular, he testified that the Khmer Rouge controlled the Mekong River, which was the primary means by which food supplies could reach Phnom Penh.⁸⁷⁶ He testified that cargo ships and aeroplanes carrying food supplies were damaged by shells and rockets launched by the Khmer Rouge.⁸⁷⁷

TRANSFER OF THE POPULATION

258. On 17 April 1975 the CPK began expelling the entire civilian population, of approximately two million people,⁸⁷⁸ from the capital, Phnom Penh , and all other

urban areas in Cambodia. The evacuation of Phnom Penh was completed in a matter of days.⁸⁷⁹

259. The CPK transferred the population of Phnom Penh to DK Zones across the country including the East,⁸⁸⁰ the Southwest,⁸⁸¹ the Northwest⁸⁸² and the Central (Old North),⁸⁸³ West⁸⁸⁴ and North (New) Zone.⁸⁸⁵ The Khmer Rouge lied to the evacuees, telling them that they were only leaving temporarily; commonly they were told they were leaving for three days⁸⁸⁶ or for a week.⁸⁸⁷ Khmer Rouge soldiers and cadre⁸⁸⁸ and foreigners working in Phnom Penh⁸⁸⁹ have given accounts confirming the details of the evacuations..
260. The evacuation and the large-scale forcible evacuation of other cities in DK was reported in the international media at the time, including an article published in *The Times* newspaper on 18th April 1975, repeating the detailed eye-witness accounts of Jon Swain, a journalist who had observed events unfold the previous day.⁸⁹⁰ U.S. State Department reports also confirmed the “forced evacuation of Phnom Penh and other towns.”⁸⁹¹ Contemporaneous French Embassy telegrams described that the “total evacuation”⁸⁹² of Phnom Penh left the capital a “ghost town patrolled by the Khmer Rouge,”⁸⁹³ “entirely empty of its inhabitants”⁸⁹⁴ within days of its fall. Aerial photographs of Phnom Penh confirm the cataclysmic effects of the evacuation and the denudation of the population.⁸⁹⁵
261. No exceptions were made for the sick, pregnant, elderly or children during the evacuation. Sum Chea received orders from the commander of his battalion, Bong Hak, that all residents of Phnom Penh had to leave the city “regardless of hospital patients, handicapped people or people with disabilities, children, elderly people - they all had to be evacuated.”⁸⁹⁶ Multiple witnesses testified that they were evacuated with sick or elderly family members.⁸⁹⁷ Sum Chea noted that some people had to be transported on push carts.⁸⁹⁸ Many others saw hospital patients or pregnant women on the sides of the road as they walked.⁸⁹⁹ In the words of Pin Yathay “no one it seemed had escaped the round-up.”⁹⁰⁰ Further, no exceptions were made to allow family members to evacuate together. Two witnesses were forced by Khmer Rouge soldiers to evacuate Phnom Penh without their spouses because they were not home at the time.⁹⁰¹ Four further witnesses testified that they saw children and parents separated from one another.⁹⁰² Once people evacuated the cities they were not able to return.⁹⁰³

USE OF FORCE

262. Under orders of the CPK leadership the CPK's military units forced the residents of Phnom Penh to leave their homes by force and coercion. The residents had no choice. They were either ordered, physically forced, threatened, intimidated or tricked to leave the city. All residents, without exception, left the city by the time the Khmer Rouge operation was completed. **Khieu Samphan** stated that the population of Phnom Penh had no choice in the evacuation. He stated the population was to be evacuated and taken to rural cooperatives.⁹⁰⁴ **Nuon Chea** acknowledged that during the evacuation, the Khmer Rouge troops were armed.⁹⁰⁵ Ieng Sary recognised that dead bodies were scattered on the streets of Phnom Penh following the evacuation.⁹⁰⁶
263. Thirty-two witnesses gave evidence on the evacuation of Phnom Penh, Siem Reap and Kampot. These witnesses uniformly testified that there was no choice to leave the cities.⁹⁰⁷ Witness Denise Affonco described the actions of the Khmer Rouge soldiers in Phnom Penh “ [T]hey went through the streets. They were shouting the orders in the streets and then individually they went to each house and each apartment to repeat the order that we had to evacuate the city...we had absolutely no choice whatsoever.”⁹⁰⁸
264. Most witnesses testified that they were threatened verbally or physically to leave their homes.⁹⁰⁹ In the words of Po Dina “they warned us that if we failed to leave immediately they would destroy everything, they threatened our life too.”⁹¹⁰ Many people left their homes because they feared for their lives. Five witnesses testified that if they did not go they thought they would be shot by Khmer Rouge soldiers.⁹¹¹ Two witnesses testified that they were evacuated at gunpoint from their homes.⁹¹² Furthermore, Kim Vandy watched Khmer Rouge soldiers shoot his uncle dead in his home,⁹¹³ Yim Roumdoul testified that Khmer Rouge forces fired at his house,⁹¹⁴ and Chheng Eng Ly testified that elderly people were largely forced to leave their homes at gunpoint.⁹¹⁵ Residents were told that that Khmer Rouge soldiers threatened that “measures would be taken”⁹¹⁶ or that “there would be big trouble”⁹¹⁷ for those who stayed. Denise Affonco explained that if her family did not leave Phnom Penh “they would have massacred us.”⁹¹⁸ Almost every witness testified that the Khmer Rouge soldiers who forced the people from their homes were armed.⁹¹⁹
265. Residents were informed that they must evacuate Phnom Penh as the Khmer Rouge needed to clean the city,⁹²⁰ to get rid of the enemies,⁹²¹ to repair the city,⁹²² or to reorganise the city.⁹²³ Seng Sivutha testified that she was informed that the people of Phnom Penh should leave as the Khmer Rouge would have to clean up the capitalist

groups first and that after they had cleansed the city, the people would be allowed to return.⁹²⁴ Sum Chea, a Khmer Rouge soldier, confirmed that a purpose of the evacuation of the population was “to sweep out Lon Nol soldiers.”⁹²⁵

266. The Khmer Rouge troops lied to the inhabitants, by claiming that the city had to be evacuated because of the threat of impending bombing by the United States.⁹²⁶ Chum Sokha testified that “when we reached our village, we knew that the plan was not that the people had to be evacuated because we were to be bombed. In fact, we were called to leave the city to help do farming according to the Angkar’s plan, the...three tonnes per hectare production plan.”⁹²⁷ Pin Yathay was also sceptical:

*Why Americans bother to drop bombs on Phnom Penh when they already left the city and the country? They left this country as early as of April, and the war was over, why should they bomb us?...And then another question came into my mind. I asked myself if bombs were to be dropped on the city, but why should we have to leave the city for three days? Why bombs would only be dropped for the period of three days?*⁹²⁸

267. Sum Chea, a Khmer Rouge soldier, who received an order to evacuate the whole of the population of Phnom Penh,⁹²⁹ testified that the threat of the American bombing was a lie, a “trick.” He testified that the Khmer Rouge forces had to “do whatever [they] could to make sure the people left the city”⁹³⁰ and that the loudspeaker announcements that the city was going to be bombed were “deceitful acts to trick the people to leave.”⁹³¹ Francois Ponchaud who was also present during the evacuation also testified that the Khmer Rouge lied to the people about the reason for the evacuation in order to better control them,⁹³² and that “[t]hey deployed this trick in order to evacuate people out of the city.”⁹³³ Experts Philip Short and David Chandler also agreed that the evidence was clear that the CPK’s threat of bombing of Phnom Penh was based on a lie. Philip Short testified that the explanation that the evacuation was due to a bomb threat by the Americans was “knowingly false,”⁹³⁴ and was promulgated in order to make it easier to persuade the population to leave Phnom Penh and to persuade them not to take many of their belongings with them.⁹³⁵
268. He also confirmed that there was no plan to bomb Phnom Penh after the Khmer Rouge victory⁹³⁶ and witness testimony supports that such an attack never occurred⁹³⁷ nor were aircraft seen in the vicinity of Phnom Penh.⁹³⁸
269. The Khmer Rouge soldiers were heavily armed, disciplined and well-organised.⁹³⁹ They used military radio communications to co-ordinate the evacuation and as a uniform policy set up military checkpoints to start the process of “filtering” the evacuees in order to identify Khmer Republic officials and military for execution (see

- below). They did not tolerate resistance to the evacuation. Those who pleaded to stay or locked their doors faced physical violence. Two witnesses testified that they saw soldiers beating those who resisted the exodus with the butt of a gun.⁹⁴⁰ Yim Sovann remembers watching Khmer Rouge soldiers try to open the locked door of a home in OuRuessei market and testified that “they shot the lock, and when the people came out they shot the people to death.”⁹⁴¹ Soldiers also testified that physical force was used against those who resisted the evacuation. Kung Kim testified that there were no rules or regulations that prohibited soldiers from shooting the evacuees.⁹⁴² Another soldier, Sum Chea, explained that “without mistreating some of the people, we would not manage to empty the city.”⁹⁴³ Those people who were able to evade soldiers in the morning of 17 April were evacuated by a second wave of soldiers and accused of being enemies.⁹⁴⁴
270. Witnesses testified that they were “escorted,”⁹⁴⁵ “ordered,”⁹⁴⁶ and “forced”⁹⁴⁷ by armed soldiers to the countryside.⁹⁴⁸ Several witnesses testified that en route they saw shots fired.⁹⁴⁹ Some were threatened at gun point to walk faster and “always pushed to go further.”⁹⁵⁰ [REDACTED] recalls that people were forced by “Angkar” to leave their sick family members on the side of the road and keep walking.⁹⁵¹ Those who did turn back faced resistance, threats and violence.⁹⁵² Three witnesses saw soldiers threaten or beat people who tried to return to find family members.⁹⁵³ Pin Yathay recalled one man who had turned back in defiance of a soldier’s order to continue walking: “[H]e was about to re-enter his house when the soldier shot him. The soldier had exclaimed: ‘This is what happens to recalcitrance.’”⁹⁵⁴
271. OCIJ statements further confirm that the movement of the people from Phnom Penh occurred by force.⁹⁵⁵ Contemporaneous U.S. State Department cables state clearly that the population was evacuated by force.⁹⁵⁶ In addition, media sources relayed witness accounts of the violence used to mobilise people, including quotes that warning shots were fired, “[t]hose who attempted to resist were executed on the spot,” “resisters were ‘shot down like dogs,’” and guns were used to point the way during the evacuation.⁹⁵⁷
272. Philip Short confirmed that there were certainly exemplary killings of people who didn’t follow orders quickly enough and that the purpose of such killings were to intimidate the rest so that they complied with orders.⁹⁵⁸
273. By 22 April the Khmer Rouge soldiers had emptied Phnom Penh of all civilians.⁹⁵⁹ In the aftermath of the evacuation Khmer Rouge cadres were ordered to seek out and arrest

any people remaining in the city⁹⁶⁰ and there was a military plan to cut off the water supply.⁹⁶¹

INHUMANE CONDITIONS

274. The conditions of the forced evacuations of the urban centres were inhumane because the CPK leadership, in the knowledge that the movement of such a mass of people would inevitably cause human misery, did not provide any support or assistance to the evacuees, even to those who were visibly ill or struggling.⁹⁶² Witnesses testified that the people lacked adequate food,⁹⁶³ water,⁹⁶⁴ shelter,⁹⁶⁵ hygiene,⁹⁶⁶ and medical care.⁹⁶⁷ The evacuees were marched on foot,⁹⁶⁸ in the heat of the hot season.⁹⁶⁹ One Khmer Rouge soldier explained that “everyone had to be left to his or her own, and there was no such policy as to providing any assistance to any of them.”⁹⁷⁰ The harsh conditions, the physical state of the evacuees, and the lack of essential provisions led to disease, exhaustion, great suffering, and the death of many evacuees. Witnesses testified that many people became exhausted⁹⁷¹ or ill⁹⁷² and many died⁹⁷³ during the transfer. In the words of one witness, the road was lined with “dead bodies, the bodies of the Lon Nol soldiers, the bodies of elder people, the body (sic) of children and pregnant women.”⁹⁷⁴ In the words of another, “[t]he further we’d travelled from the capital, the more exhaustion claimed the sick, the injured, the lame and the old... Increasingly, we began to see bodies left beside the highway, until we were no longer shocked by the sight.”⁹⁷⁵ Deaths that occurred from the inhumane conditions are further described in the section below.
275. People were not allowed adequately to prepare for the transfer, and were deceived into believing that they did not need to prepare to be away for a long time. Khmer Rouge soldiers forced people to leave their homes immediately⁹⁷⁶ and told them that they would be gone only three days.⁹⁷⁷ People were forced to leave without most of their possessions and with few, if any, supplies for the journey.⁹⁷⁸ Many witnesses testified that possessions they managed to bring along, including vehicles and bicycles, were confiscated early in the transfer.⁹⁷⁹ In the words of one victim, “[e]verything was taken away from us and everything was destroyed.”⁹⁸⁰
276. A 1976 edition of the *Revolutionary Flag* confirms that “after the liberation of the entire country, nearly 3 million people had to exit the various cities empty-handed, without food supplies, without any means and tools at all to increase production.”⁹⁸¹ Another CPK policy document acknowledged that “[t]he people with the greatest

- shortages [were] those who were evacuated from Phnom Penh and the surrounding areas.”⁹⁸²
277. Those who could not leave were abandoned to die.⁹⁸³ Witnesses testified to seeing “cripples who were crawling like worms”⁹⁸⁴ hospital patients struggling with IV drips⁹⁸⁵ and who still had oxygen masks on,⁹⁸⁶ and women giving birth⁹⁸⁷ or miscarrying⁹⁸⁸ in the street.
278. An atmosphere of fear prevailed. The rapid evacuation and the sight of dead bodies made the people “all very, very afraid.”⁹⁸⁹ They felt they could not stop, even to help those who were struggling.⁹⁹⁰ In the words of one witness, “there were sick people who fell and [were] sitting on the side of the road, there were dead people and nobody could help anybody else.”⁹⁹¹ The roads were crowded with people⁹⁹² and chaotic,⁹⁹³ and there were frequent instances of the separation of family members..⁹⁹⁴ One witness saw a man shouting that he had lost his children and, despite begging on his knees to go back for them, was beaten with a rifle and forced to continue alone or be killed.⁹⁹⁵ Many people did not know where they were being marched to nor how long the journey would last.⁹⁹⁶ As one witness testified, “[w]e had no idea where we were going. That was even worse.”⁹⁹⁷
279. Ben Kiernan has recorded that the trek from Phnom Penh was demanding for most evacuees. Of the 36 people he interviewed he recorded that their journeys to their initial destinations ranged between several days to six weeks. His research showed that “only seven groups walked less than a week; four traveled for one to two weeks; another six for two to four weeks; and twelve families walked for more than one month.”⁹⁹⁸ Certain evacuees were still on the move towards Kompong Som in July.⁹⁹⁹ Chau Ny and Sophan Sovany testified that they endured the conditions for 10 and 15 days respectively.¹⁰⁰⁰
280. The extreme conditions also caused great mental suffering and misery to the victims. Seng Sivutha, nine years old at the time, testified that she could not hold back her tears at having to walk amongst dead bodies, and at seeing the misery of a man near death in the street, crying as ants crawled all over his body.¹⁰⁰¹ Pech Srey Phal described her grief at watching her baby die of hunger and thirst and having to bury the infant in the forest like an animal.¹⁰⁰² Chheng Eng Ly testified that she was horrified but too afraid to stop walking when she saw a Khmer Rouge soldier tear a baby apart,¹⁰⁰³ stating, “the situation and the cruelty at the time cannot be described in words, and it was beyond anybody’s expectation.”¹⁰⁰⁴ Pin Yathay recalled observing that two women in different

- locations had hanged themselves along the way.¹⁰⁰⁵ Cumulative OCII statements provide corroboration that the conditions during the forced transfer of the population of Phnom Penh were inhumane.¹⁰⁰⁶
281. Contemporaneous U.S. State Department reports support witness accounts that everyone, even children, the elderly, and sick people with IV drips were evacuated.¹⁰⁰⁷ They also relate the consequences of the conditions for the evacuees, particularly that heatstroke and inadequate food, water, and medical care during the transfer “caused many deaths especially among the old, very young, ill, and [infirm].”¹⁰⁰⁸
282. Contemporaneous media reports further describe the nightmarish conditions of the transfer, stating that “columns of refugees trudged out of the city”¹⁰⁰⁹ taking only the “bare minimum”¹⁰¹⁰ of belongings, that the Khmer Rouge “empt[ied] the city and its hospitals - tipping out patients like garbage into the streets,”¹⁰¹¹ and that “between 8 000 and 80 000 bodies, mainly those of old people and children, rotting along Highway 5.”¹⁰¹² The title of one article, *A Great Caravan of Human Misery*, succinctly captured the state of affairs.¹⁰¹³
283. Philip Short described that during the movement there was consistent disregard of human suffering.¹⁰¹⁴ He emphasised that the goal was simply to move the people regardless of how unpleasant it was for them during the movement.¹⁰¹⁵ In particular, he observed that “[t]o move more than two and a half million people out of a crowded metropolis at a few hours’ notice, with nowhere for them to stay, no medical care, no government transport and little or nothing to eat, was to invite human suffering on a colossal scale.”¹⁰¹⁶ David Chandler confirmed the awful conditions that the people were subjected to during the movement.¹⁰¹⁷ He described the conditions as “colossally harsh from the start.”¹⁰¹⁸
284. The CPK leadership refused international aid,¹⁰¹⁹ and prevented aid organisations from continuing their work.¹⁰²⁰ Stephen Heder was not aware of any instances of the Khmer Rouge requesting any domestic or international assistance from relief agencies.¹⁰²¹ **Khieu Samphan** acknowledged that the evacuation of the city would not have cured the food shortage as there was insufficient food in the countryside for the population that was evacuated.¹⁰²² Sophan Sovany described the poor conditions at the locations to which her family was evacuated. Responding to a question about the adequacy of food in those locations, she stated, “If we had had enough food to eat my parents, my relatives, my siblings would not have died. We did not have anything. We did not have

food, we did not have access to medicine; we did not have access to many things in life.”¹⁰²³

CIVILIAN DEATHS

285. The forced transfers of residents from the urban centres resulted in thousands of deaths. Many evacuees were executed by CPK units during the forced evacuation of Phnom Penh¹⁰²⁴ but the vast majority died as a direct result of inhumane treatment and the extreme conditions inflicted upon them during the forced marches into the countryside. In his empirical study Ben Kiernan concluded that over 10 000 people were likely to have died en route from Phnom Penh to their initial destinations.¹⁰²⁵
286. In a gross and deliberate attempt to misrepresent the true position the CPK leaders provided far lower estimates. Ieng Sary stated: “The first months of the liberation were quite tough. 2000 to 3000 people died during the evacuation of Phnom Penh and several thousands died at the paddy fields.”¹⁰²⁶ **Khieu Samphan** has admitted the likelihood of people dying during this forced transfer: “Pertaining to the evacuation of Phnom Penh, I clearly realised that the population might have fallen along the way.”¹⁰²⁷ When Ieng Thirith, the DK Minister of Social Affairs, was asked how many people had died in 1975 as a result of the CPK’s policies she claimed that, there were 20 000 deaths as a result of hunger and illness..¹⁰²⁸
287. Residents were killed for refusing to leave their homes or not leaving fast enough,¹⁰²⁹ for bringing too many personal belongings,¹⁰³⁰ or for disregarding orders of the Khmer Rouge forces.¹⁰³¹ Other killings admit no excuse, however specious: “I saw a new-born baby next to...the body of its mother who had died only moments earlier...I saw a heavily armed Khmer Rouge soldier walk up to the baby. He grabbed a hold [of] the baby. Separated from its mother’s body, the baby began crying at the top of its voice. The barbarian grabbed both its tiny legs, one in each hand, and pulled them apart; he ripped the baby’s body apart nonchalantly without wincing; he saw absolutely nothing wrong with that.”¹⁰³²
288. Indeed, former Khmer Rouge soldiers themselves acknowledged this nonchalance, stating “[w]hen we arrived in town, if we wanted to shoot people, we just did it...we would not be punished for doing that because they were our enemy.”¹⁰³³ Khmer Rouge troops could kill at their discretion: “Many ordinary people were also killed because combatants - who no longer had much respect for life - could basically sho[o]t anybody they liked, except fellow combatants, and there was no punishment for such killings of

ordinary people, who - once shot - were enemies.”¹⁰³⁴ These killings left Phnom Penh littered with bodies.¹⁰³⁵

289. Evidence confirms that Khmer Rouge forces killed individuals as they travelled out of Phnom Penh.¹⁰³⁶ [REDACTED] described how, on his march from Phnom Penh, he saw the body of a child about every 200 metres.¹⁰³⁷ One victim recalled, “they beat my husband and killed him by beating him and cutting his throat in front of me.”¹⁰³⁸
290. Numerous evacuees were executed upon arrival at rural destinations¹⁰³⁹ or would succumb to the harsh conditions of the travel compounded by the conditions at the new locations.¹⁰⁴⁰ “They killed these evacuated people with cart axles and sticks; they hit them on the nape. For small children, they held their legs and threw them against the trees, and then they threw them into the grave, and for infants or small children aged approximately 1 year, they threw them sometimes into the grave right away. Seeing their parents being killed, some children cried and ran away, but no one managed to escape.”¹⁰⁴¹

KILLING OF KHMER REPUBLIC OFFICIALS

291. During the takeover and forced transfer of residents out of Phnom Penh former Khmer Republic officials and soldiers were specifically targeted and killed by the CPK units. Sum Chea, a Khmer Rouge soldier, gave detailed evidence about the identification and execution of former Lon Nol soldiers in Phnom Penh following the evacuation.¹⁰⁴² He was informed by his superior that the purpose of the evacuation of the population from Phnom Penh was “to sweep out Lon Nol soldiers.”¹⁰⁴³
292. Sum Chea was himself ordered to lure the former Lon Nol soldiers by a fellow soldier named Koeun,¹⁰⁴⁴ who also told him that they would be killed.¹⁰⁴⁵ He was also informed that the former Lon Nol soldiers who returned to their duty stations after the broadcasts were taken away by trucks and killed west of Preaek Pnov about 4 to 5 days after the liberation of Phnom Penh,¹⁰⁴⁶ again by Koeun, who participated in the executions.¹⁰⁴⁷ Sum Chea also gave evidence that a group of former Khmer Republic soldiers were executed at Toul Kork¹⁰⁴⁸ after being tricked by the radio broadcasts into revealing their identities.¹⁰⁴⁹
293. Khmer Rouge soldiers made announcements on loudspeakers inviting members of the Khmer Republic Army to return to Phnom Penh. Those who responded disappeared.¹⁰⁵⁰ Francois Ponchaud also gave evidence about the return of former Lon Nol soldiers to Phnom Penh.¹⁰⁵¹ He spoke with the wives of former high-ranking Lon Nol soldiers,¹⁰⁵²

- who informed him that Angkar had assigned their husbands to return to Phnom Penh to rebuild the country.¹⁰⁵³ He testified that Angkar cheated the soldiers by then killing them.¹⁰⁵⁴
294. Numerous witnesses also gave evidence that, at different locations during the forced transfer, the Khmer Rouge asked particular types of people, including former Khmer Republic soldiers and officials, to register their names to allow them to return to Phnom Penh to work.¹⁰⁵⁵ Those who registered their names were detained by the Khmer Rouge, tied together in a line with red and white thread, “frogmarched in line” towards Phnom Penh, and often executed.¹⁰⁵⁶
295. Witnesses testified to observing Khmer Republic soldiers and officials dead on the side of the road during the transfer out of Phnom Penh.¹⁰⁵⁷ Moreover, witnesses who did not testify at trial observed bodies of Khmer Republic soldiers and officials.¹⁰⁵⁸
296. The Khmer Rouge also openly targeted the group of high-ranking former Khmer Republic officials, known as the seven “super traitors.” Thouch Phandarasar’s cousin witnessed the execution of General Thach Sary,¹⁰⁵⁹ who had attended at the Ministry of Information in response to a radio broadcast.¹⁰⁶⁰ In November 1975, Ieng Sary publicly confirmed the executions of Khmer Republic Officials.¹⁰⁶¹
297. Although there is no exact number of how many former Khmer Republic officials were killed in Phnom Penh Ben Kiernan concludes from his extensive research that the number of Lon Nol Officials and other civilians executed in the evacuation of Phnom Penh approximates to about 10 000.¹⁰⁶²

2. TUOL PO CHREY

ONE DAY IN APRIL 1975

298. Lim Sat, a Khmer Rouge soldier in Pursat province, testified at trial to his role in the killings of at least hundreds of former Khmer Republic soldiers and civil servants at Tuol Po Chrey in April 1975. A few days after the liberation of Phnom Penh he attended a meeting where the Zone Committee ordered that the Khmer Republic soldiers and policemen must be killed.¹⁰⁶³ The CPK were afraid they would revolt against them.¹⁰⁶⁴ Lim Sat testified that the Khmer Rouge gathered policemen and soldiers of the Khmer Republic administration at a meeting at the Provincial Hall in Pursat.¹⁰⁶⁵ At the meeting the attendees were advised they would be sent to a study session.¹⁰⁶⁶ Immediately after this they were taken to Tuol Po Chrey where they were executed.¹⁰⁶⁷

299. Lim Sat's role was to guard the main road connecting the town of Pursat and Tuol Po Chrey,¹⁰⁶⁸ the execution route for the former Khmer Republic personnel. Here he saw between 30 and 40 military and civilian trucks taking Lon Nol soldiers to the meeting at the Provincial Hall.¹⁰⁶⁹ Each truck accommodated about 30 people.¹⁰⁷⁰ The same day¹⁰⁷¹ he saw at least 15¹⁰⁷² of the trucks transporting, the Khmer Republic soldiers and officials to Tuol Po Chrey¹⁰⁷³ two trucks at a time.¹⁰⁷⁴ At that time there were about 50 to 60 Khmer Rouge soldiers stationed at Tuol Po Chrey.¹⁰⁷⁵ He was then informed via radio that the soldiers and police had been killed.¹⁰⁷⁶ Lim Sat testified to hearing gunshots in the background on the radio at the same time.¹⁰⁷⁷ The trucks then came back on the same road towards the town of Pursat and were empty.¹⁰⁷⁸ After some trucks had left, Lim Sat was ordered by radio to release more trucks.¹⁰⁷⁹

LOCATION

300. Tuol Po Chrey is about 18 km north-east of Pursat town in Pring Khpuoh Village, Srae Sdok Commune, Kandieng District, Pursat Province.¹⁰⁸⁰ Another execution site where further large numbers of people were killed was a few kilometres from Tuol Po Chrey.¹⁰⁸¹

LEAD UP

301. The CPK Sector 7 forces¹⁰⁸² deceived the former Khmer Republic personnel to gather for their execution. Following a broadcast on national radio for all army units to surrender and lay down their arms¹⁰⁸³ former Khmer Republic officers and civil servants were invited to a meeting or a study session at the Provincial Hall.¹⁰⁸⁴
302. Ung Chhat was assigned as a guard outside of the meeting.¹⁰⁸⁵ High-level Khmer Rouge leaders were in attendance.¹⁰⁸⁶ At the meeting, which lasted about 3 to 4 hours,¹⁰⁸⁷ the former Khmer Republic civil and military servants were told by the Khmer Rouge that they would be taken to a reception or study session.¹⁰⁸⁸ Sum Alat testified that he and other attendees would be taken to Tuol Po Chrey for a reception with "Angkar"¹⁰⁸⁹ and then the victims were crowded onto the waiting trucks.¹⁰⁹⁰ [REDACTED] a the driver of a truck stated that he talked to the "doomed" people to make them feel more relaxed.¹⁰⁹¹ He explained that his passengers thought they were only going to meet the Prince, but he already knew about "the plan" to kill them.¹⁰⁹²
303. Philip Short testified that this process of luring former Khmer Republic officials and civil servants to their death by deceit was a common CPK practice after 17 April 1975. He said it was common CPK practice to gather Khmer Republic officials at a big

meeting in a provincial house where promises of getting re-educated or even meeting the King would be used to lure them to their death.¹⁰⁹³

TIME

304. Witnesses all gave evidence that, despite remembering different dates, the execution occurred on one day in April after the takeover of Phnom Penh.¹⁰⁹⁴

NUMBERS AND IDENTITY

305. The evidence admitted at trial establishes that the number of individuals killed at Tuol Po Chrey in April 1975 was at least 200.¹⁰⁹⁵ However, shortly after the executions at Tuol Po Chrey TCW-644 saw up to 1 000 bodies.¹⁰⁹⁶ In 1980, TCW-699 the former chief of Svay Luong commune, in Kandieng district in Pursat Province, told Sum Alat, that 2,000 victims were killed at Tuol Po Chrey.¹⁰⁹⁷ In addition, in the lake near Tuol Po Chrey, TCW-699 saw that it was “full of corpses” approximately 5 000.¹⁰⁹⁸ [REDACTED] was told by a man named Try from the smashing unit that there were nearly 10 000 killed at Tuol Po Chrey.¹⁰⁹⁹ Although the actual number of deaths will never be known it is clear on the evidence that a significantly large number of former Khmer Republic personnel were killed at Tuol Po Chrey.
306. Although the Trial Chamber heard evidence of the general identity of those killed at Tuol Po Chrey the individual identity of most of those killed is not known. It is clear, however, that those killed were members of the former Khmer Republic, many being military and civilian personnel.¹¹⁰⁰

ACT OF EXECUTION

307. Numerous witnesses testified that Khmer Republic personnel were killed at Tuol Po Chrey in April 1975.¹¹⁰¹ OCIJ statements corroborate the executions at Tuol Po Chrey. The morning after the executions, [REDACTED] a local farmer, saw the bodies¹¹⁰² describing them as stiff, with sounds of decomposition emanating from them.¹¹⁰³ Shortly after the killings, [REDACTED] a young boy, saw the bodies, “bubbling like molten tarmac.”¹¹⁰⁴ About a month later, [REDACTED], a local ox-cart driver, saw “traces of excavators that had buried all the corpses.”¹¹⁰⁵ After January 1979, TCW-699, visited Tuol Po Chrey and saw piles of human remains with Khmer Republic army uniforms alongside which were next to four to five big pits that had been dug up.¹¹⁰⁶ At about this time, [REDACTED] went to Tuol Po Chrey and saw many bones sticking out of mounds of earth.¹¹⁰⁷

308. At the same location just under 35 years later OCIJ investigators found at the site bone fragments, fired cartridge casings, a bullet head, metal artifacts such as belt buckles, zippers, and the presence of cloth mixed into the soil.¹¹⁰⁸ These cartridge cases were found in and around the burial pits.¹¹⁰⁹

METHOD OF EXECUTION

309. The evidence demonstrates that the Khmer Republic personnel were executed en masse with no ability to defend themselves. The Khmer Rouge troops after transporting them to Tuol Po Chrey bound their hands, tied them in groups and then shot them. Siem Soeum went to the execution site the day after the killings in April 1975 and saw bodies with gunshot wounds to the head and torso.¹¹¹⁰ The victims were tied together by rope, with their hands tied behind their back.¹¹¹¹ Ung Chhat testified that villagers told him of seeing the corpses bound at the arms and tied in groups of fifteen to twenty.¹¹¹²
310. [REDACTED] stated that when the Khmer Republic officials got off the trucks they were told their arms would be tied, because they were meeting the Prince and were “not fully trusted yet.”¹¹¹³ After everyone was tied up, he said they were all led to the killing field. They were not shot out in the open, because subsequent victims from the other trucks might see.¹¹¹⁴ It therefore happened behind the raised bank of the pond.¹¹¹⁵ [REDACTED] a soldier in the “preventive unit,” confirms that the victims were tied up before being killed.¹¹¹⁶ [REDACTED] demonstrated in the “One Day at Tuol Po Chrey” video how the corpses’ hands were tied together, 20 bodies per piece of rope.¹¹¹⁷

3. DEVELOPMENT OF CPK POLICY: 17 APRIL - SEPTEMBER 1975

311. On 19 April 1975, Son Sen and Phy Phuon made an advance trip to Phnom Penh to survey the situation, and found that the CPK military commanders and “plenty of soldiers” were at all the “assigned spearheads.”¹¹¹⁸ When they returned to the Party base, Son Sen reported that CPK “forces controlled the city” and that the leaders could enter Phnom Penh.¹¹¹⁹ Phy Phuon testified that on their trip he and Son Sen saw “many dead bodies along the road” and some bodies “at the stadium” in the city, most of whom were soldiers.¹¹²⁰ When Phy Phuon asked about the corpses, Son Sen told him that there was “fierce resistance” in some areas and “those who resisted us, we had to put them down.”¹¹²¹
312. Over the following two days, Pol Pot, **Nuon Chea**, **Khieu Samphan** and the other senior leaders travelled from Peam commune and entered Phnom Penh.¹¹²² **Nuon Chea** admitted to Thet Sambath that during his trip into Phnom Penh he saw evacuees

walking on the roads looking “haggard and weary,” and acknowledged that it was “difficult for them to travel.”¹¹²³ He described Phnom Penh as “empty and dirty,” and stated that “there were some dead people left in the houses.”¹¹²⁴

313. Upon entering Phnom Penh, Pol Pot, **Nuon Chea**, **Khieu Samphan**, Son Sen and the other CPK leaders stayed at the railway station for “nearly one week,”¹¹²⁵ the former Ministry of Commerce or Finance for about two weeks,¹¹²⁶ and then moved to the Silver Pagoda (Preah Kev Temple) in May 1975.¹¹²⁷ Ieng Sary was the last Party leader to arrive in Phnom Penh, joining the others around the 24th of April 1975.¹¹²⁸ In the weeks following their arrival, **Nuon Chea**, **Khieu Samphan** and the other Party leaders worked together “every day and night,” including regular meetings with the “military commanders from each respective battlefield -- for example, Ta Mok, Vorn Vet, Koy Thuon, So Phim battlefields” and their division commanders.¹¹²⁹ Phy Phouon testified that there were four Party leaders who lived together “close to one another” at these initial locations -- “Om Pol Pot, **Nuon Chea**, **Khieu Samphan** [and] Ieng Sary,” and that the other leaders had “separate place(s) to live.”¹¹³⁰
314. In May 1975, the Central Committee met for ten days at the Silver Pagoda to discuss the “post-liberation situation” and to make plans for achieving the Party’s next goal of “Socialist Revolution.”¹¹³¹ The meeting was presided over by Pol Pot and **Nuon Chea**, with Pol Pot presenting the Party documents and **Nuon Chea** leading the discussions.¹¹³² **Khieu Samphan** and Ieng Sary participated in the meeting,¹¹³³ which was attended by “people from all zones,” including Koy Thuon, Ke Pauk and Doeun (North Zone), Ta Mok and Chou Chet *alias* Sy (Southwest Zone), Ros Nhim, Koe and Heng Teav *alias* Kantol (Northwest Zone), Sao Phim, Ta Tum and Phuong (East Zone), Vorn Vet (Special Zone), Ya (Northeast), Laing (Mondulkiri) and Yi (Kratie).¹¹³⁴ The Central Committee discussed the evacuation of Phnom Penh, “building and defending the country,” “building the progressive cooperatives” and “speed[ing] up the process of the construction of dams and canals.”¹¹³⁵ **Khieu Samphan** testified in this trial that the main agenda of the May 1975 meeting was to “urgently rebuild” the country through “Socialist Revolution and Reconstruction,” which meant that “all” land was to be placed under cooperatives.¹¹³⁶ The Central Committee decided that “the country must be built, and that socialism must be built, as rapidly as possible” in order to take the country from a “backward agriculture to a modern one in from five to ten years.”¹¹³⁷
315. From the 20th to 25th of May 1975, the CPK leaders held a large conference in Phnom Penh that was attended by the Secretaries of every District, Sector and Zone and

representatives of all military units.¹¹³⁸ The meeting was held at either the Olympic Stadium in Borei Keila or the Khmer-Soviet technical school.¹¹³⁹ The speakers at the conference were Pol Pot and **Nuon Chea**, both of whom made presentations instructing the CPK cadres on the Party lines and policies that were to be implemented throughout the country.¹¹⁴⁰

316. One of the CPK cadres present at the conference was Sao Sarun, then a District Secretary in Mondulkiri. While his present recollection is that the meeting occurred “around ten days” after liberation,¹¹⁴¹ it is clear from Sao Sarun’s testimony that the meeting he attended must have occurred later, as (i) it was not held until after the evacuation of people to the countryside had been completed, (ii) the travel of thousands of cadres from across the country had to be organized, and (iii) the participants and subject matters match the description provided by others of the 20-25 May 1975 conference.¹¹⁴² Moreover, the son of Mondulkiri Secretary Laing, who went with his father when he travelled to Phnom Penh for that same meeting, testified that it took place in May 1975.¹¹⁴³
317. Sao Sarun testified that the subjects discussed by Pol Pot and **Nuon Chea** at this meeting included “cooperative organization, currency prohibition, market and monastery closings.”¹¹⁴⁴ The CPK cadres were specifically instructed to “organize the low level cooperatives” in their regions “encompassing 30 to 40 families per each cooperative,” to implement “communal dining” and that all private property was to be eliminated.¹¹⁴⁵ Pol Pot also talked about “driving all of the Yuon from Cambodia”¹¹⁴⁶ and the need to build “irrigation systems” and canals in the provinces.¹¹⁴⁷ Based on interviews of multiple sources, Ben Kiernan concluded that there were a total of eight points on which the Party cadres received instructions at this meeting: “(1) Evacuate people from all towns; (2) Abolish all markets; (3) Abolish Khmer Republic regime currency and withhold the revolutionary currency that had been printed; (4) Defrock all Buddhist monks and put them to work growing rice; (5) Execute all leaders of the Khmer Republic regime beginning with the top leaders; (6) Establish high-level cooperatives throughout the country with communal eating; (7) Expel the entire Vietnamese minority population; (8) Dispatch troops to the borders, particularly the Vietnamese border.”¹¹⁴⁸ Expert David Chandler confirmed at trial that these eight points represented policies that were followed by the CPK.¹¹⁴⁹

318. The prior decision of the Party leaders made at the June 1974 meeting was to evacuate the cities on a “temporary” basis.¹¹⁵⁰ At the 20-25 May 1975 conference, the “evacuation of the cities was declared to be permanent.”¹¹⁵¹
319. In regards to the policy on Khmer Republic officials announced at the May 1975 conference, the **Nuon Chea** Defence repeatedly referenced during trial one of Ben Kiernan’s interviews on that subject, that of Heng Samrin, and in particular his statement to Kiernan that **Nuon Chea** used the Khmer word *komchat*, not *komtech* (smash), in his instruction to the CPK cadres regarding former government officials.¹¹⁵² In response to Defence questioning on this issue, Stephen Heder testified that Kiernan’s translation of *komchat* as “scatter” was incorrect, and that the word actually means to “get rid of, eliminate.”¹¹⁵³ The evidence tendered by the Defence thus also proves the existence of a discriminatory policy targeting former soldiers and officials of the Khmer Republic, and is consistent with the other interviews conducted by Kiernan on this issue.
320. In August 1975, the CPK Standing Committee made a five-day trip to the Northwest Zone.¹¹⁵⁴ The minutes of that trip reflect that the Party leaders received reports on the people situation,¹¹⁵⁵ enemy situation (border activities and internal activities),¹¹⁵⁶ military situation,¹¹⁵⁷ and the status of rice planting and various industries.¹¹⁵⁸ The Standing Committee visited Pursat (the location of the Tuol Po Chrey executions), and received a report on its military situation indicating that a “200-strong unit” had been appointed for “defending the city (controlling and cleansing).”¹¹⁵⁹ The report on internal enemies stated: “There exist within our ranks those who have not yet been purged. They make use of them to lead people to flee. We have been able to arrest them one after the other, and are now continuing to search them out.”¹¹⁶⁰ It was also reported that in the military: “[s]ome cadres have been immoral (affairs with women). We have made them leave their units of organization and return to their villages.”¹¹⁶¹
321. The Standing Committee learned from this visit that the “new people” in the Northwest Zone were “experiencing shortages, shortages of food supplies as well as shortages of medications.”¹¹⁶² With respect to the “base people,” there were “not yet shortages of livelihood,” as the Party had “continually supplied war booty from the towns,” though the “remote districts [were] still in need and many people [were] also suffering from diseases.”¹¹⁶³
322. Based on its trip to the Northwest Zone, the Standing Committee made a number of decisions and provided a number of instructions. In regards to security or defense

matters, the CPK leaders stated that a “key problem” was to “sort out the political situation of the people, and do whatever is necessary to make the people stable in a monolithic bloc of solidarity with the revolutionary state power,” so that “no enemy will be able to attack us.”¹¹⁶⁴ They concluded that cooperatives “must be further strengthened and expanded,” noting as follows:

The function of cooperatives since the total liberation is to absorb all the new people coming out of all the cities and towns, especially Phnom Penh city and, in the Northwest, Battambang. Every time of horrible element exists among the hundreds of thousands of new people in Battambang, but the cooperatives have absorbed them completely ...

In the Northwest Zone, it is possible to sort things out temporarily, although some shortages remain. Things are okay with the base people, but be vigilant against no-good elements among the new people taking advantage of things, because these contemptibles would not stay with us even if we were to give them sufficiency (2 cans of rice a day).¹¹⁶⁵

323. The Standing Committee concluded that the Northwest Zone had “favourable conditions” for rice production, as the “land is fertile” and the “area is a huge plain with no mountains, easy for us to organize work force to do plowing and to use water.”¹¹⁶⁶ Notwithstanding their awareness that there were already “shortages of food supplies” for the existing New People previously moved to the Northwest Zone, the CPK leaders decided that the labour force in that region “must be increased”, concluding:

Three or four hundred thousand more would not be enough. The current strength of one million persons can only work 50 per cent. It's imperative to add four or five hundred thousand more.¹¹⁶⁷

324. Further to the May 1975 decision of the Central Committee that the evacuation of people from the cities was to be permanent, the Standing Committee also decided that cities “must be taken care of,” specifically instructing that “small wooden houses should be dissembled.”¹¹⁶⁸
325. A few weeks later in September 1975, the CPK leaders distributed a policy document that discussed the “implementation of the Party’s agricultural line to push agriculture to expand in a great leap to the maximum according to the instructions of the Party,”¹¹⁶⁹ and assessed the situation “during the past 4-5 months” since “the Party disseminated the line” in May 1975.¹¹⁷⁰ The document stressed the importance of building dams, paddy dikes and canals that would “transform the rural countryside,” noting that dams could be built “in large groups” and “by hand.”¹¹⁷¹ It discussed whether to establish a “rice harvest quota” of “three tons per hectare” for the year 1977,¹¹⁷² and the need to export rice in order to raise capital.¹¹⁷³ It reaffirmed the CPK leaders’ prior decision that

it was not “necessary for us to use money,” because of the concerns that money would be used by enemies to bribe “bad cadres” and would “lead to the creation of private ownership.”¹¹⁷⁴

326. The September 1975 document also reflects the knowledge of the Party leaders of “shortages in all aspects of life, including shortages of supplies to produce food,” shortages of “medicines, leading to sickness and pain, malnourishment [and] malaria,” and that the “people with the greatest shortages are those who were evacuated from Phnom Penh and the surrounding areas.”¹¹⁷⁵ It further recorded the leaders’ knowledge that people were working “fifteen hours a day” due to the lack of sufficient machinery, which was “having an impact on the health of our people.”¹¹⁷⁶ Notwithstanding these issues, the CPK leaders determined that they would carry out further forced movements in order to “divide the people according to production requirements,” specifying that:

*In the Northwest, we must add an additional force of 500,000 people. Preah Vihear has requested 50,000 first. In Preah Vihear there is the possibility of solving food supplies. Preah Vihear has 70,000 old people already. So send 20,000 first as we go along. In the North, they need people to be given to Kampong Thom province. The East also needs forces to be given to Sectors which are short of people.*¹¹⁷⁷

4. FORCED MOVEMENT OF THE POPULATION FROM THE CENTRAL (OLD NORTH), SOUTHWEST, WEST AND EAST ZONES - PHASE 2

LATE 1975 TO 1976

327. Sokh Chhin, who was with a mobile unit¹¹⁷⁸ based in Trapeang Chong, Pursat province testified to a large scale movement of Cambodians from the central and southwestern parts of Cambodia from October to December 1975.¹¹⁷⁹ He testified that in the course of his duties, he saw large numbers of people being transferred by train through Pursat¹¹⁸⁰ to various locations in the Northwest Zone.¹¹⁸¹ Roughly twice a week¹¹⁸² he saw a train pass through Pursat, each train with 20 to 25 wagons,¹¹⁸³ each wagon carrying 40 to 50 people, including children and the elderly.¹¹⁸⁴ Sokh Chhin sometimes worked near the railroad crossing at Leach in Pursat where he saw some people get off the trains¹¹⁸⁵ before being transported by military trucks¹¹⁸⁶ to cooperatives in the southern part of the Northwest Zone.¹¹⁸⁷ Others continued on towards Battambang province.¹¹⁸⁸ The trains returned empty except for the Khmer Rouge soldiers and train crew, and headed south in the direction of Phnom Penh before returning with more people.¹¹⁸⁹ Sokh Chhin received information that the people were taken to different cooperatives in Svay Sisophon, Battambang, Thma Koul and Phnom Tauch.¹¹⁹⁰

328. Sokh Chhin also testified to the manner and conditions under which the people were transferred. He saw that Pol Pot's soldiers escorted the passengers and guarded them with weapons¹¹⁹¹ on the trains and on disembarkment at Leach when they awaited further transport.¹¹⁹² He saw that people were transported under inhumane conditions in a manner that inflicted suffering and resulted in passengers dying. The trains were not fit to transport people. The wagons used to carry the passengers were old¹¹⁹³ and were meant for transporting goods.¹¹⁹⁴ They had no seats¹¹⁹⁵ or windows¹¹⁹⁶ so that the passengers had to keep the doors open while moving for ventilation.¹¹⁹⁷ The passengers were given only one can of rice to eat per ten people on the train¹¹⁹⁸ and were forced to use water from the rice paddies for drinking.¹¹⁹⁹ They had to use the same rice paddy water for washing¹²⁰⁰ and were provided no shelter while held beside the train tracks overnight.¹²⁰¹ Sokh Chhin testified that he knew passengers died along the journey because he found dead bodies along the train track in vacant areas.¹²⁰² He buried some of these bodies.¹²⁰³

TRANSFER OF THE POPULATION

329. Commencing in September 1975 and through to 1976 the CPK leadership ordered the forcible transfer of large numbers of the Cambodian population with the primary purpose of increasing DK's agricultural production and, in particular, achieving closer levels for rice production. At this time the CPK wanted "to diversify crops and build up the country."¹²⁰⁴ To achieve this, the CPK determined that it was an absolute imperative to re-allocate the workforce "to those who have free land to plant and diversify crops."¹²⁰⁵ The CPK leadership ordered that the workforce be "provided to any place with more work ability...so that [they] can make thorough effort in seeking capital to build up the country gradually."¹²⁰⁶
330. The primary destinations were the North and Northwest Zones as the CPK leadership viewed that they were the areas that had the "most good qualities in terms of the geography of paddy land (which is good and of which there is a lot of surplus)."¹²⁰⁷ At the same time they believed that 500,000 workers were required in these areas as the current workforce was inadequate to support the production needed.
331. The September 1975 CPK Directive entitled "Governing and Carrying out Policy and Restoring all Fields of the Country" evidences the mammoth nature of the plan and the grandiose and misplaced confidence of the CPK leadership in setting out to complete what was a wholly unrealistic target. "In the Northwest, we must add an additional force

of 500,000 people. Preah Vihear has requested 50,000 first. In Preah Vihear there is the possibility of solving food supplies. Preah Vihear has 70,000 old people already. So send 20,000 first as we go along. In the North, they need people to be given to Kampong Thom province. The East also needs forces to be given to Sectors which are short of people. So each Zone must make appropriate preparations and not let things sway back and forth, allocating how many to upper level and moving how many to other locations.”¹²⁰⁸

332. Around two months later, on 30 November 1975, a CPK telegram sent from Chhon to Pol Pot, records the implementation of this forced population movement policy and the difficulties that were faced in the application of the policy. In the telegram, Chhon reports “on the problem of the removal of people from the East to go to the North.”¹²⁰⁹ He advised Pol Pot of the problems that arose in the transfer of the population from the eastern part of Cambodia when the “East was handing over at Steung Trang and Preah Prasap.” He reported that “[i]n principle, the Zone was to remove 50,000 people and turn them over to the North.”¹²¹⁰ However, “both points absolutely refused to accept Islamic People and would only take pure Khmer.”¹²¹¹
333. Trial witnesses have testified to being moved by force and coercion as part of this population transfer. They were generally moved to the Northwest Zone from the East and Southwest Zones (from Prey Veng, Kandal, Takeo and Kampong Speu) in September 1975 continuing in 1976 and through to 1977. Nearly all of those transferred were new people who were originally from Phnom Penh or other urban centres.
334. For example, Lay Bony testified she was evacuated from the Khsach Kandal district in Kandal province to Pursat province.¹²¹² She was taken by an ox cart to the riverbank, then by boat to Kampong Chhnang province and onwards by Chinese military truck to the Koh Chum Pagoda in Pursat province.¹²¹³ She testified that the other people on the boat were all “new comers” from different communes and villages within the Khsach Kandal district.¹²¹⁴ When she arrived at the Koh Chum Pagoda, the group was separated as ox carts transported some people to other cooperatives.¹²¹⁵
335. Or Ry and Sophan Sovany were also transferred from Kandal to Pursat province in late 1975.¹²¹⁶ Or Ry travelled on one of several “fully loaded” boats¹²¹⁷ and then boarded one of many “fully loaded” large trucks.¹²¹⁸ After travelling for one day, she arrived in Pursat province where she was transferred to an ox cart and taken to a village.¹²¹⁹ She testified that only new people were transferred.¹²²⁰ Sophan Sovany also testified that only new people were subjected to the forcible transfers occurring at this time.¹²²¹ She

testified their names were registered following which they were required to board a motorboat, then transferred in one of three or four trucks and then by train.¹²²² The carriages on the train were wagons meant for cattle or vehicles,¹²²³ instead they were packed full with people.¹²²⁴ Once she arrived in Pursat province, she was required to travel by truck to a cooperative.¹²²⁵

336. Pin Yathay testified that in September 1975 he travelled from Takeo province with 18 other new people by ox cart to a pagoda and then, two weeks later, by truck with between 2,000 and 3,000 other new people from the Southwest Zone to Pursat province.¹²²⁶ In this transfer, there were about 20 to 30 trucks each packed with 80 to 100 people.¹²²⁷ Upon arrival at Leach in Pursat, Pin Yathay saw that there were already thousands of people present, both new and base people.¹²²⁸ Most trucks arrived at this location the day following her arrival.¹²²⁹ He was allocated to a group and travelled by foot to a forest where he lived until December 1975.¹²³⁰
337. A month later, in October 1975, Toeng Sokha testified she was also taken by truck from Takeo to Pursat province and then “packed into the empty cargo wagon”¹²³¹ of a train to travel to Battambang province.¹²³² Months later, in early 1976, Yim Sovann testified she was transferred from the Pothiban Commune in Kandal province to Pursat province.¹²³³ Taken by a military truck to the Bunteah Lan railway station she was then transported by train to Pursat province where she travelled by ox cart to a co-operative within the province.¹²³⁴
338. In late 1975, Sang Rath was transferred on one of ten trucks from the border of Kampong Speu and Takeo provinces to Pursat province.¹²³⁵ Having stopped in Pursat province for two nights she then boarded a cargo train to Battambang province.¹²³⁶ Pech Sray Phal testified that she travelled from Kampong Speu province with 60 other people by truck to Phnom Penh, where she stayed for two nights.¹²³⁷ She then travelled in one of at least four “fully loaded”¹²³⁸ wagon trains¹²³⁹ to Kampong Chhnang province.¹²⁴⁰ Each was packed with new people; there were no base people.¹²⁴¹ Some disembarked in Kampong Chhnang province while others continued to a further destination.¹²⁴² At a particular destination, people were divided into separate work groups.¹²⁴³ Pech Sray Phal stayed in Kampong Chhnang province briefly as her group was required to travel to Pursat.¹²⁴⁴ She was in the first of three trucks which travelled there.¹²⁴⁵ She testified that about 2,000 other people were also transferred to Pursat province¹²⁴⁶ in 1977.¹²⁴⁷ Aun Phally also testified that in 1976 or 1977 he and his family were transferred from Prey Veng to Moug Ruessei district in Battambang province.¹²⁴⁸

339. OCIJ statements, which are cumulative and corroborative confirm the large scale population movements from late September 1975 through to 1976. These witnesses provide evidence of the forced movement of people within¹²⁴⁹ and to the Northwest Zone¹²⁵⁰ from the East,¹²⁵¹ Southwest¹²⁵² and West Zones,¹²⁵³ as well as of people being moved within¹²⁵⁴ and to¹²⁵⁵ the North (New) Zone, within¹²⁵⁶ and to¹²⁵⁷ the Central (Old North) Zone, within¹²⁵⁸ and to¹²⁵⁹ the East Zone, within the Southwest Zone,¹²⁶⁰ and within¹²⁶¹ and to¹²⁶² the Kratie Region.
340. It is clear that the reasons for the population movement were not kept secret from the transferees. TCCP-45 was told by the Khmer Rouge “that they moved us to Battambang province because soil was more fertile and there was more land for cultivation.”¹²⁶³ [REDACTED] stated “[i]n [a] meeting, [two Khmer Rouge cadres] announced that based on the “super great leap forward” line, brothers and sisters new people had to go to live in Pursat province.”¹²⁶⁴ Similarly, [REDACTED] stated by the time he was moved “the Khmer Rouge regime already implemented collective work, and whenever they needed manpower, they assigned people to work in different locations.”¹²⁶⁵
341. Stephen Heder confirmed the testimonies and statements of these witnesses by stating that there was a re-movement of the population by the CPK, mainly from the Southwest and East to the Northwest and North or special sectors that were subsequently part of the North.¹²⁶⁶
342. Although the charges in this trial do not include allegations of the genocide and persecution of the Cham community in the DK period as part of the second wave of forced transfers to increase agricultural production in the North and Northwest Zones the CPK also displaced the Cham population. Although the purpose of the movement of the Chams was not primarily to increase agriculture however during this second wave of movements the CPK clearly moved the Cham population whilst concurrently committing acts of genocide and persecution against them. TCCP-37 stated “[t]hey intended to kill the Cham by hunger and disease...[t]he Khmer Rouge wanted to break the strength of the Cham because they saw that leaving us together could lead to the same thing that had happened at Koh Phal.”¹²⁶⁷ Similarly [REDACTED] stated “[t]he Khmer Rouge burned and destroyed Koh Phal, reducing it to cinder and ashes. Then they forcibly evacuated all the Cham throughout Kampuchea.”¹²⁶⁸

USE OF FORCE

343. The evidence admitted at trial demonstrates that this second wave of population movements were generally accomplished through coercion or direct force or the threat of force – of a population that had already suffered as a result of the initial evacuations in April 1975 and which was in no realistic position to complain or show any signs of opposition. None of the CPK documents authorizing or planning this second wave of forced movements (referred to above) indicate that the transferees had a choice in their movement. Trial witnesses from the Southwest and East Zones gave evidence that they were forced to leave their homes. Toeng Sokha testified that when he was transferred from Takeo province to Pursat in mid-1977¹²⁶⁹ he “did not want to go,”¹²⁷⁰ but “no-one could escape because every last member of the group had to be loaded onto the truck and moved to the new village.”¹²⁷¹ Similarly, Sophan Sovany testified he had “no choice” in being transferred to Pursat province “because that was the direction of Angkar.”¹²⁷² Or Ry testified that “nobody dared to flee”¹²⁷³ during the transfer. Other witnesses testified that they were “evicted,”¹²⁷⁴ “guarded”¹²⁷⁵ or “monitor[ed].”¹²⁷⁶ The evidence demonstrates that Khmer Rouge soldiers¹²⁷⁷ or people wearing “black shirts and pants”¹²⁷⁸ were the individuals that forced the residents to leave.
344. Residents were physically forced to leave and killed if they did not comply. Sophan Sovany testified that “we were pushed into the wagon when it was full they closed the door with a piece of wood.”¹²⁷⁹ Other witnesses gave evidence that they were “dragged from the train”¹²⁸⁰ and “force[d] onto the trucks” by Khmer Rouge soldiers carrying guns.¹²⁸¹ Or Ry testified that Khmer Rouge soldiers harassed those that did not want to leave her village.¹²⁸² Yim Sovann recalled that if she had not wanted to leave, the Khmer Rouge would have taken her to the security centre.¹²⁸³ Toeng Sokha testified that with the exception of a few who escaped, the people who hid to evade the transfer “were all executed.”¹²⁸⁴
345. This coercion and use of force in this second wave of transfers to the north and northwest is corroborated by OCIJ statements admitted at trial. Numerous witnesses provided evidence that they and others were forced to leave their homes and travel accompanied by Khmer Rouge soldiers¹²⁸⁵ to different parts of the country.¹²⁸⁶ Although some people were willing to move to a different location, many were forced.¹²⁸⁷
346. Stephen Heder testified that some people did leave voluntarily, believing that the food situation in the Northwest would be better.¹²⁸⁸ Indeed, many evacuees were promised

better food and conditions at their new locations.¹²⁸⁹ [REDACTED] was informed by the Khmer Rouge that at the destination “there was enough rice to eat three times a day there.”¹²⁹⁰ In [REDACTED]’s original location “there was not very much rice, just thin gruel.”¹²⁹¹ Other non trial witnesses were also advised there was plenty of food at the new destination.¹²⁹² Others, however, were very reluctant to leave their rice behind.¹²⁹³ Stephen Heder testified that the paddy that they had planted and cultivated was about to be harvested at the end of 1975.¹²⁹⁴ He testified that these people were told they had to go, whether they wanted to or not.¹²⁹⁵

INHUMANE CONDITIONS

347. As with the forced transfers of the residents of Phnom Penh and other cities in April 1975 the conditions under which people were transferred in the CPK’s second wave of movements were similarly inhumane which caused great physical and mental suffering to the victims. Particularly on arrival at their new destinations or shortly thereafter the inhumane conditions they met led many to their deaths.
348. The CPK had no regard for the ability of the transferees to physically and mentally cope or prepare for the move. Evacuees were made to travel to their assigned destination regardless of their health.¹²⁹⁶ Aun Phally testified that prior to commencing the journey to the Northwest Zone, people were not allowed to take anything with them.¹²⁹⁷ Witnesses who were moved from the Southwest and East Zones testified to a lack of food,¹²⁹⁸ water¹²⁹⁹ or clean water,¹³⁰⁰ and medicine¹³⁰¹ being provided on their journey to the Northwest Zone. They described overcrowded conditions. They were packed into wagons of trains and trucks¹³⁰² fit for animals, but unsuitable for humans due to the lack of seating.¹³⁰³ Pech Sray Phal testified they were not allowed to relieve themselves when needed during the transfer.¹³⁰⁴ They were only permitted to do so upon request to the Khmer Rouge cadres.¹³⁰⁵ Once permitted, they were too frightened to relieve themselves as they had to do so at gunpoint.¹³⁰⁶ Due to a lack of sanitation people experienced diarrhoea¹³⁰⁷ and a lack of essential provisions led to disease, exhaustion,¹³⁰⁸ malnutrition¹³⁰⁹ and death.¹³¹⁰ Passengers died on the trains and were pushed out of the train as they died.¹³¹¹ Other witnesses whose statements were admitted provide further corroboration of the inhumane conditions evacuees were subject to in these population movements.¹³¹²
349. Upon arrival at the cooperatives, the evacuees had to fend for themselves.¹³¹³ They described having to build their own accommodation¹³¹⁴ and having little to eat.¹³¹⁵ Ieng

Thirith, a senior CPK leader, admitted in an interview that she conducted an inspection tour of the Northwest Zone in the second quarter of 1976 where she observed deadly conditions in the areas where hundreds of thousands of people had been relocated.¹³¹⁶ She stated “[i]n Battambang, I saw something very clear, that they make people, all people going to the rice fields, very far from the village and they have no home; and I saw they have no home and they are all ill...I saw everybody there in the rice fields in open air, nothing and with the sun, very hot sun. I saw many people ill of diarrhoea and malaria.”¹³¹⁷ In a DK Sector report more than 20,000 people were reported to have starved to death in 1976.¹³¹⁸ A few weeks earlier a report stated “17 April elements are over populated in [that Sector],” which then went on to outline efforts being made to eliminate them.¹³¹⁹

350. Stephen Heder testified to poor conditions both on the journey during these second population movements and at their destinations.¹³²⁰ The boats, trucks and trains by which people travelled were often quite crowded.¹³²¹ People typically had little food and in many instances they were not able to sleep or rest¹³²² and they arrived at their destination, weaker, sicker and hungrier than when they commenced the journey.¹³²³ Members of the Khmer Rouge controlled and directed the transfer.¹³²⁴ He testified that at the destinations “generally, the situation was worse and, in many places, it was much worse than it had been in the places from which they had left.”¹³²⁵

KILLING OF CIVILIANS

351. As with the transfer of residents out of Phnom Penh during the second forced transfers people were killed by the CPK forces when being forced to leave, on the way to their new location or on arrival. Whenever people were moved in DK opportunities were created for CPK cadre to investigate the backgrounds of individuals to determine if they were enemies that should be killed. Also as described above the conditions that the transferees endured in transit or shortly after their arrival at their new destination caused many to die.
352. At trial the Chamber heard the testimony of Toeng Sokha who testified that Khmer Rouge forces killed those who attempted to evade this second wave of forced transfers. She testified that with the exception of a few who escaped, the people who hid to evade the transfer at Trapeang Angk village, Takeo province to Pursat province “were all executed” because “Angkar found out they were hiding.”¹³²⁶ DK commanders also killed orphaned children during the course of the transfer itself. [REDACTED] recounts that

- in 1976, she was separated from her parents and siblings and forcibly transferred with her children from S'ang district, Kandal province, to Pursat province, by train. She witnessed children who had “lost their mothers” and were “crying nonstop” being thrown from the windows of the train by the Chief of Squad.¹³²⁷
353. The inhumane conditions in which CPK forces transferred the population also resulted in numerous confirmed deaths en route, including infants,¹³²⁸ children¹³²⁹ and elderly persons.¹³³⁰ Passengers who died on the trains on the journey to the Northwest Zone were pushed out of the train as they died.¹³³¹ Decomposing bodies were taken away by Khmer Rouge soldiers¹³³² or left on the roadside.¹³³³ As described above, Sokh Chhin, testified that he found dead bodies along the train track in vacant areas near Leach in Pursat Province.¹³³⁴ He was obliged to bury the bodies closest to the tracks so as not to block the trains.¹³³⁵
354. Khmer Rouge soldiers killed transferees, particularly those associated with the Lon Nol regime, shortly after arrival at their destination cooperatives. [REDACTED] recounts that after her forced transfer from Trapeang Chey village, Kirivong district, Takeo province, and ten days after arrival at Angk Ngil village (Village 105), Samreang district, Takeo province, at approximately 08:00 am, she witnessed the Khmer Rouge murder her husband, Thach Dara, who was “accused of being a [Lon Nol] Captain.”¹³³⁶ Shortly thereafter, she saw a Khmer Rouge soldier “wearing my husband’s shirt and putting my husband’s scarf on his head.”¹³³⁷
355. Pech Srey Phal gave evidence that two months after arrival, about 60 people registered as part of the former regime, including her uncle, two cousins and a nephew, were told by the Khmer Rouge that they were being sent back to Phnom Penh for work. The would-be returnees were transported in two journeys. On the second journey, she met a “base person” who told her group “those who had been taken earlier were already dead” and showed them an escape route.¹³³⁸
356. The inhumane conditions at the destination cooperatives, including the lack of food and medicine, caused the deaths of many within a few months of arrival, particularly infants and children.¹³³⁹ These included the second daughter of TCCP-188;¹³⁴⁰ the youngest daughter of [REDACTED];¹³⁴¹ two nephews of TCCP-187 (aged 8 and 5);¹³⁴² two children of [REDACTED] (aged 12 and 9);¹³⁴³ three sons of [REDACTED] (aged 7, 5 and 3);¹³⁴⁴ and the son of [REDACTED]¹³⁴⁵ These tragic events are only but a small sample of the horrific circumstances that befell hundreds of thousands of Cambodians when they were moved

from one part of the country to another in order to achieve completely unrealistic and uninformed goals of the CPK.

357. As with the evacuation of Phnom Penh the exact number of people that died on arrival or shortly thereafter as an immediate result of the second wave of forced transfer of the population to primarily the North and Northwest Zones will never be known. However Ieng Thirith's assessment that 20,000 died of hunger and illness because of starvation in 1975¹³⁴⁶ is a relevant figure to take into account considering the evidence heard and admitted by the Trial Chamber regarding deaths occurring on arrival at the evacuees destinations from the end of 1975.
358. Further a DK Report from Sector 5 in the Northwest Zone dated 27 June 1977 that reports on the numbers of deaths in 1976 in only one district within the Sector, provides an indication of the scale of the deaths caused by first or second waves of the forced transfers. In the Preah Net Preah District it was reported that it was the worst place for starvation "which last year alone killed more than 20,000 people." They reported that prior 17 April only 150 families were living in the District and that afterwards 70,000 people had come from Phnom Penh.¹³⁴⁷
359. None of these three assessments of deaths caused by the inhumane conditions in 1975 and in 1976 in the Preah Net Preah and Battambang regions state whether these people died in the first or second wave of forced transfers or whether they died on arrival, shortly thereafter or in the months ensuing. However, in light of the voluminous testimony and other evidence presented at trial it is clear that a significant proportion of these deaths must have occurred as a direct result of the CPK forced movement of the population and the conditions which were presented to them on arrival.

D. CPK AUTHORITY STRUCTURE AND COMMUNICATIONS

360. Upon their arrival in Phnom Penh after 17 April 1975, the CPK senior leaders Pol Pot, **Nuon Chea**, **Khieu Samphan**, Ieng Sary, Son Sen and Vorn Vet stayed and worked together at the railway station, the former Ministry of Commerce and the Silver Pagoda. In May 1975 a series of meetings took place at which the leaders further defined policy lines and instructed lower echelons on their implementation (See *CPK Leaders Decisions 17 April – September 1975* Section). From late 1975, the leaders lived and worked collectively at K-1 and K-3, the CPK headquarters, where they stayed until the fall of the regime in early January 1979.¹³⁴⁸ The K-1 office, Pol Pot's primary office and residence, was located on the Tonle Bassac riverfront, south of the current location of

the National Assembly.¹³⁴⁹ Its security was ensured by a team of 50 to 60 guards.¹³⁵⁰ The K-3 office was the residence of **Nuon Chea** and **Khieu Samphan**. It consisted of an entire block of houses west of the Royal Palace.¹³⁵¹

CPK GOVERNING BODIES

CPK CENTRAL COMMITTEE, STANDING COMMITTEE AND PARTY CENTRE

361. The CPK Statute established a hierarchical structure in which the Party's Central Committee, a body of approximately 30 members,¹³⁵² was the highest operational unit. The powers of the Central Committee were further vested in a subcommittee known as the Standing Committee. This Committee comprised five full rights members (Pol Pot, **Nuon Chea**, Ieng Sary, Southwest Zone Secretary Ta Mok and East Zone Secretary Sao Phim¹³⁵³) and two alternate members (Deputy Prime Minister for Economy Vorn Vet and Deputy Prime Minister for Defence Son Sen¹³⁵⁴).¹³⁵⁵ However, two of the full rights members (Ta Mok and Sao Phim) were not based in Phnom Penh and did not attend any of the Standing Committee meetings for which records are available.¹³⁵⁶ Instead, Central Committee members **Khieu Samp han** and Sua Vasi *alias* Doeun attended meetings of the Standing Committee on a regular basis and were as such *de facto* members of the Standing Committee. This core group of senior leaders, who lived and worked together in Phnom Penh, formed what was known as the "Party Centre," or *mocchim pak*.¹³⁵⁷ Acting collectively, the members of the Party Centre effectively functioned as the day to day leadership of the CPK.
362. The CPK Statute vested the "highest power rights throughout the country" in the "General Conference [i.e., the Party Congress] representing the entire country", which was to be convened "once every four years," notably to "designate the political line and Statute" and "select and appoint the new Central Committee."¹³⁵⁸ In addition to the first three Party Congresses held in 1960, 1963 and 1971, a Fourth Party Congress took place in January 1976 at the Borei Keila sports centre in Phnom Penh,¹³⁵⁹ and the Fifth Party Congress in late 1978.¹³⁶⁰
363. As indicated above, between Party Congresses, the CPK Statute designated the Central Committee as the "highest operational unit throughout the country."¹³⁶¹ The members of the Central Committee included all of the above full, alternate and *de facto* members of the Standing Committee, as well as Zone and Sector Secretaries such as Ke Pauk, Ney Saran *alias* Ya, Sam Bit and Pring Sarun, Ministers such as Koy Thuon, and Division Commanders such as Meas Mut.¹³⁶² Under the Statute, the tasks of the Central

Committee were to “[i]mplement the Party political line and Statute throughout the Party,” by giving instructions to all Party organisations and to “[g]overn and arrange cadres and Party members...by constantly, clearly, and closely grasping personal histories, political, ideological, and organizational stances.”¹³⁶³

364. The Central Committee met every six months¹³⁶⁴ and issued a number of policy decisions and instructions, including in relation to: the dissolution of the GRUNK / FUNK and creation of DK Government, PRA Standing Committee and Presidium; the designation of levels of power invested with the right to smash inside and outside the ranks; the reporting regime;¹³⁶⁵ the appropriate use of the terms “Angkar” and “Party”;¹³⁶⁶ and the revised policy on the re-education and elimination of Party enemies, including supposed CIA, KGB and Vietnamese spies.¹³⁶⁷
365. As noted above, in practice, the powers of the Central Committee were vested in and exercised by the Standing Committee,¹³⁶⁸ which was led by Pol Pot as Secretary and **Nuon Chea** as Deputy Secretary.¹³⁶⁹ In Pol Pot’s absence, **Nuon Chea** would preside over meetings of the Standing Committee.¹³⁷⁰ Membership of the Standing Committee changed during the DK period. Sao Phim died when his arrest by Party Centre forces was imminent during the purge of the East Zone in mid-1978, while Vorn Vet was arrested and sent to S-21 on 2 November 1978.¹³⁷¹ Northwest Zone Secretary Ros Nhim and Deputy Secretary Kong Sophal *alias* Keu, both of whom were purged in 1978, may have been candidate members of the Standing Committee prior to their arrests.¹³⁷²
366. **Khieu Samphan** testified before the CIJ that the Standing Committee met frequently, “about every 7 to 10 days or more regularly in emergencies.”¹³⁷³ Surviving records show that meetings were often held in short succession,¹³⁷⁴ multiple times in a single day,¹³⁷⁵ or continuously for several days at a time.¹³⁷⁶ These meetings were usually held at K-1, and occasionally at K-3 (as discussed below).¹³⁷⁷ **Nuon Chea** was the most frequent attendee at Standing Committee meetings, Pol Pot the second most frequent, and **Khieu Samphan** the third.¹³⁷⁸
367. The Standing Committee, and more specifically the Party Centre, directed and monitored the implementation of CPK policies and the work of the DK government. It decided upon the assignment of responsibilities among the senior Party leaders,¹³⁷⁹ resignation of Norodom Sihanouk and establishment of DK institutions,¹³⁸⁰ and creation of DK ministries / committees.¹³⁸¹ It also discussed, monitored and / or made decisions on: internal and external security,¹³⁸² (including the arrest and interrogation of

- “enemies”¹³⁸³), large-scale forced movements,¹³⁸⁴ the use of forced labour including child labour,¹³⁸⁵ people’s living conditions,¹³⁸⁶ propaganda and re-education,¹³⁸⁷ finance and commerce, industry, agriculture, social affairs / health,¹³⁸⁸ and foreign affairs.¹³⁸⁹
368. Under the Central Committee’s decision on the smashing of internal and external enemies, the Standing Committee had the direct responsibility to decide upon the execution of people in the autonomous sectors.¹³⁹⁰ This was in addition to the Standing Committee / Party Centre’s supervision of the implementation of that policy by all subordinate units, including the RAK, the zones and DK Government units.¹³⁹¹
369. Members of the Party Centre, including Pol Pot, **Nuon Chea** and **Khieu Samphan**, held regular meetings with zone, sector and district leaders. Such meetings were held at least once each month¹³⁹² throughout the DK period.¹³⁹³ The purpose of the meetings was for zone and sector representatives to report to, and receive the instructions of, the Party Centre on issues such as management of the masses and security.¹³⁹⁴ Ministerial representatives and zone / sector secretaries attended Standing Committee meetings to report on matters in their areas of responsibility.¹³⁹⁵ As discussed in the Communication and Reporting Structures Section below, the members of the Party Centre were also kept informed of the situation in the zones and autonomous sectors through regular written reports and telegrams.
370. Directives of the Central and Standing Committees were sent to zone offices, military divisions and ministries, from where they were disseminated to sectors, districts and other lower echelons.¹³⁹⁶ In the words of one CPK cadre, “everything originated from” the Party Centre.¹³⁹⁷ The Party Centre provided instructions in its directives on how they were to be communicated and implemented.¹³⁹⁸ Members of the Party Centre also conducted inspections of the zones and sectors, sometimes travelling as a group.¹³⁹⁹
371. The Central and Standing Committees had the exclusive right to define and enforce CPK policies, which were collectively known as the Party “line.”¹⁴⁰⁰ Any attempt to criticise or alter the Party line was regarded as a treasonous act of “revisionism.”¹⁴⁰¹ The CPK Statute prohibited any “independentism, liberalism [and] sectarianism,” and subjected to discipline any Party member “opposing the Party political line” and “Party ideological stances.”¹⁴⁰²

OFFICE 870, POLITICAL OFFICE OF 870 AND S-71

372. The CPK Central Committee was also referred to as “Committee 870,” and the headquarters of the Central and Standing Committee in Phnom Penh was called “Office

870.”¹⁴⁰³ In around June 1975,¹⁴⁰⁴ the Party Centre created a body called “Political Office of 870”¹⁴⁰⁵ or “Office 870 Committee,”¹⁴⁰⁶ whose members were Sua Vasi *alias* Doeun and **Khieu Samphan**.¹⁴⁰⁷ This office functioned as the cabinet or the executive arm of 870, and had the task of monitoring implementation of policies.¹⁴⁰⁸ As such, it was the “nerve centre for transmissions from the Standing Committee” and played “an absolutely crucial role.”¹⁴⁰⁹ The office also monitored the distribution of goods and supplies to all organisations throughout the country.¹⁴¹⁰ In addition, it was authorised to decide on the smashing of people “surrounding the Centre Office”¹⁴¹¹ and it monitored suspected members of the party for the standing committee.¹⁴¹²

373. Doeun was appointed chairman of the Political Office of 870 in October 1975,¹⁴¹³ but was transferred to the Ministry of Commerce in April or May 1976 before being arrested and sent to S-21 in February 1977.¹⁴¹⁴ As discussed in the *Khieu Samphan* Section, **Khieu Samphan** became Chairman of Political Office 870 either in 1976 when he also took over direct supervision of the Ministry of Commerce, or in February 1977 when Doeun was arrested.¹⁴¹⁵
374. The Party Centre also established an administration office called “S-71” which was responsible for the day-to-day logistical operation of the various “K” offices in Phnom Penh,¹⁴¹⁶ including: the K-1 and K-3 leaders’ residences and offices; the K-4 logistics office; the K-7 messenger office; the K-18 radio communications office; the K-5 political school; and the K-6 Party School at Borei Keila.¹⁴¹⁷ S-71 also functioned as the Party Centre’s security unit, responsible for the protection of the senior leaders,¹⁴¹⁸ and for arresting prisoners from various ministries and offices in Phnom Penh and transporting them to S-21.¹⁴¹⁹ S-71 was headed by chairman Chhim Sam Aok *alias* Pang,¹⁴²⁰ and his deputy Khan Lin *alias* Ken (who replaced Pang after his arrest in 1978).¹⁴²¹ These men worked under the supervision of the Party Centre.¹⁴²² Until his arrest and execution,¹⁴²³ Pang went to K-1 and K-3 every day to report to the CPK senior leaders.¹⁴²⁴

COLLECTIVE LEADERSHIP AND PRINCIPLE OF DEMOCRATIC CENTRALISM

375. Throughout its existence, the CPK operated on the basis of the principle of democratic centralism, which was adopted by the first CPK Congress in September 1960.¹⁴²⁵ This principle comprised two core elements: a) the requirement that all “Party leadership organisations” work and make decisions collectively; and b) centralised leadership,

which required ongoing, regular reporting by the lower echelons and issuance of instructions by the upper echelon.¹⁴²⁶

376. In his testimony, **Nuon Chea** confirmed that the CPK implemented the requirement of collective decision making in “all decisions.”¹⁴²⁷ He also testified that this was “a universal principle of the Party...implemented from the Party’s branch up to the Central Committee,” at all times.¹⁴²⁸ Further explaining the collective decision making process, he stated:

*Your Honour, ‘collectivity’ mean[t] everybody would participate in a meeting to express the ideas. Every meeting adhered to this principle, and not only at the Central Committee - Central or Standing Committees’ level. And then the Secretary of the Party would consolidate all those ideas and opinions, and if members of the Party [we]re not satisfied, then all together would be able to express their objections or opposition until they reach a unanimous agreement, then it would become official. Otherwise, if there [was] no complete agreement, discussion need[ed] to continue.*¹⁴²⁹

377. Similarly, **Nuon Chea** testified before the CIJ that “power...was not invested in individuals...the collective was respected” and that “[l]eadership in my Party was collective decision making.”¹⁴³⁰ **Khieu Samphan** has also confirmed that the Party Centre operated as a collective decision making body, stating: “if there had been a single voice against the evacuations, there could have been no evacuations.”¹⁴³¹ This was also reflected in “the disappearance of the members of the central committee and the standing committee, everyone seemed to approve...”¹⁴³² The principles of democratic centralism and collective leadership were also reflected in a number of CPK documents circulated among the Party members, including the *Revolutionary Flag* magazine.¹⁴³³ Consistent with this evidence, expert witness David Chadler testified that the CPK leadership functioned as a collective body.¹⁴³⁴

STRUCTURE OF CPK REGIONAL ORGANISATIONS

378. During the pre-liberation period, the CPK divided the country into five core regions, each with code numbers: the Northeast (108), North (304), Northwest (560), Southwest (405) and East (203) Zones. In addition, the “Special Zone” consisted of the area around Phnom Penh.¹⁴³⁵ These Zones were reorganised after 17 April 1975. The Southwest Zone was divided immediately after the war, with the section north of National Road 4 becoming the West Zone (401).¹⁴³⁶ In mid-1977, the previously autonomous Sectors 103 and 106 became the new North Zone (801), and the old North Zone was renamed the Central Zone.¹⁴³⁷ In addition, the autonomous Sectors 105 and 505, initially part of the Northeast zone, bypassed the zone level and reported directly to the Party Centre.¹⁴³⁸

379. Zones were subdivided into sectors (regions), which were formed of districts. A district was composed of several communes or sub-districts, which contained numerous villages and groups.¹⁴³⁹ The traditional Cambodian village structure was gradually eliminated and reorganised into “co-operatives.”¹⁴⁴⁰ The branch was the lowest level of organisation in the CPK hierarchy, and was formed at each co-operative, factory, military company-level unit, work-site and ministry office.¹⁴⁴¹ Committees consisting of a secretary, deputy secretary and member(s) governed each echelon in the CPK organisational hierarchy.¹⁴⁴²
380. In compliance with the CPK statute and with the “prior examination, deliberation, and agreement of the Central Committee,”¹⁴⁴³ zones held annual Party conferences chaired by zone secretaries.¹⁴⁴⁴ In practice, the Party Centre would appoint new secretaries, deputy secretaries or members of the zone committees (or autonomous sectors) when needed.¹⁴⁴⁵ All powers held by the zones derived from the CPK Statute and the Party Centre, including the authority provided “to smash enemies inside and outside the ranks” in their respective bases.¹⁴⁴⁶ The Secretary and Deputy Secretary of most zone committees also held positions on the CPK Standing or Central Committee,¹⁴⁴⁷ such as Ta Mok, Sao Phim (Standing Committee members),¹⁴⁴⁸ Ros Nhim (Standing Committee candidate),¹⁴⁴⁹ and Ke Pauk, Ney Saran *alias* Ya, Chou Chet *alias* Sy and Kang Chap *alias* Se (Central Committee members).¹⁴⁵⁰ In most zones, each of the sector secretaries attended the meetings of the zone committee and held a position as deputy secretary, member or alternate member of the zone Committee.¹⁴⁵¹ The same applied at the sector and district levels.¹⁴⁵²

STRUCTURE OF RAK

381. During the DK period, the military structure was reorganised by the Party Centre. On 22 July 1975, Pol Pot announced the formation of the Revolutionary Army of Kampuchea in a speech to 3,000 soldiers.¹⁴⁵³ As part of this reorganisation, a number of former military divisions of the zones were reorganised into new Centre divisions, which reported directly to the General Staff.¹⁴⁵⁴ The nine Main Force Divisions created under the Party Centre were as follows: 164,¹⁴⁵⁵ 170,¹⁴⁵⁶ 290,¹⁴⁵⁷ 310,¹⁴⁵⁸ 450,¹⁴⁵⁹ 502,¹⁴⁶⁰ 703,¹⁴⁶¹ 801,¹⁴⁶² and 920.¹⁴⁶³ Divisions were generally organised along the Soviet/Chinese model of 3 regiments per division,¹⁴⁶⁴ 3 battalions per regiment, 3 companies per battalion, 3 platoons per company and 3 squads per platoon.¹⁴⁶⁵ In the zones, the Party Centre divisions were under the immediate control of and reported to

- the military zone commanders.¹⁴⁶⁶ Attached to each echelon were specialist units, such as heavy weapons, artillery and mortar units, armour, transport, and logistics and supply.¹⁴⁶⁷
382. The Constitution of DK gave the task to “defend the State power” and “help to build [the] country”.¹⁴⁶⁸ The Statute placed the RAK under the absolute leadership monopoly of the Communist Party of Kampuchea.¹⁴⁶⁹ The RAK was under the direct supervision of the CPK Standing Committee and in particular the members of the Military Committee, which included Pol Pot, **Nuon Chea** and Son Sen.¹⁴⁷⁰ A Standing Committee decision from 9 October 1975 gave Pol Pot general responsibility over the military and Son Sen became the Chairman of the General Staff and Minister for National Defence.¹⁴⁷¹ The General Staff of the RAK performed functions such as command, planning, operations, intelligence, and logistics for the military, including the supply of arms and ammunition.¹⁴⁷²
383. In addition to the main force divisions, a number of Independent Regiments and offices existed under the control of the General Staff.¹⁴⁷³ S-21 was also classified as being under the General Staff for administrative matters, but it worked for and reported to the Standing Committee (Military Committee)¹⁴⁷⁴ through Son Sen until August 1977 and thereafter to **Nuon Chea**.¹⁴⁷⁵
384. Sectors and districts also had their own militia.¹⁴⁷⁶ Below them were the local militias, which were controlled at the sub-district level.¹⁴⁷⁷

DEMOCRATIC KAMPUCHEA GOVERNMENT

385. As the CPK took power in April 1975, the GRUNK / FUNK coalition remained in existence. All power was, however, held by the CPK while Sihanouk and other non-communist members of the coalition remained outside the country and entirely marginalised.¹⁴⁷⁸ All ministerial portfolios in the GRUNK had been transferred to in-country ministers in November 1974,¹⁴⁷⁹ at which point the Prime Minister Penn Nouth, an ally of Prince Sihanouk, also indicated his intention to resign as soon as possible.¹⁴⁸⁰
386. In October 1975, the CPK Standing Committee distributed senior portfolios in the new administration among 13 Party leaders, assigning “Party Affairs, Social Action, Culture, Propaganda and Education” to **Nuon Chea** and “the Front and the Royal Government, and Commerce for accounting and pricing” to **Khieu Samphan**.¹⁴⁸¹ On 14 December 1975, **Khieu Samphan** announced the adoption of the Constitution of CPK’s new state, Democratic Kampuchea.¹⁴⁸² The Constitution was promulgated on 5 January 1976.¹⁴⁸³

- It provided for a State Presidium to replace the monarchy,¹⁴⁸⁴ and an elected People's Representative Assembly (PRA), which was to have exclusive law making power, as well as the power to appoint and supervise the executive government.¹⁴⁸⁵
387. In fact, the PRA was essentially non-existent, and declared by the Standing Committee to be worthless.¹⁴⁸⁶ The 20 March 1976 "elections" for the 250 seats in the PRA were a farce in which members of the Parliament were selected by the Party from among CPK cadres, as opposed to being elected by the people.¹⁴⁸⁷ All DK institutions were established by, and remained under, the exclusive control of the CPK Central and Standing Committees.¹⁴⁸⁸ Ten days prior to PRA's inaugural session, the Central Committee made appointments of CPK leaders to key state bodies: Pol Pot was appointed Prime Minister, **Nuon Chea** Chairman of the PRA Standing Committee, and **Khieu Samphan** Chairman of the State Presidium.¹⁴⁸⁹ Three Deputy Prime Ministers were appointed, with responsibilities for Foreign Affairs (Ieng Sary), Economics and Finance (Vorn Vet) and National Defense (Son Sen).¹⁴⁹⁰
388. Against the backdrop of these events, Norodom Sihanouk sought Angkar's permission to resign in early March. This request was the subject of Standing Committee meetings on 11 and 13 March 1976, at which Pol Pot, **Nuon Chea**, **Khieu Samphan** and other leaders discussed the Prince's fate.¹⁴⁹¹ They considered killing Sihanouk but resolved instead to let him resign, and to place him and his family under house arrest.¹⁴⁹² On 4 April 1976, the Prince officially resigned,¹⁴⁹³ and **Khieu Samphan** read out GRUNK's acceptance of the resignation.¹⁴⁹⁴ The GRUNK itself resigned en masse on 6 April 1976.¹⁴⁹⁵ The RPA was then convened in April 1976, to provide the veneer of an orderly democratic transition¹⁴⁹⁶ by accepting GRUNK's resignation¹⁴⁹⁷ and supposedly appointing the new Presidium, Government and its own Standing Committee.¹⁴⁹⁸ The PRA never convened again and never passed any laws.¹⁴⁹⁹
389. The *Khieu Samphan's Roles and Criminal Responsibility* Section examines in more detail the process of the adoption of the DK Constitution, Prince Sihanouk's resignation, and the CPK enslavement policies enshrined in the DK Constitution.
390. On 19-21 April 1976, the Standing Committee established a number of ministries which were answerable to Office 870 / Party Centre, including the ministries of Commerce, Social Affairs, Industry and Public Works.¹⁵⁰⁰ The ministries and other state bodies submitted written reports to the Party leadership¹⁵⁰¹ while Ministers and ministerial staff attended Standing Committee meetings to report on matters within their areas of responsibility.¹⁵⁰² Ministers also attended monthly Council of Ministers meetings with

Pol Pot, to raise the “understanding of the political, ideological, and organizational situations.”¹⁵⁰³ Topics discussed at these meetings included foreign relations, national defence, internal security, construction and rice production.¹⁵⁰⁴

391. Like all other DK bodies, ministries implemented CPK policies.¹⁵⁰⁵ For example, numerous ministerial documents and witness accounts evidence screening and arrests of cadres as well as implementation of the Party’s great leap forward policy within the Ministry of Foreign Affairs,¹⁵⁰⁶ Ministry of Commerce¹⁵⁰⁷ and Ministry of Social Affairs.¹⁵⁰⁸ Thousands of DK ministerial staff were sent to and killed at S-21. In many cases, ministers and/or their deputies were themselves arrested as part of CPK’s ever expanding purges. They include: Vorn Vet, Deputy Prime Minister for the Economy;¹⁵⁰⁹ Hu Nim, Minister for Information and Propaganda;¹⁵¹⁰ Toch Phoeun, Minister for Public Works;¹⁵¹¹ Cheng An, Minister for the Industry;¹⁵¹² Chey Suon *alias* Sen, Minister for Agriculture;¹⁵¹³ Koy Thuon *alias* Thuch *alias* Khuon, Minister for Commerce;¹⁵¹⁴ Prum Nhem *alias* Tit Sun *alias* Nhem¹⁵¹⁵ and Nget You *alias* Hong,¹⁵¹⁶ Deputy Ministers of Commerce; and Sin Phal Kun, *alias* Sou¹⁵¹⁷ and Leng Pisei, *alias* Leng Seum Hak, *alias* Sei,¹⁵¹⁸ Deputy Ministers of Social Affairs.

COMMUNICATION & REPORTING STRUCTURES

INTRODUCTION

392. Throughout its period in power, the CPK operated a pyramid-like hierarchical structure, where all Party lines, instructions, orders and directives emanated from a collective body at the top (the CPK Party Centre), and where all units subordinate to the Centre reported regularly and in detail about their activities.¹⁵¹⁹ The CPK Statute required all branches, district and sector committees to maintain a “system of reporting to the upper echelon” on their situation and work,¹⁵²⁰ and zone committees to report “to the Central Committee on the situation and the work of the Zone.”¹⁵²¹ Consistent with the Statute, the CPK senior leaders established a “regime of weekly reporting to Office 870,” including “general reports” sent “through various spearheads” and “short reports by telegram” so that “the Standing Committee knows the situation in order to provide timely instructions.”¹⁵²²
393. In addition to holding regular meetings at the Centre (discussed above), the Party leadership ensured effective communication with lower level authorities through a variety of means, including: transmission of directives by telegram from the Centre to zones and autonomous sectors; daily telegram reports by zones and autonomous sectors;

delivery of longer periodic reports from the zones and autonomous sectors to the Centre; dissemination of Party Centre policies and directives via the CPK circulars *Revolutionary Flag* and *Revolutionary Youth* and use of radio broadcasts to disseminate Party policies and provide updates on their implementation throughout the country. As discussed in the DK Government Section above, the government ministries in Phnom Penh also submitted written reports to, and attended meetings with, the Party Centre.

394. Within the CPK regional structure, only the zones and autonomous sectors had the authority to communicate directly with the Party Centre.¹⁵²³ In their reports, zone and autonomous sector secretaries collated and presented information they had received from their subordinate units.¹⁵²⁴ The reporting was highly organised and systematic. As early as 1972, noting that reports from subordinate units were not detailed enough,¹⁵²⁵ the Party Centre set out a specific reporting format, requiring reports to cover “the enemy, people, all working activities and resolutions and directions.”¹⁵²⁶ The surviving Zone reports demonstrate that this format continued to be used even during the 1975 – 1979 period.
395. Zones were also tasked with conveying the Party Centre’s instructions to their sectors, thus establishing a clear chain of command.¹⁵²⁷ Lateral communications (e.g. zone to zone) were prohibited, and all communications had to go through the Centre.¹⁵²⁸ In order to maintain secrecy, offices communicating with the Centre were assigned code numbers by which they were referred,¹⁵²⁹ as were senior leaders within the Party Centre.¹⁵³⁰

TELEGRAM COMMUNICATIONS

396. As discussed in the section entitled “Development of CPK”, by 1973, telegram communications were established to enable the CPK Central Committee to have continuous communication with zones, autonomous sectors and battlefields.¹⁵³¹ In late 1974, Pon, the head of CPK communications, accompanied Pol Pot to the advance battlefield offices west of Phnom Penh, where he operated a telegram unit enabling Pol Pot to communicate with the Party Centre headquarters at B-20.¹⁵³² After 17 April 1975, Pon established telegram operations in the capital,¹⁵³³ while telegram units were maintained in all zones and military divisions.¹⁵³⁴ Pon and his deputy Thé supervised all communication units in Phnom Penh,¹⁵³⁵ and were in turn supervised by the Party leadership.¹⁵³⁶

397. CPK telegram communication involved four steps: a) the text of the message was first encoded by being converted into numbers with the use of a matrix (see below); b) the coded message was then transmitted via radio signal (using Morse code¹⁵³⁷); c) the message was decoded at the receiving end; and finally, d) the message was delivered in hard copy to the intended recipients.¹⁵³⁸ This system closely resembled that which had been in place at Centre Offices B-17 and B-20 prior to April 1975.¹⁵³⁹ It also remained in continuous operation until January 1979.¹⁵⁴⁰
398. At the Centre, telegrams were sent and received by K-18, a radio communication unit headed by Yuos.¹⁵⁴¹ This unit maintained radio communications with zones, autonomous sectors, military and other units reporting to the Centre,¹⁵⁴² as well as locations outside the country.¹⁵⁴³ The Centre established times during which each zone could communicate with K-18.¹⁵⁴⁴ The network was, however, operational 24 hour per day and it was possible to send urgent messages outside the designated times.¹⁵⁴⁵ Zone offices established separate schedules for communication with their subordinate sectors.¹⁵⁴⁶ Each telegram had to be delivered to the Zone Secretary.¹⁵⁴⁷ Zones and autonomous sectors reported at least once,¹⁵⁴⁸ and sometimes twice a day.¹⁵⁴⁹ Norng Sophang's unit at the Sotheros School alone decoded between four and 10 telegrams per day.¹⁵⁵⁰ Norng Sophang authenticated a series of telegrams as being the genuine articles which his unit had decoded during the regime.¹⁵⁵¹
399. The coding of normal messages was carried out with the use of a 10 x 10 matrix.¹⁵⁵² For highly secret communications, such as those dealing with "internal affairs," several layers of encryption were applied.¹⁵⁵³
400. Upon receiving a coded telegram message, K-18 would send it by courier to one of two units for decoding:¹⁵⁵⁴ a unit operated by Pon and Thé within the K-1 compound; or a second coding / decoding unit which was set up in late 1975 at the Sotheoros School, and headed by Norng Sophang.¹⁵⁵⁵ Once an incoming telegram was decoded, the decoding unit prepared a typed version of it, using carbon paper to produce several identical copies for all relevant recipients.¹⁵⁵⁶ The names of the recipients were typed in a "c.c." line at the bottom of the typed telegram (except in exceptional, urgent cases where this was omitted and hand written annotations made)¹⁵⁵⁷.
401. Incoming telegrams were usually addressed to "M-87" / "Angkar" / "Office 870" / "M-870" (all references to the Party Centre / CPK Central Committee¹⁵⁵⁸), or alternatively to "Beloved Brother Pol" / "Respected Brother" (Pol Pot).¹⁵⁵⁹ Regardless of the salutation line, however, pursuant to standing instructions,¹⁵⁶⁰ copies of the telegrams

- were generally prepared for all members of the Standing Committee and for Office 870 (noted as “Office” in the “c.c.” line¹⁵⁶¹). A copy was retained by the decoding office for archiving purposes, and this (marked in the “c.c.” line as “Documentation” or “Archive”).¹⁵⁶² Similarly, copies of the coded text and telegrams were retained at the zone or autonomous sector, until the cadres were directed to destroy them.¹⁵⁶³
402. The finalised typed copies were placed into an envelope and delivered to K-1 by courier.¹⁵⁶⁴ Deliveries to K-1 took place two or three times a day.¹⁵⁶⁵ Oeun Tan, the chief of security at K-1, described the receipt of the envelopes, which he carried to Pol Pot. He also testified that Pol Pot always forwarded to **Nuon Chea** his own copy of each telegram after he had read it and, in some cases, made annotations.¹⁵⁶⁶ Individual copies were also distributed to the intended recipients.¹⁵⁶⁷
403. As noted above, the “Office” copy was separate from the copy prepared for Pol Pot.¹⁵⁶⁸ It was delivered to Doeun and **Khieu Samphan** at Political Office 870.¹⁵⁶⁹ Political Office 870 received the vast majority of incoming telegrams.”¹⁵⁷⁰ The Office was tasked with forwarding incoming telegrams to “the responsible section” and making “contacts back and forth” to ensure timely submission of proposals to the Standing Committee, and further action.¹⁵⁷¹
404. In some instances, Pon and Thé made additional annotations on a telegram they had decoded in order to ensure its timely delivery to the member of the Party Centre who had specific responsibility for the issue raised.¹⁵⁷² Thus, some of the telegrams regarding arrests of people accused of engaging in “immoral acts” or forced movements of people bear additional annotations referring to “Uncle Nuon.”¹⁵⁷³ Similarly, telegrams relating to foreign affairs were sometimes annotated with “Van.”¹⁵⁷⁴
405. Standing Committee instructions for efficient processing of telegrams were passed on to communications workers by Pon and implemented in practice.¹⁵⁷⁵ The entire process of telegram transmission, decoding and delivery was managed with such a high degree of discipline¹⁵⁷⁶, Norng Sophang, head of the decoding unit at Sothearos School, never learnt of a single case of a failure to deliver a telegram to one of the leaders.¹⁵⁷⁷ To ensure this efficiency and discipline, K-18 provided training on radio communications¹⁵⁷⁸ while the unit at Sothearos School functioned as a training centre zone nez coders.¹⁵⁷⁹
406. The CPK communications units also implemented detailed procedures to ensure smooth operations and to maintain secrecy. For example, the K-18 and radio communication offices in the zones used secret codes prior to every communication to ensure that

- contact was made with the correct unit.¹⁵⁸⁰ A “band” number was provided by the sender at the start of each telegram, which gave the receiving operator the number of characters being broadcast.¹⁵⁸¹ Decoding teams maintained separate numbering sequences for each zone, and numbered all telegrams at the time of decoding.¹⁵⁸²
407. Telegram messages being sent out from the Party Centre were handwritten or dictated by members of the Standing Committee to Pon and Thé for encoding, and then sent to K-18 for onward transmission.¹⁵⁸³ These messages contained directives or instructions to the zones and autonomous sectors on “all aspects of the country.”¹⁵⁸⁴ Telegrams were also used to summon zone and sector committees to attend meetings at the Centre and national training sessions at the Borei Keila Party school.¹⁵⁸⁵ **Khieu Samphan** also sent out messages to the bases about planned delivery of materials.¹⁵⁸⁶
408. Zones and autonomous sectors followed the orders of the Party Centre to report continuously to the Party Centre by telegram on the implementation of core policies¹⁵⁸⁷ and the general situation at the commune level and above including: the seeking out and purging of Lon Nol soldiers¹⁵⁸⁸ and other internal enemies;¹⁵⁸⁹ the armed conflict with Vietnam;¹⁵⁹⁰ people’s living conditions including illness, shortages of food and medicine;¹⁵⁹¹ the construction of dams and canals,¹⁵⁹² and the rice tonnage per hectare.¹⁵⁹³ Telegrams also show subordinates requesting instructions from “Angkar”¹⁵⁹⁴ and confirming receipt and compliance with instructions.¹⁵⁹⁵

REPORTS TO OFFICE 870

409. In addition to their daily telegram transmissions, zone offices prepared weekly and monthly reports to Office 870 on the situations in their regions. Notwithstanding the widespread destruction of documentary evidence by the CPK at the end of the regime, numerous reports to the Party Centre have survived, including those from the West Zone (M-401),¹⁵⁹⁶ Southwest Zone,¹⁵⁹⁷ Northwest Zone (M-560),¹⁵⁹⁸ and East Zone,¹⁵⁹⁹ as well as from the Central (old North) Zone,¹⁶⁰⁰ New North Zone (M-801),¹⁶⁰¹ Northeast Zone,¹⁶⁰² and Autonomous Sectors 105¹⁶⁰³ and 505.¹⁶⁰⁴
410. As with telegrams, the surviving reports confirm that the zone committees kept the Party Centre informed about the implementation of Party policies, including searches for enemies,¹⁶⁰⁵ agricultural production¹⁶⁰⁶ and livelihood of the people.¹⁶⁰⁷
411. Written reports from the Zones were delivered to K-7 in Phnom Penh, and then circulated to Pol Pot, **Nuon Chea**, **Khieu Samphan** and Ieng Sary.¹⁶⁰⁸ They were kept by Office 870 at K-3.¹⁶⁰⁹ As discussed below, information was transmitted to the zone

committees through a vertical reporting chain, where communes reported to districts, districts to sectors, and sectors to the zone. The Zone committees would then collate this information into their reports to the Centre. An example of this can be seen in the Northwest Zone monthly report for May 1977, which directly incorporates information that was reported to the Zone Office by Sector 5 in a 21 May 1977 written report.¹⁶¹⁰

412. The K-7 messenger office, located near the Royal Palace,¹⁶¹¹ managed the transmission to K-1 of reports delivered by messengers.¹⁶¹² K-7 messengers delivered reports and telegrams to ministries¹⁶¹³ or for communicating information about arrests.¹⁶¹⁴ Anyone who wanted to meet or communicate with the Party Centre had to go through K-7.¹⁶¹⁵ All letters or documents received from or sent to the provinces were first sent to K-7, and delivered from there to the recipient.¹⁶¹⁶ Senior CPK cadres also had their own messengers who would carry dispatches around Phnom Penh. For example, messengers instructed by **Nuon Chea** and Son Sen delivered documents between them and S-21 Chairman Duch.¹⁶¹⁷

MILITARY REPORTING AND COMMUNICATION

413. Main Force Divisions and Independent Regiments reported directly to the General Staff.¹⁶¹⁸ Military Division activity reports and telegrams were addressed to Son Sen at the General Staff¹⁶¹⁹ then forwarded to the upper echelon.¹⁶²⁰ Meas Voeun, a former West Zone deputy division commander, testified that sometimes reports were delivered to the General Staff by vehicles.¹⁶²¹ Division commanders communicated with their deputies by way of telegrams, which could be on a daily basis¹⁶²² and would prepare reports based on the information provided by the troops in their region.¹⁶²³ Ieng Phan testified that, as a brigade commander, he received telegrams directly from Son Sen.¹⁶²⁴ Deputy commanders of divisions communicated with their subordinate regiments by way of telegrams.¹⁶²⁵
414. As Chairman of the General Staff, Son Sen was in charge of regular meetings of all division and independent regiment commanders.¹⁶²⁶ General Staff study sessions were also held for military commanders including regiment and battalion chiefs, deputies and members.¹⁶²⁷ Orders from the upper echelons were transmitted through the division commanders to regiment commanders¹⁶²⁸ and further down the chain of command in person or by telegram,¹⁶²⁹ as Meas Voeun.¹⁶³⁰
415. Son Sen met with the other CPK leaders at K-1 or K-3¹⁶³¹ and reported on military matters at meetings of the Standing Committee.¹⁶³² He regularly sent documents and

telegrams to Pol Pot and **Nuon Chea**,¹⁶³³ including copies of the reports he had received from the RAK military divisions.¹⁶³⁴ He made handwritten annotations on reports from military divisions before forwarding them to Angkar.¹⁶³⁵ He also copied certain reports to Ieng Sary.¹⁶³⁶ At S-21, Duch was directed by Son Sen to prepare copies of confessions for the meetings of the brothers in the upper echelon.¹⁶³⁷

COMMUNICATIONS WITHIN THE ZONES

416. Each Zone Committee (or autonomous Sector) was responsible for grasping the Party plans and political lines as well as ideological principles and for ensuring their implementation in each of the zones, sectors, districts, communes, and cooperatives. The instructions were conveyed from the Centre to the zones or autonomous sectors and from there, down to the subordinate bodies through meetings, Party publications, written directives or oral messages.¹⁶³⁸ Zone committees convened frequent meetings of regional cadres at the sector or district level. At such meetings, zone representatives reviewed past work and carried out forward planning, passing on the line from the Centre, and urging its implementation, giving their own instructions.¹⁶³⁹ The instructions received were in turn relayed to the sector and district committees' respective units through further meetings.¹⁶⁴⁰ As with the zones, direct lateral communication between sectors was prohibited, and had to go through the Centre.¹⁶⁴¹
417. Similarly to the zone and autonomous sectors¹⁶⁴², branch, commune, district and sector committees were each responsible to report to the immediate upper echelon - mainly on the activities of internal and external enemies, agricultural production, irrigation systems, living conditions, and the implementation of the assigned tasks.¹⁶⁴³ Reports within the Tram Kok District evidence the seeking out and purging of former Khmer Republic soldiers.¹⁶⁴⁴ CPK commune leaders submitted written reports to their District Secretary,¹⁶⁴⁵ who would assemble that information and report to the Sector Secretary,¹⁶⁴⁶ who would then report to the Zone Secretary.¹⁶⁴⁷ At the commune and village levels, communications were delivered by messengers tasked with carrying letters from one location to another¹⁶⁴⁸ or sometimes messages were passed on verbally.¹⁶⁴⁹

COMMUNICATION OF POLICY BY PARTY CENTRE

REVOLUTIONARY FLAG

418. Both before and during the DK period the Party Centre communicated important Party policy lines, ideology and organisational principles to Party members in the

- Revolutionary Flag*¹⁶⁵⁰ and *Revolutionary Youth* magazines.¹⁶⁵¹ The CPK leadership viewed the education of Party members on policy as a continuing priority and therefore published the *Revolutionary Flag* on a monthly basis from September 1960 onwards.¹⁶⁵² **Nuon Chea** admitted in his testimony that the *Revolutionary Flag* was a circular of the Standing Committee and written by him and Pol Pot in the pre-1975 period.¹⁶⁵³
419. In the years prior to 1975 the magazine was hand-written and published secretly in a printing house, re-printed in red ink and distributed to the zones.¹⁶⁵⁴ However, after 1975 the Ministry of Propaganda used modern printing facilities at offices K-25 and K-26 to print both the *Revolutionary Flag* and the *Revolutionary Youth*.¹⁶⁵⁵ Stephen Heder provided two original versions of these documents to the CIJ and authenticated them when testifying.¹⁶⁵⁶ The *Revolutionary Flag* copies on the Case File were also authenticated by Kim Vun, a former worker at K-25.¹⁶⁵⁷ This magazine was distributed to zones, sectors, districts and communes, military units, security centres such as S-21, DK ministries, diplomatic stations and embassies. It was restricted to party members, who were required by the Party to read and study its contents¹⁶⁵⁸ and contained, *inter alia*, speeches made by senior leaders.¹⁶⁵⁹
420. In the pre-1975 period, the *Revolutionary Flag* and *Revolutionary Youth* provided instruction on, *inter alia*: work methods, organisation, reporting and members' obligation to implement Party lines;¹⁶⁶⁰ enemies and class struggle (e.g. "class-attack...by organizing the low level and high level production cooperatives...to destroy the economic regime of the feudal-capitalist" and "attacking to eliminate every pacification trick of the enemy who intends to burrow and destroy our revolution and people from within");¹⁶⁶¹ instructions to execute spies in secret;¹⁶⁶² and the forced evacuations of civilian populations.¹⁶⁶³
421. In the post-April 1975 period the *Revolutionary Flag* and *Revolutionary Youth* magazines continued to communicate Party lines and instructions. The topics covered in this period included: Party history and the development of its ideology,¹⁶⁶⁴ policy against internal and external enemies (including the tracking, capture and smashing of the enemy);¹⁶⁶⁵ and agricultural and enslavement plans (including expansion of co-operatives, the mobilisation of families, and the requirement to produce three or more tons of rice per hectare).¹⁶⁶⁶ Three "model" districts were awarded Honorary Red Flags by the Central Committee,¹⁶⁶⁷ with the announcements published in the *Revolutionary Flag*.¹⁶⁶⁸

422. The contents of the *Revolutionary Flag* magazine were read out and studied in detail during meetings and study sessions of political and military cadres.¹⁶⁶⁹ After these sessions, cadres had to disseminate the policies to those under their charge and then implement them.¹⁶⁷⁰ Chhouk Rin, a RAK battalion commander, described being taught the following policy from the July 1976 *Revolutionary Flag*:¹⁶⁷¹

*“If we are unable to grasp this, we do not know, we do not understand. The hoes keep on breaking, we say they were not well-made; but the enemy is destroying them and we are unable to grasp that.”*¹⁶⁷²

DK RADIO BROADCASTS & NEWS MONITORING

423. The Party Centre also used radio broadcasts to transmit CPK policies and directives, and to spread the regime’s propaganda. After 17 April 1975, a radio station was operated by the Ministry of Propaganda, officially broadcasting as the ‘Phnom Penh Domestic Service.’¹⁶⁷³ Carefully edited versions of key speeches by Pol Pot, **Nuon Chea** and **Khieu Samphan** were read over the radio throughout the DK period.¹⁶⁷⁴ Witnesses have testified to listening to these speeches.¹⁶⁷⁵ The radio was also used as a tool of constant political indoctrination,¹⁶⁷⁶ re-inforcing and explaining the CPK policy lines on perceived enemies and arrests,¹⁶⁷⁷ agricultural production and construction projects, the “Great Leap Forward”, “aggressive neighbours” and the defence of the country and praising the regime’s alleged achievements.¹⁶⁷⁸ Radio broadcasts were used to deceive the people as to the true intentions of the leadership regarding the March 1976 elections¹⁶⁷⁹ and to give false impressions to the international media as to the true state of affairs within the country.¹⁶⁸⁰
424. The Party Centre gave clear instructions to the Ministry of Propaganda to monitor international news “every hour and every day” in order to inform the leadership and to provide analytical opinions upon which the leadership could take measures.¹⁶⁸¹ These instructions from the leadership were followed. News broadcasts by international agencies were monitored and then translated into Khmer documents or put on tapes to be repeated in radio broadcasts by the Ministry.¹⁶⁸²

NOTICE OF CRIMES

425. In the same way that the Party Centre was put on notice of the relevant crimes through a constant stream of information internally by way of meetings, reports and telegrams (see *Communication and Reporting Structures* subsection above), the evidence

- demonstrates that the Accused were also put on notice through information received from various external sources.
426. **Nuon Chea** and **Khieu Samphan**, were given daily reports from external news sources describing forced transfers of the civilian population; targeting and killings of Lon Nol officials; and deaths of civilians due to inhumane conditions. Contemporaneous reports dating from 3 March 1975 to 1 January 1979 admitted into evidence before the Chamber include: a) 137 articles appearing in the international press¹⁶⁸³ (including at least 30 articles specific to the forced evacuation of Phnom Penh and 12 reporting the targeting and killing of Lon Nol officials); b) 12 analytical reports, press statements and letters of protest from non-governmental organisations;¹⁶⁸⁴ and c) five analytical reports from foreign governments.¹⁶⁸⁵
427. The evidence also confirms that representatives of the DK regime, including **Khieu Samphan** and Ieng Sary responded to consistent reports of mass atrocities with inflammatory attacks, vehement denials, and inaction.¹⁶⁸⁶ There is no indication that **Nuon Chea** or **Khieu Samphan** inquired into the truth of these reports external to the regime.
428. **Nuon Chea** and **Khieu Samphan** participated in a Standing Committee meeting of 8 March 1976, which reiterated and reinforced pre-existing CPK policy on “news monitoring.”¹⁶⁸⁷ The Ministry of Propaganda was mandated to “monitor and keep abreast of the news every day and every hour, and to issue bulletins if measures need to be taken.”¹⁶⁸⁸ This “normal” level of monitoring was a continuation of longstanding policy: “Angkar is informed every day, as always...”¹⁶⁸⁹ The Standing Committee directed that in case of “something unusual... Angkar has to immediately be informed so that timely measures may be taken.”¹⁶⁹⁰ The Committee further directed: “At 8:15 am, a messenger sent directly from Angkar will come to collect the news at the Ministry of Propaganda.”¹⁶⁹¹ Former Ministry of Propaganda worker Sa Siek has corroborated the news monitoring function of the Ministry of Propaganda,¹⁶⁹² and gave further evidence that she was shown a “room for reading” at the Ministry premises upon her arrival in Phnom Penh, on or about 20 April 1975.¹⁶⁹³
429. International media sources provided continuous coverage of mass violence and other atrocities in Cambodia between 1975 and 1979, including 51 articles published between 17 April 1975 and 15 October 1975, corresponding to the period of the first forced transfer, the killings at Tuol Po Chrey and the initial movements of the second forced transfer. These included Reuters and Agence France-Presse, two international news

agencies;¹⁶⁹⁴ the *New York Times*, the *Los Angeles Times*, the *Washington Post*; the *Chicago Tribune*; *Time Magazine* and *Newsweek* (United States of America);¹⁶⁹⁵ the *Globe and Mail* (Canada);¹⁶⁹⁶ the British Broadcasting Corporation, the *Guardian*; the *Economist* (United Kingdom);¹⁶⁹⁷ the *Far Eastern Economic Review*¹⁶⁹⁸ (Hong Kong, at the time a British colony);¹⁶⁹⁹ *Le Monde* (France);¹⁷⁰⁰ and the *Bangkok Post* (Thailand).¹⁷⁰¹

430. The *Washington Post* described the April 1975 forced evacuation of Phnom Penh as “death marches.”¹⁷⁰² In May 1975, the *Los Angeles Times* reported that Khmer Rouge soldiers interviewed about the missing “millions of inhabitants” of Phnom Penh, replied that “this enforced, purifying migration was planned long ago” and stated “Later they will come back home, clean.”¹⁷⁰³ The *Wall Street Journal* reported in April 1976 that mistreatment of people through forced marches, labour, and widespread killings had resulted in 800,000 deaths.¹⁷⁰⁴ In 1977 and 1978, the international press described Cambodia as a “bloodbath,”¹⁷⁰⁵ and the mass atrocities of the DK regime compared to the Holocaust in scale and gravity.¹⁷⁰⁶
431. The analysis and statements of non-governmental organisations detailed the atrocities and demanded specific action by the DK regime. In May 1976, Amnesty International reported widespread executions in Cambodia, including those of the seven “super-traitors” of the Lon Nol regime.¹⁷⁰⁷ It reported that an initial letter had been sent to the DK regime on 11 May 1976, expressing its concerns about allegations of crimes taking place in the country.¹⁷⁰⁸ In the 28 February 1977 letter addressed to **Khieu Samphan**, AI called on the regime to comment on the human rights situation in the country, and in particular on a case involving 26 refugees sent from Thailand back to Cambodia.¹⁷⁰⁹ This letter also raised concern over continuous reports of threats of brutality by DK authorities and of suspected “enemies” being transferred to undisclosed locations, as well as evidence of summary executions, and inhumane conditions, including starvation and lack of medicine.¹⁷¹⁰ In 1978, AI again appealed to the DK regime to respond to allegations of large-scale killings of more than 100,000 Cambodians, executions of former Lon Nol officials, and forced movements.¹⁷¹¹ AI wrote to the UN Human Rights Commission in August 1978, pointing out evidence of inhumane treatment, religious persecution, arrests, disappearances, executions and purges of CPK cadres, and welcoming any steps by the DK regime to allow independent observers to investigate human rights abuses, and to set up mechanisms aimed at protecting human rights in Cambodia.¹⁷¹²

432. The evidence unequivocally confirms that the Party Centre was fully aware of the details of external criticism of its conduct, and the response of the DK collective leadership was published and circulated internationally.¹⁷¹³ In September 1975, speaking on behalf of the DK regime, Ieng Sary asserted to Newsweek that the officers of the Lon Nol regime now “participate in agricultural production,” and that 100,000 people had already returned to Phnom Penh and that all others can return “if they wish.”¹⁷¹⁴ In an October 1976 interview, **Khieu Samphan** maintained reports of massacres in Cambodia amounted to “disgraceful slander” and confirmed that “traitors” who remained in Cambodia had been executed, adding “[i]t’s incredible how you Westerners care about what happens to war criminals!”¹⁷¹⁵ In other instances, however, **Khieu Samphan** chose to maintain silence in the face of direct reports of killings of 26 individuals, including an 11 year-old child.¹⁷¹⁶ In a 1977 interview, despite overwhelming evidence, Ieng Sary denied the mass killings of members of the former Lon Nol regime, but confirmed the abolition of money, personal property and newspapers, adding that “whatever is said about us abroad...does not count.”¹⁷¹⁷ In July 1978, Ieng Sary dismissed stories of mass executions as propaganda ploys by “the enemies of Democratic Kampuchea” that “should not be taken seriously”. He referred the press to a 1976 census ostensibly reflecting a population over 7 million, and added “[w]e have no reason to massacre our people.”¹⁷¹⁸

E. ROLE OF NUON CHEA

1. POSITIONS AND AUTHORITY

DEPUTY SECRETARY OF CPK CENTRAL AND STANDING COMMITTEES

433. **Nuon Chea** admits that he was the Deputy Secretary of the CPK Central and Standing Committees from 1960 through the end of the DK period.¹⁷¹⁹ Those two committees constituted the top echelon of the Party and held complete control and power over the DK government.¹⁷²⁰ The Central Committee was designated by the Party Statute as the “highest operational unit throughout the country” between Party Congresses.¹⁷²¹ The Standing Committee was a sub-committee of the Central Committee that constituted the highest and most authoritative body within the Party.¹⁷²² **Nuon Chea** also admits that from 1960 forward, the Standing and Central Committees were independent of any foreign state or communist party and made their own decisions.¹⁷²³

434. **Nuon Chea** was the only CPK leader who was present for all known Standing Committee meetings for which attendance records exist.¹⁷²⁴ He is generally referred to

in Standing Committee minutes as either “Comrade Deputy Secretary” or “Comrade Nuon.”¹⁷²⁵ As described in detail above in the *CPK/DK Structure* section, the matters for which the Standing Committee had responsibility and which were discussed at its meetings covered all issues of importance relating to Democratic Kampuchea, including the military, foreign affairs, commerce, agricultural production, health and social affairs, propaganda and internal security.

435. As the second highest-ranking cadre in the Party behind only Pol Pot, **Nuon Chea** was known as Brother Number Two.¹⁷²⁶ When Pol Pot was absent, it was **Nuon Chea** who presided over and led Standing Committee meetings.¹⁷²⁷ The two leaders had agreed in 1963, when Pol Pot became Party Secretary instead of **Nuon Chea**, that they would “work as a team” and consult each other on all significant issues.¹⁷²⁸ According to Ieng Sary, “everything went through Pol Pot and **Nuon Chea**” and “if those two did not agree, it was impossible.”¹⁷²⁹ Philip Short described **Nuon Chea** as the “alter ego” of Pol Pot.¹⁷³⁰ In **Nuon Chea**’s own words: “I was not the right arm or the left arm of Pol Pot... We were equal. Pol Pot did not serve me and I did not serve him. We both served the way of the Party.”¹⁷³¹ When asked whether he and Pol Pot ever disagreed or had any disputes while they were governing, **Nuon Chea** responded: “There was nothing. Not between ’75 and ’79. There was no problem between us.”¹⁷³² He also stated that in the self-criticism meetings held amongst the top Party leaders, Pol Pot’s criticism of him was that he was “too hardline.”¹⁷³³
436. **Nuon Chea** admits that he and Pol Pot were responsible for preparing the initial strategic and tactical lines of the Party lines that were proposed at the 1960 Congress.¹⁷³⁴ As a participant in each of the five Party Congresses held in 1960, 1963, 1971, 1976 and 1978, he approved and repeatedly affirmed all Party lines and policies.¹⁷³⁵

RESPONSIBILITY FOR PARTY AFFAIRS AND POLITICAL EDUCATION

437. In the 9 October 1975 Standing Committee meeting that divided specific functions amongst the senior CPK cadres, **Nuon Chea** was assigned responsibility for “Party Affairs, Social Action, Culture, Propaganda and Education.”¹⁷³⁶ **Nuon Chea** admits that he was “in charge of educating cadres and party members” on the Party lines and policies.¹⁷³⁷ His responsibility for “Party affairs” also made him the primary person in charge of the assignment, promotion, discipline, re-education, punishment and removal of Party cadres.¹⁷³⁸

438. Numerous witnesses confirmed that **Nuon Chea** regularly led political education or study sessions at Borei Keila and other locations that lasted days or even weeks.¹⁷³⁹ Once a year, CPK district and sector secretaries were required to travel to Phnom Penh for one month of political education conducted by **Nuon Chea** and Pol Pot.¹⁷⁴⁰ In 1978, the annual political study session for the leaders of S-21, the Ministry of Social Affairs and other government units in Phnom Penh was held at **Nuon Chea**'s office at the Preah Suramarith Buddhist school, where the more than 100 participants were instructed by **Nuon Chea** and Pol Pot.¹⁷⁴¹ **Nuon Chea**'s responsibility for this matter is also confirmed by a series of telegrams that were sent or copied to him in the fall of 1976 specifically relating to the training of cadres at Party schools.¹⁷⁴²
439. The subject matters discussed by **Nuon Chea** at political study sessions included: the identification of enemies and purges of traitors;¹⁷⁴³ the "great leap forward" policy to establish cooperatives and build dams and canals, and the need to work hard to meet the Party's plans;¹⁷⁴⁴ and defending the nation against the Yuon.¹⁷⁴⁵ On multiple occasions, **Nuon Chea** discussed Koy Thuon's treason and the purge of those connected to him, warning cadres to stop any association with those networks "before it's too late."¹⁷⁴⁶ He advised cadres to conduct investigations within their units "to search for more traitors."¹⁷⁴⁷ K-12 cadre Chea Say testified that the content of **Nuon Chea**'s political instruction was the same as **Khieu Samphan**, as "the two came from the same family" and "same team."¹⁷⁴⁸
440. Tram Kak District Secretary Pech Chim attended the annual political education session conducted by **Nuon Chea** at Borei Keila for all CPK district secretaries in December 1975.¹⁷⁴⁹ **Nuon Chea** was the sole teacher at the month-long study sessions, and each day presented documents to be studied by the district secretaries.¹⁷⁵⁰ Pech Chim testified that **Nuon Chea** covered "all aspects" relating to internal and external enemies, adding that: "Without having covered this subject of enemies, people would never know how to identify enemies from friends."¹⁷⁵¹
441. As a result of his specific assignments in the 9 October 1975 Standing Committee minutes, **Nuon Chea** had oversight responsibility for the Ministries of Propaganda, Education and Social Affairs.¹⁷⁵² As part of this role, **Nuon Chea** visited the Ministry of Propaganda and the Ministry of Social Affairs from time to time, and met with their leaders.¹⁷⁵³ **Nuon Chea**'s specific responsibility for these ministries is also reflected in the minutes of the 1 June 1976 Standing Committee meeting on Propaganda matters,

where following the presentation of the Ministry representatives, **Nuon Chea** spoke first and before Pol Pot.¹⁷⁵⁴

CHAIRMAN OF PEOPLE'S REPRESENTATIVE ASSEMBLY

442. On 20 March 1976, the GRUNK purported to conduct “elections to select and appoint the People’s Representative Assembly of Kampuchea,”¹⁷⁵⁵ which under the DK Constitution was to be a legislative body with 250 members.¹⁷⁵⁶ The official election results signed by **Khieu Samphan** were announced by the DK Interior Ministry at 6 a.m. on 22 March 1976, and claimed that “elections were held at all population bases, peasant cooperatives, factories and revolutionary army units” and that a total of 3,462,868 people had voted, representing “98 percent of the eligible voters.”¹⁷⁵⁷ From 11 to 13 April 1976, the new Assembly purportedly met to elect the executive body of the DK government, and selected **Nuon Chea** as the Chairman of the Standing Committee of the People’s Representative Assembly (PRA).¹⁷⁵⁸
443. In reality, however, the CPK Standing and Central Committees had already decided the basic DK government structure and positions well before that time,¹⁷⁵⁹ ensuring that the state organisations would be “totally of our Party.”¹⁷⁶⁰ On 30 March 1976, almost two weeks before the People’s Assembly was to meet, the CPK Central Committee had already appointed **Nuon Chea** as Chairman of the PRA Standing Committee.¹⁷⁶¹
444. The 20 March 1976 election of the PRA was a sham staged by the CPK leaders, who had selected the Assembly members themselves.¹⁷⁶² The Standing Committee’s true view of the PRA was expressed at their 8 March 1976 meeting:

*If anyone asks, we must explain, not be wild and disorderly, do not let it be seen that we want to suppress. At the same time, do not speak playfully about the Assembly in front of the people to let them see that we are deceptive, and our Assembly is worthless.*¹⁷⁶³

445. The Trial Chamber heard evidence from two of the representatives who were purportedly elected to the PRA in March 1976: Prak Yut and Ung Ren.¹⁷⁶⁴ Both testified that they only learned of their “election” to the PRA after the fact.¹⁷⁶⁵ Both confirmed that the PRA did not convene meetings of the representatives to fulfil any legislative function, and that no legislation was ever deliberated upon or enacted by this body.¹⁷⁶⁶ **Nuon Chea** himself admitted to Thet Sambath that even though he was head of the National Assembly, he never went to that office and “[t]here was nothing to debate because we had no laws to pass.”¹⁷⁶⁷ As testified by expert Philip Short, the PRA had “no real existence” and was a “pure lie, really a pure invention.”¹⁷⁶⁸

446. In short, the evidence clearly establishes that the PRA was a sham entity, and that **Nuon Chea**'s claim to the Co-Investigating Judges and this Chamber that he was occupied with legislative responsibilities during the DK period¹⁷⁶⁹ is a complete fabrication. This was a conscious and calculated lie that **Nuon Chea** privately admitted to Thet Sambath he intended to use in these court proceedings:

*If they ask me in court who killed the people, I will say I was in charge of the legislative body and education, so the killing was the problem of government administration, which was the responsibility of Pol Pot and Son Sen,' he said. 'If they still ask, then I will tell them it started with Kissinger.'*¹⁷⁷⁰

ACTING PRIME MINISTER

447. When Pol Pot stepped down as DK Prime Minister in September 1976, purportedly for health reasons, it was **Nuon Chea** who was named Acting Prime Minister. This appointment was signed by **Khieu Samphan** in his capacity as President of the State Presidium, and publicly broadcast on the DK Phnom Penh Domestic Service radio at 6 a.m. on 27 September 1976:

*the State Presidium of Democratic [Kampuchea]: (1) Has decided to allow Comrade Pol Pot, Prime Minister of Democratic [Kampuchea], to take temporary leave from his task in order to take care of his health, which has been bad for several months; (2) Has decided to appoint Comrade Nuon Chea, Chairman of the Cambodian People's Representative Assembly Standing Committee, to temporarily replace Comrade Pol Pot and assume the role of Acting Prime Minister in addition to his present post; (3) This decision is effective as of 27 September 1976.*¹⁷⁷¹

448. While **Nuon Chea** in this trial has repeatedly denied holding this position, the contemporaneous documentary evidence from the period establishes beyond any question that **Nuon Chea** held the title of Acting Prime Minister for most of a one-year period running from the end of September 1976 until September 1977.¹⁷⁷² (While Pol Pot's name appeared as "Prime Minister" in a small number of messages or greetings sent by the DK government to foreign leaders between late October and early December 1976,¹⁷⁷³ there was no announcement Pol Pot had resumed his duties and no annulment of the 27 September 1976 appointment, and references to Nuon Chea as "Acting Prime Minister" resumed in January 1977 and continued through early September 1977.) **Nuon Chea**'s position as Acting Prime Minister is also confirmed by the statements of his fellow Standing Committee member Ieng Sary.¹⁷⁷⁴
449. The fact that **Nuon Chea** received this appointment, rather than one of the Deputy Prime Ministers such as Ieng Sary, confirms his role and authority as the second

highest-ranking member of the CPK. Moreover, while serving as Acting Prime Minister, **Nuon Chea** made public appearances and gave speeches that normally would have been done by Pol Pot, such as his 16 January 1977 speech on the occasion of the 9th Anniversary of the RAK.¹⁷⁷⁵

RESPONSIBILITY FOR MILITARY AND SECURITY

450. While **Nuon Chea** denies having any responsibility for security and military matters in the DK regime, the evidence proves that he had a major role in these matters in his capacity as (i) a member of the Standing and Central Committees, (ii) a member of the Party's Military Committee and (iii) the direct supervisor of the S-21 security office.

GENERAL AUTHORITY OF STANDING AND CENTRAL COMMITTEES

451. **Nuon Chea** shared collective responsibility for military and security issues with his fellow CPK leaders on the Standing and Central Committees. Article 27 of the CPK Statute provided that “[a]ll three categories of the Revolutionary Army of Kampuchea” must be “under the absolute leadership monopoly of the Communist Party of Kampuchea.”¹⁷⁷⁶ As the upper echelon of the Party hierarchy, there can be no question that both the Standing and Central Committees had authority and responsibility for matters relating to security and the military.¹⁷⁷⁷ This authority is demonstrated and confirmed by the surviving records of these bodies: the minutes of Standing Committee meetings,¹⁷⁷⁸ and the instructions, circulars and decisions of the Central Committee.¹⁷⁷⁹
452. With respect to internal security, the minutes of the 8 March 1976 Standing Committee meeting on Base Work show the general authority of the Standing Committee in relation to arrests of enemies in the Zones and Autonomous Sectors.¹⁷⁸⁰ In that meeting, which was attended by **Nuon Chea** and **Khieu Samphan**, Central (old North) Zone Deputy Secretary Sreng reported on the activities of two groups of possible traitors in his Zone, and “asked for instructions from Angkar.”¹⁷⁸¹ In response, the Standing Committee instructed that the individuals were to be called in for “further questioning” and their responses reported to the “upper echelon.”¹⁷⁸²
453. S-21 Chairman Duch confirmed the authority of the Standing Committee to order arrests, testifying that decisions to arrest Central Committee members and other “key people” were made by the Standing Committee.¹⁷⁸³ **Khieu Samphan** has also stated that certain arrests were approved or decided by the Standing Committee, including Division 170 Secretary Chan Chakrei and Sector 24 Secretary Suos Neou *alias* Chhouk.¹⁷⁸⁴ When Minister of Propaganda Hu Nim was arrested, he immediately wrote

a letter addressed to “Brother Pol, Brother Nuon, Brother Van, Brother Vorn, Comrades Khieu and Hem,” which expressed surprise “to be arrested by our military” and assured the leaders he had “never betrayed the Party” and “never been involved with the CIA, the Vietnamese or Son Ngoc Thanh’s agent or liberalists.”¹⁷⁸⁵ And when Minister of Agriculture Chey Suon protested his innocence after being sent to S-21, he was informed that his detention was “decided on by the Standing Committee of the Party Centre.”¹⁷⁸⁶

454. With respect to external security or military affairs, the minutes of the Standing Committee’s August 1975 trip to the Northwest Zone record its instruction to protect the border with Thailand using spikes, specifying that: “All kinds of spikes must be used (those at the height of a person’s foot sole, instep and shin and up to [the] stomach).”¹⁷⁸⁷ At the 26 March 1976 Standing Committee meeting on negotiations with Vietnam, **Nuon Chea** presided over the meeting and provided instructions relating to the “use of mines,” arrests of Vietnamese and the need for vigilance regarding people fleeing to Vietnam.¹⁷⁸⁸ Other minutes reflect the decision-making authority of the Standing Committee on military matters ranging from the construction of new airfields and establishment of military hospitals to the acquisition and transportation of ammunition, appointment of cadres and assignment of additional military forces.¹⁷⁸⁹

PARTY MILITARY COMMITTEE

455. **Nuon Chea** was also a member of the Party’s Military Committee, along with Pol Pot and Son Sen, which group had specific responsibility for internal and external security.¹⁷⁹⁰ According to Ieng Sary, the Military Committee “relied on regional people for reporting on security,” discussed and considered issues relating to arrests and security, and reported to the Standing Committee on these matters.¹⁷⁹¹ **Nuon Chea** admits that the Military Committee had the task of “purging internal enemies” and oversaw the evacuation of Phnom Penh,¹⁷⁹² but denies being a member of it, claiming (as per his plan revealed to Thet Sambath) that he was “at the Assembly” and only “in charge of education”¹⁷⁹³
456. **Nuon Chea**’s contrived denial is conclusively refuted by the statements of fellow Standing Committee member Ieng Sary,¹⁷⁹⁴ S-21 Chairman Duch¹⁷⁹⁵ and the expert witnesses called by the Trial Chamber,¹⁷⁹⁶ all of whom confirm **Nuon Chea**’s role and responsibility relating to the Party’s Military or Security Committee, and by a January 1977 speech he gave to the RAK “in the name of the Military Committee of our Party

Centre.”¹⁷⁹⁷ **Nuon Chea** was also one of the CPK leaders who presided over 1975 meetings relating to the restructuring of RAK,¹⁷⁹⁸ at which instruction was provided regarding “the enemy within the country and outside the country,” “the enemy within the rank” and measures to be taken such as re-education.¹⁷⁹⁹ His membership on the top military committee dates back to at least 1972, when the Political Bureau of the FUNK and GRUNK announced that the “High Command” of the CPNLF consisted of Pol Pot, **Nuon Chea**, Son Sen, Ta Mok, Sao Phim and **Khieu Samphan**.¹⁸⁰⁰

457. With respect to **Nuon Chea**’s general responsibility for security matters, fellow Standing Committee member Ieng Sary has stated that **Nuon Chea** was “responsible in the party for security.”¹⁸⁰¹ Ieng Thirith stated that it was **Nuon Chea** who was responsible for the arrest and execution of the medical students who worked for her.¹⁸⁰² Expert David Chandler testified that Nuon Chea was “very much on top of and engaged in day-to-day policy matters on all parts of the Cambodian enterprise, including military affairs,” described **Nuon Chea**’s role as the “CEO of Cambodia,” and found **Nuon Chea**’s denial of involvement in military matters “hard to believe.”¹⁸⁰³
458. **Nuon Chea** was one of the CPK leaders who had authority to provide orders to S-71 Chairman Pang and his deputy Khan Lin *alias* Ken.¹⁸⁰⁴ S-71 was tasked by the Party leaders to assist in “monitor[ing] suspected members of the party,” to supervise the K-7 office (which received prisoners transferred from the zones) and to coordinate the arrest and transfer of prisoners to S-21.¹⁸⁰⁵
459. **Nuon Chea**’s responsibility for military and security matters is also evidenced by various telegrams and reports that were sent to him. For example, between 24 September and 6 October 1976, Division 164 Deputy Secretary Dim sent five telegram reports to Division Secretary Meas Mut, who was in Phnom Penh at the time.¹⁸⁰⁶ The telegrams concerned matters such as: the arrest of enemies and use of patrol units to “hunt down” people fleeing into the forest;¹⁸⁰⁷ the confession of a 16-year old teenager that he was a spy conducting “espionage for the bandits,”¹⁸⁰⁸ enemy ships that entered DK maritime territory;¹⁸⁰⁹ efforts to find bandits and “contemptible traitors burrowing within the village;”¹⁸¹⁰ and the escape of a detained combatant.¹⁸¹¹ For each of these five telegrams, the only people outside Division 164 who received copies were **Nuon Chea** (“Brother Nuon”) and Son Sen (“Brother Khieu”).¹⁸¹²
460. On 19 October 1976, Division 164 Secretary Mut sent a report to Son Sen regarding the disappearance of the wife of Achar Kang (a Southwest Zone Committee member who had been arrested and sent to S-21 two weeks earlier on 2 October 1976¹⁸¹³) and two

individuals who may have helped her escape.¹⁸¹⁴ The following day, Son Sen sent a handwritten note to **Nuon Chea** forwarding Mut's report and making a "request to search" for the two named individuals.¹⁸¹⁵

461. This series of communications from Division 164 corroborates the evidence cited above and proves that: (i) **Nuon Chea** had a known role and responsibility relating to military and security matters, which was the reason copies of these telegrams and reports were sent to him; and (ii) **Nuon Chea** was the superior of Son Sen, who needed to report to and obtain the authority of **Nuon Chea** in order to investigate the security issue raised in Meas Mut's 19 October 1976 report. As set forth in detail below, the same relationship existed during the period that Son Sen supervised S-21: "**Nuon Chea** was the superior of Son Sen" and "[e]verything had to pass through **Nuon Chea**," including matters relating to the military.¹⁸¹⁶

SUPERVISION OF S-21 SECURITY OFFICE

462. The S-21 security office reported to the Standing Committee in relation to security matters,¹⁸¹⁷ and according to S-21's Chairman, the member of the Standing Committee who was ultimately "responsible for S-21" was **Nuon Chea**.¹⁸¹⁸
463. Prior to 15 August 1977, S-21 was directly supervised by Son Sen, who reported to **Nuon Chea** and the rest of the Standing Committee.¹⁸¹⁹ Son Sen was not a full-rights member of the Standing Committee, but rather a reserve or alternate member who thus did not have the same authority as **Nuon Chea** and the other full-rights members.¹⁸²⁰ During this period, **Nuon Chea** received S-21 confessions through Son Sen, reviewed and made annotations on such confessions,¹⁸²¹ made decisions and conveyed orders back to S-21 Chairman Duch through Son Sen,¹⁸²² including instructions relating to interrogations and the use of torture.¹⁸²³
464. On 15 August 1977, Duch was called to a meeting with **Nuon Chea**, and informed that Son Sen had been assigned to the battlefield to lead one of the military fronts in the escalating conflict with Vietnam.¹⁸²⁴ From that date until the end of the DK regime, Duch reported directly to **Nuon Chea**.¹⁸²⁵ Duch met with **Nuon Chea** every three to five days to report on S-21 and receive orders, usually at his office located at the Preah Suramarith Buddhist School on Street 240, and occasionally at Borei Keila.¹⁸²⁶ Every week or so, **Nuon Chea** would send written correspondence to Duch by messenger, which were usually short letters containing "brief, urgent orders."¹⁸²⁷
465. **Nuon Chea** has admitted his responsibility for S-21 to Thet Sambath:

*For the first half of the Khmer Rouge rule, Nuon Chea didn't have direct control over S-21, but as one of the top leaders of the movement he was involved in decisions to purge top cadre. And when Khmer Rouge defense minister Son Sen was dispatched to take care of border conflicts with Vietnam and growing tension with the Eastern Zone in the fall of 1977, Nuon Chea became the de facto head of the interrogation center, according to Brother Number Two and testimony from Duch in the spring of 2009.*¹⁸²⁸

Standing Committee member Ieng Sary has also confirmed that “when Son Sen went to the East,” Duch “went directly up to **Nuon Chea**.”¹⁸²⁹

466. While the exact date on which Son Sen left Phnom Penh and **Nuon Chea** assumed direct responsibility for S-21 is not certain, various witnesses and sources confirm that Son Sen was assigned to the Eastern front in the fall of 1977, including the General Staff communications officer who worked for Son Sen and later followed him to the East Zone.¹⁸³⁰ It was in September 1977 that the armed conflict with Vietnam escalated and Vietnamese troops began deeper incursions into Cambodia territory.¹⁸³¹ Son Sen's presence at the Eastern front is also confirmed by telegram reports he sent to the leaders in Phnom Penh in 1978 describing the ongoing battles with Vietnamese forces.¹⁸³²
467. **Nuon Chea**'s responsibility for security matters is also shown by his receipt of S-21 confessions. In a video-recorded interview, he admitted to Thet Sambath that he received “so many” confessions he could not read them all.¹⁸³³ Duch testified that **Nuon Chea**'s personal messengers, Toeung and Chiv, came to Duch's house to receive S-21 confessions for **Nuon Chea**.¹⁸³⁴ One of those messengers, Saut Toeung, confirmed at trial that he picked up “thick” envelopes of documents at Duch's house and then delivered those documents to **Nuon Chea**.¹⁸³⁵
468. The testimony of Duch and Saut Toeung, and the admissions of **Nuon Chea** recorded by Thet Sambath, are further confirmed by the surviving documentary evidence. The documents admitted by the Trial Chamber include 25 S-21 confessions with annotations by Son Sen or Duch recording that a copy of the confession was sent to “Brother Nuon.”¹⁸³⁶ Another confession contains a note from Duch to interrogator Pon stating that “Brother Number II” had advised on 25 February 1978 that certain names were to be “withdrawn” from the confession.¹⁸³⁷ Duch also identified **Nuon Chea**'s handwriting on a number of S-21 confessions and other security-related documents.¹⁸³⁸
469. **Nuon Chea** had the authority to order the removal of names of implicated cadres from S-21 confessions,¹⁸³⁹ and on one occasion threatened to make Duch a “diplomat” (a term he used for persons who were to be “arrested and smashed”) because a confession had implicated **Khieu Samphan**.¹⁸⁴⁰ The confessions that are recorded as having been

sent to **Nuon Chea** include reports by S-21 interrogators describing their use of torture on detainees to extract confessions of traitorous activities.¹⁸⁴¹ In his discussions with Thet Sambath about confessions, **Nuon Chea** admitted his knowledge of the use of torture, stating: “They normally confessed when they were beaten painfully and seriously tortured.”¹⁸⁴²

470. On 18 April 2012, after the completion of Duch’s testimony, **Nuon Chea** took the floor in the courtroom to make a statement in which he denied responsibility for S-21, denied providing orders to Duch or being his superior, and denied receiving documents from Duch or making annotations on S-21 confessions.¹⁸⁴³ After making these assertions, the Accused refused to submit to any questioning from the prosecution or Chamber.¹⁸⁴⁴ As noted above, because of his refusal to answer questions, the Trial Chamber cannot give any weight to **Nuon Chea**’s exculpatory assertions, and may draw negative inferences against the accused.

SUPERVISION OF ZONES AND AUTONOMOUS SECTORS

471. As Deputy Secretary of the Central and Standing Committees during the DK regime, **Nuon Chea** was also responsible for monitoring and directing the implementation of the Party political line throughout the country by all Zone, Sector and Party organisations.¹⁸⁴⁵ The supervision of the Zones and Sectors by **Nuon Chea** and the Party Centre was done by three primary means: (i) meetings with Zone and Sector leaders at K-1, K-3 and other locations in Phnom Penh; (ii) telegrams and written reports regularly sent to Office 870; and (iii) trips to the provinces.

MEETINGS AT K-1 AND K-3

472. In Phnom Penh, **Nuon Chea** was one of the Party leaders who regularly attended meetings with Zone and Sector leaders at K-1 or K-3.¹⁸⁴⁶ These meetings would last one to three days, and were typically attended by “10 to 15 people.”¹⁸⁴⁷ The Zone leaders who were regularly seen attending such meetings included Ta Mok,¹⁸⁴⁸ Ros Nhim¹⁸⁴⁹ and Sao Phim.¹⁸⁵⁰ **Nuon Chea** also presided over larger meetings held at Olympic Stadium and Borei Keila attended by zone and sector cadres that discussed security issues and strategies to increase agricultural production, including building irrigation dams and canals.¹⁸⁵¹ The presence of Zone and Sector Secretaries in Phnom Penh during certain periods is confirmed by surviving telegrams in which reports were sent by a member of the region’s committee to the Secretary at or “via” Office 870.¹⁸⁵²

473. Sao Sarun has testified that he made at least three trips to Phnom Penh during the one-year period he served as Sector 105 Secretary, on which occasions he met with Pol Pot, **Nuon Chea**, Son Sen and **Khieu Samphan** to report on the situation in his region and receive instructions on issues such as agricultural production and resisting against enemies and Vietnam.¹⁸⁵³ Sector 103 commerce member Prum Sou testified that Sector Secretary Hang made regular trips to Phnom Penh, a fact confirmed by the record of his meeting with the Standing Committee on 8 March 1976.¹⁸⁵⁴ Central (old North) Zone Secretary Ke Pauk has described being called to a meeting in Phnom Penh in early 1977 by **Nuon Chea** and Pol Pot to discuss the purge of his zone, at which the “upper brothers” presented Pauk with detailed documents listing the Zone cadres “accused of being CIAs.”¹⁸⁵⁵ Following that meeting, a massive purge of the Central Zone occurred, in which “Phnom Penh sent security trucks” to the Zone and conducted mass arrests.¹⁸⁵⁶

TELEGRAMS AND REPORTS

474. As discussed above in the *Communications & Reporting Structures* section, **Nuon Chea** received copies of the daily telegrams and weekly or monthly reports sent to Office 870 by the Zones and Autonomous Sectors that reported to the Party Centre on the situation in their regions, including the internal and external enemy situation, construction of dams and canals, food production and the health and livelihood of the people.¹⁸⁵⁷
475. Oeun Tan, the head of the K-1 guard unit, testified that all telegrams and letters were first delivered to Pol Pot and then to **Nuon Chea**.¹⁸⁵⁸ Numerous telegrams and reports contain distribution lists specifically confirming that a copy of the document was provided to **Nuon Chea**,¹⁸⁵⁹ and some of the telegrams have handwritten notes in the upper left margin indicating the document was Nuon Chea’s copy.¹⁸⁶⁰ K-18 telegram office cadre Norng Sophang testified that those distribution lists were added by the head of the telegram unit at K-1, pursuant to instructions from the Party leaders.¹⁸⁶¹ Regional CPK cadres also confirm that **Nuon Chea** was one of the Party Centre representatives to whom they reported on security matters.¹⁸⁶² In response to such reports, Pol Pot and **Nuon Chea** sent telegrams and letters providing written instructions or directives for the Zone or Sector cadres.¹⁸⁶³
476. Cadres from Sector 105 (Mondulkiri province), an autonomous region that reported directly to the Party Centre, testified that they reported to **Nuon Chea** on security-related issues.¹⁸⁶⁴ Sector Secretary Sao Sarun authenticated a number of telegrams he sent to Office 870 reporting on the arrest, detention and interrogation of enemies and

seeking direction from Angkar, and testified that his telegrams were responded to by either Pol Pot or **Nuon Chea**.¹⁸⁶⁵ He testified that authority from the Party Centre was required in order to release detainees in cases “related to politics or betraying the Party,” such as “persons collaborating with the aggressor Yuon or the enemy.”¹⁸⁶⁶ S-21 confessions of Sector 105 cadres, or lists of the local cadres implicated in such confessions, were sent to the Sector office, which “monitored” the activities of such persons and conducted further arrests.¹⁸⁶⁷

TRIPS TO THE PROVINCES

477. **Nuon Chea** regularly travelled to the provinces to meet with the Zone leaders and to “provide training” to Zone cadres and “disseminate and educate” them on CPK policy relating to enemies, rice production and the building of dams.¹⁸⁶⁸ Saut Toeung accompanied him on such trips, and testified that **Nuon Chea** would meet with Sao Phim in the East Zone, Northwest Zone Secretary Ros Nhim in Battambang, Southwest Zone Secretary Ta Mok in Takeo and West Zone Deputy Secretary Ta Pal in Kampong Speu, which meetings would “last for one or two days.”¹⁸⁶⁹ On these trips, **Nuon Chea** “frequently” inspected dams, cooperatives and other worksites, where he would meet with the site leaders and inspect the status of the dam’s construction, rice cultivation and the performance of cooperatives.¹⁸⁷⁰ **Nuon Chea** has admitted that he made trips to the provinces to “inspect the base” and discovered “bad elements” at work.¹⁸⁷¹
478. During his visits to these sites, **Nuon Chea** witnessed the “hardship” of the people and “destitute” conditions.¹⁸⁷² **Nuon Chea** was also aware from written reports received from the Zones that people in the provinces faced difficult work conditions, lacked sufficient food and suffered from starvation and disease.¹⁸⁷³
479. In late 1977, **Nuon Chea** presided over a meeting at the Sector 103 office in Preah Vihear province formally announcing the formation of the new North Zone and the appointment of Kang Chap *alias* Se as Zone Secretary, in which he discussed the infiltration of the country by the CIA and KGB and urged local cadres to “work harder” so as to increase rice production from 3 to 7 tons per hectare.¹⁸⁷⁴ Following the meeting, there was a “series of arrests,” including Sector 103 Secretary Bou Phat *alias* Hang and numerous “other people in Sector 103.”¹⁸⁷⁵ The massive purge of Sector 103, which took place from late 1977 to mid-1978, was the subject of numerous reports sent by North Zone Secretary Se to **Nuon Chea** and the other senior leaders of the CPK.¹⁸⁷⁶ **Nuon Chea**’s personal responsibility for these matters is reflected in a letter sent by

Zone Secretary Se to Office 870 forwarding two confessions of Sector 103 cadres for “examination and as documents for researching imbedded traitor networks boring from within,” which letter contains an annotation by **Nuon Chea** directing that the matter be “followed up.”¹⁸⁷⁷

480. In the West Zone, **Nuon C hea** and Pol Pot regularly attended and spoke at Zone Congresses.¹⁸⁷⁸ A number of the speeches of the Party Centre representatives at the West Zone Congresses were published in the *Revolutionary Flag* magazine.¹⁸⁷⁹ At the June 1976 Zone Conference, the Party Centre representative provided “opinions and guidance” in particular on the “strategy and tactics to attack and achieve three tons per hectare.”¹⁸⁸⁰
481. At the July 1977 West Zone Cadre Conference (held during the time period that **Nuon Chea** was serving as Acting Prime Minister in place of Pol Pot),¹⁸⁸¹ the Party Centre representative discussed in detail the ongoing purge of that Zone, referring to purged cadres as “rotten flesh” that had been shed,¹⁸⁸² and asserting that 50% of the West Zone was “not good,” “15 to 20 percent [were] traitors” and many cooperatives were controlled by “former regime soldiers” and “Kampong Saom businessmen.”¹⁸⁸³ He directed Zone cadres to look for “embedded enemies” by reviewing the background and class composition of cooperative committees, to “attack and smash the enemy and the no-good elements embedded inside and controlling the cooperatives,”¹⁸⁸⁴ and to ensure that at least 50% of the cooperatives in the Zone were “good and clean in accordance with the class line” (i.e., controlled by poor or lower-middle peasants) by year-end.¹⁸⁸⁵ The July 1977 speech makes clear the supervisory authority of the Party Centre over the Zones, stating at the very outset that it was a “presentation regarding the instructions of the Party on a number of important matters for implementation in the second semester of 1977,”¹⁸⁸⁶ and requesting at the very end that “every leadership echelon in the Party concentrate on examining, discussing and studying this presentation conscientiously in order to take it for implementation in their respective Zones.”¹⁸⁸⁷
482. Following this speech, numerous cooperative and commune chiefs were arrested, detained and executed at the Koh Kyang security centre in Sector 37 of the West Zone,¹⁸⁸⁸ and many district, sector and zone cadres were arrested and taken to S-21,¹⁸⁸⁹ including Zone Secretary Chou Chet *alias* Sy¹⁸⁹⁰ and his wife Im Nen *alias* Ly, the Secretary of Udong District.¹⁸⁹¹ **Nuon Chea**’s responsibility for the purge of this Zone is confirmed by the letter to Angkar from Zone Deputy Secretary Pal that accompanied

Im Nen and her deputy when they were arrested and transported to K-7 in Phnom Penh, which letter contains a handwritten note by **Nuon Chea** stating simply “S-21.”¹⁸⁹²

2. PARTICIPATION AND CONTRIBUTION

483. **Nuon Chea** has admitted that as a DK leader, he was “morally responsible” for the crimes of his government, and “responsible in spirit” for the deaths of millions of people.¹⁸⁹³ As demonstrated by the facts and evidence set forth throughout this submission and summarized below, his responsibility, participation and contribution to the criminal acts that are the subject of Case 002/01 is clear, concrete and irrefutable.

PARTICIPATION IN FORCED MOVEMENTS

FIRST PHASE

484. **Nuon Chea** has admitted that he was one of the CPK leaders at the June 1974 meeting that “unanimously” decided to evacuate Phnom Penh and other Cambodian cities immediately upon their capture (see *June 1974 Meeting* section). He admits that he and the other CPK leaders decided and agreed that the evacuations would not be voluntary; rather, residents of those cities would be required to leave. He admits that he and the other CPK leaders decided and agreed that all residents would be required to leave, with no exceptions; hence, even the sick, elderly and hospital patients would be forced to leave the cities.¹⁸⁹⁴
485. **Nuon Chea** was also a participant in other key meetings at which the CPK leaders developed and finalised their plan to forcibly move the urban population of Cambodia into cooperatives and worksites in the countryside.¹⁸⁹⁵ The origins of the CPK policy that eventually led to the forced evacuation of the entire urban population of Cambodia in April 1975 began as early as September 1960 in the political lines that were developed and presented by **Nuon Chea** and Pol Pot to the 1st Party Congress, which included a determination that the cities were the “nerve-centre” of the Party’s enemies and that the use of “revolutionary violence” against such enemies was authorised.¹⁸⁹⁶ **Nuon Chea** admits that he and Pol Pot drafted the original Party lines, which were then approved by him and the other Party representatives at the 1st Congress in 1960, including the “operational line” that “the countryside was the support base” because “networks” of the enemy were “concentrated” in the cities.¹⁸⁹⁷
486. Also in the years preceding 1975, **Nuon Chea** was part of the CPK leadership that developed and agreed upon a strategy to “seize” or “control” the people by immediately emptying cities and towns upon their capture and moving the people into base areas

controlled by the CPK (see *CPK Military Strategy* section). Pursuant to that strategy, residents of Kampong Cham, Oudong and other cities and towns captured by CPK forces were subjected to forced movements in 1973 and 1974. **Nuon Chea** frequently discussed this strategy at political study sessions in the pre-1975 period, and at the June 1974 meeting he and the other Party leaders relied upon the CPK's past experiences in evacuating other cities and towns in determining that Phnom Penh should also be evacuated. **Nuon Chea** reaffirmed his agreement with this strategic line and policy of the Party in his January 1977 speech to the RAK.

487. **Nuon Chea** was also present at the meeting held at B-5 in early April 1975 that decided the final plans for the evacuation of Phnom Penh, and expressly agreed to the evacuation plan along with the other CPK leaders at that meeting (see *Final Offensive on Phnom Penh* section).¹⁸⁹⁸
488. **Nuon Chea** was a member of the Standing and Central Committee that, from April 1975 to January 1979, failed to allow the population of Phnom Penh and other Cambodian cities to return to their homes. **Nuon Chea** stated in this trial that the decision made by the Party leaders in June 1974 was to "temporarily" evacuate the cities (see *June 1974 Meeting* section).¹⁸⁹⁹ Nuon Chea participated in the May 1975 Central Committee meeting that decided the evacuation of people from the cities would be permanent (see *CPK Leaders' Decisions: 17 April-September 1975* section).
489. Moreover, as acknowledged by **Khieu Samphan**, the Standing and Central Committees continued to evaluate the evacuees' situation throughout the DK regime.¹⁹⁰⁰ Even if **Nuon Chea** and the other CPK leaders genuinely believed that an emergency situation existed in April or May 1975 that made it necessary to evacuate the people of Phnom Penh from their homes, they were required by international law to allow such persons to return to their homes at the earliest possible moment. By confining these persons to cooperatives and worksites in the provinces, and by subjecting them to further forced movements over time, **Nuon Chea** and the other members of the Standing and Central Committees continued to participate in and contribute to an ongoing and unlawful forced movement through the entire period of the DK regime.
490. **Nuon Chea** confirmed his intent and the CPK's true reasons for the evacuation of Phnom Penh and other cities in a 30 July 1978 speech to a visiting delegation from the Communist Party of Denmark:

It is more widely known that the USA planned to seize power from us six months after liberation. The plan involved joint action on the part of the USA, the KGB and Vietnam.

There was to be combined struggle from inside and outside. But we smashed the plan. 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. ...

"The conditions in the cities and the countryside were quite different. In rural areas, living conditions were very bad but there were few enemies. In the cities, living conditions were better but there were many enemies."¹⁹⁰¹

SECOND PHASE

491. **Nuon Chea** was one of the CPK leaders who participated in the May 1975 Central Committee meeting that decided to achieve Socialist Revolution by a great leap forward involving the rapid expansion of agricultural production, building of dams and canals, and aggressive implementation of cooperatives throughout the country (see *CPK Leaders' Decisions: 17 April-September 1975* section). Following that decision, he led the mass meetings in late May 1975 that instructed CPK zone, sector, district and military leaders on the Party plans to be implemented relating to cooperatives, the development of the socialist economy and the permanent displacement of people from the cities.
492. From 20 to 24 August 1975, the CPK Standing Committee visited the Northwest Zone and determined that, because the soil and land conditions in this region were favourable for rice production, an additional 500,000 workers were needed in that Zone.¹⁹⁰² **Nuon Chea** and the Standing Committee made this decision knowing that the region was already experiencing food shortages with its existing population, and that the 17 April People previously moved to the region "lack[ed] both food and medicine."¹⁹⁰³ **Nuon Chea** admitted his participation in this matter at trial, testifying to discussions with the Zone Committees regarding the evacuation of people from the cities in which the Northwest Zone offered to take a total of 1.4 million people.¹⁹⁰⁴
493. **Nuon Chea's** responsibility for and participation in subsequent forced movements of the people is also reflected by his receipt of telegrams and reports on such matters.¹⁹⁰⁵ A 30 November 1975 telegram from East Zone Secretary Sao Phim (using the alias Chhon) discusses the removal of 50,000 Cham from the East Zone pursuant to prior "discussions" with and "instructions" from Angkar.¹⁹⁰⁶ Norng Sophang testified that a copy of that telegram was sent to **Nuon Chea** because the K-1 telegram group was under instructions that **Nuon Chea** was "the person who was in charge of people" and responsible "to find a solution" to such matters.¹⁹⁰⁷ **Nuon Chea** was also one of the recipients of a 19 January 1978 telegram from Sao Phim reporting on a recent movement or evacuation of people, which states:

*we retrieved a large number of people who were herded by the Yuon enemy to be under their temporary control and those who believed the Yuon. Currently, we have organized to have them returned to the rear for re-education, grouping and screening.*¹⁹⁰⁸

494. **Nuon Chea** also received telegrams and reports describing people who fled the CPK cooperatives and seeking instruction on the “measures” that should be taken against such people.¹⁹⁰⁹ These communications establish Nuon Chea’s knowledge of and participation in the plan to enslave people in cooperatives and worksites.

PARTICIPATION IN TARGETING OF KHMER REPUBLIC OFFICIALS AND SOLDIERS

ARRESTS AND EXECUTIONS OF CPK ENEMIES

495. A key political line of the CPK in effect throughout the DK period was the use of revolutionary violence to eliminate persons or groups who were actual or perceived enemies of the CPK.¹⁹¹⁰ This Party line was initially developed by **Nuon Chea** and Pol Pot,¹⁹¹¹ adopted by the WPK at the First Party Congress on 30 September 1960,¹⁹¹² and consistently reaffirmed at subsequent Party Congresses and meetings of the Central Committee, including a resolution approved by the Central Committee in January 1965,¹⁹¹³ the 30 March 1976 decision of the Central Committee assigning authority to “smash” enemies inside and outside the ranks,¹⁹¹⁴ and the June 1978 Central Committee circular revising the CPK policy on CIA, KGB and Yuon spies.¹⁹¹⁵ At all such times, **Nuon Chea** was the Deputy Secretary of the CPK Central and Standing Committees.
496. As Deputy Secretary of the CPK Standing and Central Committees, **Nuon Chea** was one of the senior CPK leaders who instructed CPK cadres, through the monthly *Revolutionary Flag* publication, circulars from Office 870, political study sessions and other direct communications, who were to be considered enemies of the CPK.¹⁹¹⁶ **Nuon Chea**’s effort throughout the DK period to ensure the implementation of Party plans and policies through political education of the CPK cadres establishes that he was fully committed to, agreed with and shared the intent and goal of those plans, and wilfully contributed to their implementation.
497. **Nuon Chea**’s direct participation in the common criminal plan to arrest, detain, interrogate, torture and execute all enemies of the CPK also included:
- (1) Ordering and monitoring the arrests of high-ranking Party cadres (i.e. members of the Central Committee, Zone, Sector, Ministry and Division leaders),¹⁹¹⁷ including Sector 24 Secretary Chhouk¹⁹¹⁸ and S-71 Chairman Pang;¹⁹¹⁹

- (2) Reviewing confessions for the names of persons implicated as traitors, forwarding such confessions to the relevant organisation head so as to inform them of “enemy activities within that unit,”¹⁹²⁰ and consulting with organisation heads to decide whether or not to arrest the implicated persons;¹⁹²¹
 - (3) Facilitating the arrests of Zone cadres by calling them to study sessions or meetings in Phnom Penh,¹⁹²² and summoning Phnom Penh cadres (such as the wife of Vorn Vet) to his office to be arrested;¹⁹²³
 - (4) Deciding and approving transfers of prisoners to S-21 from Zone security offices and K-7,¹⁹²⁴ such as Oudong District Secretary Im Nen *alias* Ly (the wife of West Zone Secretary Chou Chet *alias* Sy);¹⁹²⁵
 - (5) Deciding and ordering the discipline, punishment, arrest, interrogation and execution of S-21 and Prey Sar personnel;¹⁹²⁶
 - (6) Providing instructions regarding the interrogation of S-21 prisoners,¹⁹²⁷ and ordering the radio broadcast of confessions obtained from Vietnamese prisoners;¹⁹²⁸ and
 - (7) Ordering the executions of S-21 prisoners, in general through a standing instruction to Duch that all persons sent to S-21 were to be killed,¹⁹²⁹ and in some cases by specific execution orders, including a December 1978 order that 300 prisoners from the East Zone were to be taken immediately for execution upon arrival at S-21,¹⁹³⁰ the order to execute fellow Standing Committee member Vorn Vet,¹⁹³¹ an order to burn to death a group of foreign prisoners using car tires,¹⁹³² and an order on 2 or 3 January 1979 to kill all remaining prisoners at S-21, a total of approximately 200 persons.¹⁹³³
498. In his July 1978 speech, **Nuon Chea** revealed his state of mind, and that of the other CPK leaders, in regards to persons accused of being internal enemies:

Since liberation, our experience relates to anti-party activities organized inside our party. They usually involve CIA, Vietnamese and KGB agents. Our experiences in this area are very recent, but it appears from what we have been able to learn that CIA, Vietnamese and KGB agents have been working inside the party for a long time... Where there were deviations to the left or to the right, we looked carefully into the backgrounds of the cadres... We have thus been able to uncover enemy agents step-by-step. ...

“Although we say plans have been crushed, we do not mean the enemy has given up. We have to continue to build and to defend our party, and our leadership, and to apprehend the people who have infiltrated our party. We know the current plan involves

*not only Vietnamese agents, but has something to do with US imperialism and the KGB. All of them!*¹⁹³⁴

499. More recent statements made by **Nuon Chea** also confirm his intention during the DK period to eliminate or smash all perceived enemies of the CPK. In a 2005 interview, **Nuon Chea** stated that “we killed only the bad people,”¹⁹³⁵ and that the reason the purges started was that “some of the people in charge of districts and provinces were our enemies...these traitors didn’t follow our policies.”¹⁹³⁶ In June 2006, he claimed that U.S. and Vietnamese enemies were “hidden in the comrades” and “destroyed my regime by not following the policy.”¹⁹³⁷ He defended S-21 as an entity “established to search for the enemy of the country,” which was only used for “bad comrades.”¹⁹³⁸
500. In October 2006, **Nuon Chea** asserted that there were “embedded” enemies, that the CPK revolution was “just, because it smashed and eliminated enemies,” and that the “highest” and “most important human right is the right to take up arms to fight an enemy.”¹⁹³⁹ At his initial appearance before this Court, **Nuon Chea** stated that “[t]here were American CIA and Soviet KGB agents, the Free Khmer and Vietnamese secret agents who were hiding within the Party, among the population and in our cooperatives,” and that it was these persons that “caused the Party line to be ‘raw’ and ‘burnt,’ and then destroyed the country, Party and people.”¹⁹⁴⁰
501. In response to a question from Thet Sambath asking whether it was “right to kill traitors,” **Nuon Chea** stated: “I don’t want to be accused of being brutal. But we have to consider whether it was reasonable given the threat they posed to our nation. ... So I dare to suggest our decision was the correct one. If we had shown mercy to these people, the nation would have been lost.”¹⁹⁴¹ When asked by Thet Sambath why the CPK leaders felt they had to kill the so-called enemies, rather than just imprison them for life, he responded: “That is an easy question to ask but a difficult one to answer. ... But at that time, we had no proper prisons. And if we kept them, they would spread and produce their eggs and many more would have been killed.”¹⁹⁴² In regards to former comrades and friends who were executed, **Nuon Chea** stated:

*The Party decided to kill them because they were betraying the party and the nation. I was not scared or sad when they were killed. They had done wrong and betrayed us, so they received the kind of treatment they deserved.*¹⁹⁴³

ARRESTS & EXECUTIONS OF KHMER REPUBLIC OFFICIALS AND SOLDIERS

502. As described above in the *Ist Party Congress* section, **Nuon Chea** was one of the CPK leaders who drafted and approved the Party line establishing that individuals such as

commune chiefs, district governors, provincial governors, civil servants, police and soldiers were considered part of the ruling or “feudalist class,” and hence one of the enemies considered to have an antagonistic or “life-and-death” contradiction with the Party base. He was also a participant in the enlarged meeting of the Standing Committee held in September 1969 that determined to focus the CPK fight against the Lon Nol faction of the ruling government (see *Initiation of Armed Struggle* section).

503. As discussed above, **Nuon Chea** conducted political education sessions that specifically instructed Party cadres which groups or persons were to be considered as “enemies.” As testified by Tram Kak District Secretary Pech Chim, who attended a month-long study session for district secretaries, “people would never know how to identify enemies from friends” without the instruction provided by **Nuon Chea**.¹⁹⁴⁴
504. **Nuon Chea** testified at trial that he was aware of the FUNK radio broadcasts calling for the execution of the seven Lon Nol “super-traitors,” and confirmed that the CPK Standing and Central Committees took no action to renounce the call for the execution of those individuals.¹⁹⁴⁵ He admitted to Thet Sambath that the top leadership of the Lon Nol regime were “liquidated” by the CPK.¹⁹⁴⁶ The evidence also establishes that **Nuon Chea** approved the evacuation of Phnom Penh and other cities with the intention and plan that the forced movements would be used to isolate and eliminate the Party’s enemies, including officials and soldiers of the Khmer Republic (see *JCE: Criminal Policies* section).
505. The executions of Lon Nol soldiers and officials that were carried out at the Tuol Po Chrey site thus were part of the common criminal plan that was agreed to by **Nuon Chea** and the other CPK leaders. This is also proven by the telegrams and reports that **Nuon Chea** received over the course of the DK regime reflecting the plan to eliminate opponents and enemies of the CPK, a number of which expressly discuss ongoing efforts to identify and arrest, re-educate or smash officials and soldiers of the previous regime.¹⁹⁴⁷ For example, the report from the Northwest Zone for May 1977 described “enemy activities” in Sector 3 that led to the arrest of 42 people:

*In Region 3, there appears to have been some sort of problems like laziness to work, escaping the duty to labor, pretended illnesses, pretended dumb and crazy people, conjugal disputes, and moral offences among married men and women. Furthermore, there still exists private ownership. ... As we have observed these acts actually arose from among old veteran soldiers and those with the ranks of 2nd lieutenant, 1st lieutenant, captain and major who hide themselves in collectives, and whom we have never found [before]. Recently, their acts have shown up clearly. We have already taken steps and arrested all of them.*¹⁹⁴⁸

The monthly report from the West Zone for July 1978 described activities of the “hidden enemy burrowing from within” caused by “elements of the 17 April including former civil servants,” which the Zone planned to address by applying “the Party’s assignment line to routinely remove, screen and sweep clean” such enemies.¹⁹⁴⁹

506. A 5 September 1977 telegram from North Zone Secretary Kang Chap alias Se to Committee 870, copied to “Uncle Nuon,” provided the following report on the “internal enemy” situation:

*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 implication. Those enemies who were former officials, policemen or soldiers of the previous regime were discovered one after another.*¹⁹⁵⁰

Approximately six months later, on 19 March 1978, Zone Secretary Se reported to **Nuon Chea** and the other Party Centre leaders in regards to the “Situation of the enemy burrowing from within” that:

*In this dry season, the remain[ing] enemies re-emerged and took actions against us in the worksites. These enemies contacted with the [former] policemen, soldiers 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 policemen, soldiers and government officials escaped after more than 20 people were purged. More actions will be taken to arrest more people.*¹⁹⁵¹

In the period between these two telegrams, **Nuon Chea** travelled to the North Zone, where he met with Kang Chap, convened a meeting of Sector 103 cadres to formally announce Se’s appointment as Zone Secretary, and discussed the problem of internal enemies.¹⁹⁵² The fact Kang Chap continued his efforts to purge “policemen, soldiers and government officials” from the prior regime after his meeting with **Nuon Chea**, and openly reported such purges to **Nuon Chea** and the other Party leaders in Phnom Penh, proves beyond doubt the existence of a common plan shared by the CPK leaders in Phnom Penh and the Zones to target this group.

507. The evidence before the Trial Chamber also proves beyond reasonable doubt that **Nuon Chea** and the other leaders of the Party Centre exercised supervisory authority over the Northwest Zone cadres who carried out the Tuol Po Chrey executions, and were regularly informed of all enemy situations in that region. In the pre-April 1975 period, **Nuon Chea** made trips to Samlaut to meet with Northwest Zone Secretary Ros Nhim, and provided direct orders or instructions to Nhim regarding the 1967 Samlaut rebellion.¹⁹⁵³ During the DK period, **Nu on Chea** made regular trips to Battambang “every three or four months” to meet with Ros Nhim.¹⁹⁵⁴ Nhim would also come to

Phnom Penh for meetings with **Nuon Chea** and the other CPK leaders “on a regular basis,” each time staying at K-1 for 10 to 15 days.¹⁹⁵⁵ He was present in Phnom Penh in May 1975 for the ten-day meeting of the Central Committee held at the Silver Pagoda.¹⁹⁵⁶

508. The evidence does not support the Defence contention that Ros Nhim and other Zone Secretaries were autonomous “warlords” who acted independently and without the knowledge of the Party Centre,¹⁹⁵⁷ or the assertion that Nhim and other Party leaders feared Pol Pot and **Nuon Chea** and concealed matters from them. To the contrary, Ros Nhim openly talked to **Nuon Chea** about killings of enemies in the Northwest Zone, including the arrest and execution of **Nuon Chea**’s uncle Sieu Heng, the former leader of the Cambodian communist party who defected to the government in 1958 and later became a major in the Lon Nol army.¹⁹⁵⁸ **Khieu Samphan** has stated that he and the Zone leaders did not fear Pol Pot, that they had normal and honest discussions with him, and that Pol Pot learned details of the situation in the base through “chit-chats” with the Zone cadres who came to visit.¹⁹⁵⁹
509. The surviving telegrams and reports that were sent by Ros Nhim to the Party leaders in Phnom Penh clearly show a supervisory relationship in which the Zone leader reported in detail to the Centre on the enemy situation in his region, and sought direction and instructions on how to implement the Party lines.¹⁹⁶⁰ For example, in May 1978, following a “meeting with Angkar,” Nhim reported that he was trying to implement “the recommendations of 870” by being “more highly vigilant” in efforts to “smash invasive enemies” and “successfully sweep all destructive elements.”¹⁹⁶¹ Alleged “warlord” Nhim wrote to Office 870 to ask if Son Sen could “recommend a few experts to teach us how to shoot aircrafts,”¹⁹⁶² deferred to Angkar for a decision regarding the building of a dam¹⁹⁶³ and sent a “large van” of oranges to the leaders in Phnom Penh.¹⁹⁶⁴ On 24 December 1977, he wrote to ask for Angkar’s decision on whether or not to attack a location at which enemies associated with super-traitor In Tam were present.¹⁹⁶⁵
510. **Nuon Chea** and the other Party Centre leaders did not punish or discipline Ros Nhim or any other Northwest Zone cadres for their arrests and executions of Khmer Republic soldiers, officials and other enemies. According to Ieng Sary and others, Nhim was promoted to become an alternate member of the CPK Standing Committee.¹⁹⁶⁶ Ieng Sary also states that the other CPK leaders ratified and approved Nhim’s treatment of evacuees and persons connected to the Lon Nol regime:

In 1975, at the evacuation of cities, town, we didn't separate the people by base or network. But there was confusion. In 1976, then we began to divide the people. There was great confusion in 1976. Even people who were base people for a long time were accused of being agents. The first to divide people in categories were So Phim and Ros Nhim. It was not ordered from the top to the bottom. Pol Pot didn't order the division into categories. Later on, in a meeting of leadership in 1976, this division was accepted by the leadership. Collectively it was decided. Two or three opposed it, but we didn't want a split. As chairman, Pol Pot summed it up collectively. At that time we divided it up: (1) people of the base; (2) poor people from the cities; (3) people who supported Lon Nol.¹⁹⁶⁷

F. ROLE OF KHIEU SAMPHAN

511. This Section provides an analysis of the evidence which demonstrates **Khieu Samphan's** leadership roles, positions and activities in the CPK and DK and other associated bodies and organisations, and establishes his criminal liability for the crimes with which he is charged in Case 002/01.
512. **Khieu Samphan**, *alias* Hem,¹⁹⁶⁸ Nan,¹⁹⁶⁹ Sy Lang,¹⁹⁷⁰ or Khang¹⁹⁷¹ was a senior leader of the CPK whose close association with other prominent Cambodian revolutionaries spanned his entire adult life prior to his surrender in 1998. His most significant positions were: a) Communist activist, member and head of the Marxist Circle in France from 1953 to 1958; b) Participant in the work of the underground communist movement from 1959 to 1967; c) Member of the CPK Party Centre from 1970; d) Alternative member of the CPK Central Committee from 1971, and a full rights member from January 1976; e) Deputy Prime Minister and Minister of Defence of GRUNK from 1970 to 1976, and Commander in Chief of CPNLAF from 1970 to 1975; f) Regular attendee and participant in the work of the Standing Committee / Party Centre from 1970; g) President of the State Presidium of Democratic Kampuchea from 1976 to 1979; h) Member and Chairman of the Political Office 870 from 1975 to 1979; and i) Member of the Party Centre responsible for the economy, domestic production and international trade from 1975. The evidence discussed below establishes that **Khieu Samphan** was a direct, active and significant contributor to the creation, implementation and enforcement of the JCE, and to the commission of the crimes with which he is charged.

1. POSITIONS AND AUTHORITY

BACKGROUND AND POSITIONS FROM 1943 TO JUNE 1974

513. The following Section should be read together with the *Development of CPK Policies and Role of Accused (Pre-17 April 1975)* Section. **Khieu Samphan** was born on 27 July

- 1931 in the Rumduol District, Svay Rieng Province.¹⁹⁷² His earliest known association with another future leader of the CPK dates back to 1943, when Saloth Sar joined the Preah Sihanouk College in Kampong Cham,¹⁹⁷³ where he was one year ahead of **Khieu Samphan**.¹⁹⁷⁴ The two attended the same College for some four years, during which time they joined a theatre troupe and traveled together on several occasions, including on a one month journey to Siem Reap in 1945.¹⁹⁷⁵ **Khieu Samphan** obtained a junior high school certificate at Preah Sihanouk College around 1948, following which he studied at Sisowath Lycee in Phnom Penh, where he obtained a secondary school diploma in 1951.¹⁹⁷⁶ From 1951 to 1953 he worked as a teacher in a junior high school in Phnom Penh while undertaking a law course.¹⁹⁷⁷ In 1953 he received a scholarship for further tertiary studies and moved to France.¹⁹⁷⁸
514. Upon arriving in Paris, **Khieu Samphan** joined the Marxist-Leninist Circle,¹⁹⁷⁹ a secretive association which studied communist ideology and promoted anti-colonialism and Cambodian nationalism.¹⁹⁸⁰ Although he studied in Montpellier from 1953 to 1956, he continued to participate in the work of the Circle.¹⁹⁸¹ He was elected its leader in 1957, replacing Ieng Sary who returned to Cambodia.¹⁹⁸² As a member of the Circle, **Khieu Samphan** participated in discussions of Saloth Sar's report on various rebel groups in Cambodia, which led to the Circle's resolution to join forces with the Khmer Viet Minh movement.¹⁹⁸³ **Khieu Samphan** also joined the French Communist Party in 1955¹⁹⁸⁴ and was a member of the Khmer Students' Association and also became its president.¹⁹⁸⁵
515. In his 1958 doctoral thesis, **Khieu Samphan** set out an economic and political program which foreshadowed several aspects of CPK's future policies. He argued that Cambodia's international economic integration¹⁹⁸⁶ as well as foreign investments and imports¹⁹⁸⁷ had placed the country in a subservient position *vis a vis* foreign investors and states,¹⁹⁸⁸ and caused its underdevelopment.¹⁹⁸⁹ He advocated that the country should withdraw from the international economic system¹⁹⁹⁰ and develop and industrialise through "[s]elf-conscious autonomous development."¹⁹⁹¹ This would require, *inter alia*, "*a social and political program for the destruction of ancient precapitalist economic relationships.*"¹⁹⁹²
516. The measures through which **Khieu Samphan** proposed to achieve autonomous development included: a) establishing a state monopoly in all foreign trade;¹⁹⁹³ b) effective closure of the country to foreign investment;¹⁹⁹⁴ c) rejection of aid that is viewed as politically motivated;¹⁹⁹⁵ d) reduction in the number of people engaged in

unproductive activity in order to free them up for production;¹⁹⁹⁶ e) subjugation of the individual to the interests of the state;¹⁹⁹⁷ and f) use of strict coercive measures against land holders and capitalists who are unwilling to participate in the country's development.¹⁹⁹⁸ **Khieu Samphan** also called for the “essentially political measures” of encouraging the peasantry to mobilise through peasant associations and to “take action” against land holders and usurers.¹⁹⁹⁹ He also proposed moving peasants into production cooperatives “in a systematic way.”²⁰⁰⁰ His thesis amounted to a political proposal for a fundamental restructuring²⁰⁰¹ of both the state's foreign relations and its relationship with the citizenry.²⁰⁰² While it was not a communist blueprint, it “pre-figured” the agricultural and enslavement programs which **Khieu Samphan** and other CPK leaders later devised.²⁰⁰³

517. **Khieu Samphan** returned to Cambodia in 1958.²⁰⁰⁴ On the encouragement of members of the Marxist Circle such as Ieng Sary, he founded the political newspaper, *L'Observateur*, in September of that year, and worked as its editor.²⁰⁰⁵ As discussed in the *Development of CPK Policies and Role of Accused (Pre-17 April 1975)* Section, *L'Observateur* was supported by communists such as Ieng Thirith and staffed by cadres such as Thiounn Prasith, Koy Thuon,²⁰⁰⁶ and Bou Phat *alias* Hang (who later became Secretary of CPK Sector 103²⁰⁰⁷). **Khieu Samphan** himself was in close contact with the Party's Phnom Penh organisation.²⁰⁰⁸ He received assignments from the underground Phnom Penh City Committee to reach out to potential communist sympathisers in the mainstream political life.²⁰⁰⁹ This Committee was headed by **Nuon Chea** and included Pol Pot, Ieng Sary and Vorn Vet.²⁰¹⁰ **Khieu Samphan's** involvement in the communist movement and his public criticisms of the Norodom Sihanouk regime led to his harassment by the authorities in July 1960.²⁰¹¹ He and several other communists were arrested in August and held in detention for a month.²⁰¹² *L'Observateur* and three other pro-communist newspapers were shut down.²⁰¹³
518. Following his release, with Ieng Sary's encouragement, **Khieu Samphan** joined Norodom Sihanouk's *Sangkum Reatsr Niyum* Party.²⁰¹⁴ In 1962 he was elected a member of the National Assembly for S'ang District, and appointed Secretary of State for Commerce.²⁰¹⁵ However, on 4 March 1963 he was publicly named by the government as one of 34 known and suspected leftists, who were described as “cowards, hypocrites, saboteurs, subversive agents and traitors.”²⁰¹⁶ The list included several others who would later be revealed as communists, such as Saloth Sar, Ieng Sary and Son Sen.²⁰¹⁷ As discussed in the *Development of CPK Policies and Role of*

Accused (Pre-17 April 1975) Section, following the publication of this list, Saloth Sar, Ieng Sary and Son Sen fled Phnom Penh. By July 1963, **Khieu Samphan** was forced to resign from his ministerial post.²⁰¹⁸ He was, however, re-elected to Parliament with the underground communist movement's assistance in 1966.²⁰¹⁹

519. In April 1967, **Khieu Samphan** and Hou Yuon were blamed as the organisers of a peasant rebellion in Samlaut and summoned to appear before a military tribunal.²⁰²⁰ On 24 April, they fled to Kampong Speu with the assistance of the CPK leadership.²⁰²¹ **Khieu Samphan's** already prominent status²⁰²² within the communist movements is reflected in the fact that his personal security was entrusted to Ta Mok, a member of the Party's Central Committee who assigned a team of 20 bodyguards to protect senior figures such as **Khieu Samphan**, Vorn Vet, Hou Yuon and Hu Nim.²⁰²³ During his stay in the forest in Kampong Speu,²⁰²⁴ **Khieu Samphan** met regularly with Ta Mok, who gave him updates on the country's general situation and CPK ideological booklets; he was also present during a 1968 attack on a government garrison in Kab Kang, Trapeang Kraloeung District.²⁰²⁵ He has described this period as "exhilarating" and the communist movement as "a new force - a real national force."²⁰²⁶ He admits that he knew, even at that time, that the CPK planned to achieve revolution by violence.²⁰²⁷ He accepted the use of "violence to change the society...when USA used Lon Nol to occupy our country."²⁰²⁸
520. In late 1968 or early 1969, **Khieu Samphan** relocated to Ta Mok's headquarters on Mount Aural in Kampong Chhnang Province.²⁰²⁹ **Khieu Samphan** has stated that he only became a member of the CPK in 1969.²⁰³⁰ This is contradicted by both his prior involvement in the underground communist movement and **Nuon Chea's** assertion that he joined the Party in 1963.²⁰³¹
521. Around February 1970, **Khieu Samphan** called a study session of some 300-500 people, including fighters, at which the Party's policy *vis a vis* Norodom Sihanouk was debated.²⁰³² In the days immediately following the 18 March 1970 coup, Pol Pot used his name as the Khmer Rouge leader²⁰³³ in negotiating the creation of the FUNK and GRUNK coalition with Norodom Sihanouk in Beijing.²⁰³⁴ **Khieu Samphan** has stated that he was personally "chosen by Pol Pot"²⁰³⁵ to unite the communists and Norodom Sihanouk and that he was the only one able to establish relations with Norodom Sihanouk.²⁰³⁶ His role in the establishment of the coalition was "important, if not indispensable."²⁰³⁷ The coalition enabled the CPK leaders to exploit Norodom Sihanouk's prestige to recruit large numbers of peasants to its military forces,²⁰³⁸ and

- also resulted in substantial financial and military aid being provided to the movement by China.²⁰³⁹
522. The establishment of GRUNK was announced on 5 May 1970.²⁰⁴⁰ **Khieu Samphan** was appointed Deputy Prime Minister and the Minister of Defence of GRUNK,²⁰⁴¹ as well as the commander-in-chief of the CPNLAF²⁰⁴² - the most senior positions held by a communist leader within the coalition.²⁰⁴³ In his own words, he “assume[d] the role as an important leader.”²⁰⁴⁴
523. **Khieu Samphan** reunited with Pol Pot and **Nuon Chea** at a meeting at the Chinnit River around September 1970.²⁰⁴⁵ He was elected an alternate member of the Central Committee at the 1971 Party Congress.²⁰⁴⁶ This Congress discussed, *inter alia*, strategies for the guerrilla war and new boundaries for the zones.²⁰⁴⁷ **Khieu Samphan’s** appointment to the Central Committee reflected Pol Pot’s deepening trust and confidence in him.²⁰⁴⁸ No other intellectual was inducted into the Central Committee.²⁰⁴⁹
524. Throughout the 1970 – 1975 period, **Khieu Samphan** was based permanently with Pol Pot and **Nuon Chea**.²⁰⁵⁰ Within the CPK Central Committee headquarters, Office S-71, in Kampong Cham province,²⁰⁵¹ he moved to stay close to Pol Pot and **Nuon Chea** while other intellectuals were kept separately.²⁰⁵² Pol Pot, **Nuon Chea** and **Khieu Samphan** stayed close to each other “constantly,”²⁰⁵³ working and eating together,²⁰⁵⁴ holding meetings,²⁰⁵⁵ issuing assignments to cadres,²⁰⁵⁶ and operating in “harmonious agreement.”²⁰⁵⁷ **Khieu Samphan** wrote statements on behalf of the united front.²⁰⁵⁸ In 1973, he officially received Norodom Sihanouk on his tour of Cambodia, presenting himself as the leader of the in-country resistance.²⁰⁵⁹ One of his responsibilities in this period was to ensure that Prince Sihanouk’s commitment to the coalition did not waver.²⁰⁶⁰ He also hosted visits of foreign delegations, such as the delegation of the Provisional Government of Southern Vietnam in 1974.²⁰⁶¹
525. Together with Pol Pot and **Nuon Chea**, **Khieu Samphan** conducted political indoctrinations sessions for CPK cadres by educating “all zones, sectors, and district levels...to know about the enemies.”²⁰⁶² He also attended meetings at which he and other leaders issued orders to military commanders,²⁰⁶³ and toured CPK offices to give encouragement to cadres.²⁰⁶⁴ He gained the respect of the Party members²⁰⁶⁵ who described him as a senior person within the CPK.²⁰⁶⁶ He also travelled extensively within the CPK-controlled areas. In 1971, he went on a work tour with Pol Pot and **Nuon Chea**.²⁰⁶⁷ In November and December 1972, he toured Preah Vihear, Kampong

Thorn and Siem Reap regions where he inspected agricultural work in the fields, as well as construction of dams.²⁰⁶⁸ As a member of the Party leadership, **Khieu Samphan** was also aware of the criminal policies being implemented in this period. He has confirmed his knowledge of the removal of Khmer cadres returning from Hanoi,²⁰⁶⁹ hundreds of whom were imprisoned and killed under the orders of the Party leadership.²⁰⁷⁰ As discussed in the *Participation in the First Forced Transfer and Executions* Section, during the civil war he made numerous statements calling for the smashing of enemies and praising the commission of crimes against prisoners of war and civilians. His activities from June 1974 to April 1975 are dealt with in the *Participation in the First Forced Transfer and Executions* Section.

ROLES IN PARTY CENTRE APRIL 1975 - JANUARY 1979

INTRODUCTION – MEMBERSHIP OF PARTY CENTRE

526. **Khieu Samphan** became a full rights member of the Central Committee at the Party Congress in January 1976.²⁰⁷¹ Under the CPK Statute, the Central Committee was the highest Party organ between four-year congresses.²⁰⁷² As a member of this Committee, **Khieu Samphan** was party to important policy directives and decisions, including the decision to authorise various CPK authorities to smash enemies,²⁰⁷³ the setting of the three ton per hectare agricultural production target,²⁰⁷⁴ the formation of DK Government,²⁰⁷⁵ and the oversight of districts' fulfillment of the mission to wage a strong and profound class struggle.²⁰⁷⁶ Furthermore, he has admitted that the Central Committee discussed "implementation of policies created by the Standing Committee."²⁰⁷⁷ The Central Committee met every six months from 1970 onwards.²⁰⁷⁸ **Khieu Samphan** had stated, at its "successive meetings" during the first year of the regime, the Central Committee noted "certain abuses."²⁰⁷⁹ It gave directives to "correct" these problems, which included improving working conditions and permitting rest "three days a month."²⁰⁸⁰
527. More importantly, as evidenced by his frequent attendance at Standing Committee meetings (see below), **Khieu Samphan** was a *de facto* member of the CPK Standing Committee. From his entry into Phnom Penh on or about 21 April 1975²⁰⁸¹ until his escape from Phnom Penh on 6 January 1979,²⁰⁸² he lived and worked with Standing Committee members Pol Pot, **Nuon Chea**, Ieng Sary, Vorn Vet, Son Sen and other leaders at the CPK headquarters.²⁰⁸³ Together with these individuals and Sua Vasi *alias* Doeun (Chairman of Political Office 870) **Khieu Samphan** formed the Party Centre,²⁰⁸⁴

- the body which functioned as the day to day leadership of the country (see also *CPK / DK Structure and Communications* Section). This body is referred to in numerous Party circulars which evidence its instructions and authority.²⁰⁸⁵
528. Following his arrival in the capital, **Khieu Samphan** worked with the other leaders at a temporary headquarters located at the Phnom Penh Railway Station,²⁰⁸⁶ and soon after at the Ministry of Commerce. At both locations, Pol Pot, **Nuon Chea**, **Khieu Samphan**, Son Sen and other leaders met “day and night,” and also held meetings with military commanders from various battlefields (Ta Mok, Vorn Vet, Koy Thuon and Sao Phim).²⁰⁸⁷ As discussed in the *CPK Leaders’ Decisions 17 April - September 1975* Section, **Khieu Samphan** participated in a 10-day meeting at the Silver Pagoda in May 1975, where the Central Committee decided upon enslavement policies to be implemented throughout the country.²⁰⁸⁸
529. After working at the Silver Pagoda, **Khieu Samphan** moved with the other leaders to K-1, a compound located at Tonle Bassac riverfront²⁰⁸⁹ which became the leaders’ main workplace.²⁰⁹⁰ **Khieu Samphan** resided there with his wife for a number of months, before moving to K-3²⁰⁹¹ together with **Nuon Chea**, Ieng Sary and other leaders.²⁰⁹² According to **Khieu Samphan**, K-1 and K-3 were the place of work and residence of Standing Committee members.²⁰⁹³ Pol Pot continued to reside at K-1 but also stayed at K-3 from time to time.²⁰⁹⁴ At K-3, the leaders took meals together, met on a daily basis and “did nothing separately.”²⁰⁹⁵ **Khieu Samphan** maintained an office at K-3, where he “prepared the documents, filed the documents and kept the meeting minutes.”²⁰⁹⁶ As discussed below, he also worked at K-1 several times per week.²⁰⁹⁷
530. In a blatant attempt to mislead the Court, **Khieu Samphan’s** wife So Socheat testified that all other leaders who lived at K-3 with their spouses left the compound in 1976, so that she and **Khieu Samphan** remained there alone.²⁰⁹⁸ This fabrication contradicts not only **Khieu Samphan’s** own prior statements,²⁰⁹⁹ but also the testimonial evidence before the Court,²¹⁰⁰ and contemporaneous records.²¹⁰¹

COLLECTIVE WORK AND DECISION MAKING

531. As stated above, **Khieu Samphan** was a member of CPK’s collective leadership. **Nuon Chea** has testified that, consistent with the CPK Statute, collective decision was implemented at all levels of the CPK structure, throughout the Party’s existence.²¹⁰² Similarly, David Chandler confirmed that the CPK Party Centre, of which **Khieu Samphan** was a member,²¹⁰³ functioned as a collective leadership.²¹⁰⁴

532. Throughout the 1975-79 period, **K hieu Sa mphan** and other senior leaders (or “Uncles”²¹⁰⁵ as they were described by CPK cadres) moved back and forth between K-1 and K-3 to attend meetings and work together.²¹⁰⁶ **Nuon Chea, Khieu Samphan** and Ieng Sary were chauffeured to K-1 several times per week.²¹⁰⁷ **Khieu Samphan** visited K-1 more frequently than the other leaders.²¹⁰⁸ Some of the meetings which he attended at K-1 and K-3 were meetings of the Standing Committee.²¹⁰⁹ There were also “special meetings” at K-1, where Pol Pot, **Nuon Chea, Khieu Samphan** and Ieng Sary met to discuss matters of necessity.²¹¹⁰ At K-3, Pol Pot, **Nuon Chea, Khieu Samphan**, Ieng Sary and Son Sen met twice to three times a month,²¹¹¹ where on occasion they received reports from DK ministers such as Ieng Thirith.²¹¹² **Khieu Samphan** also participated in regular criticism and self-criticism sessions²¹¹³ and attended significant CPK events together with the other leaders, such as mass military meetings at the Olympic Stadium.²¹¹⁴ Reflecting the communal living and working arrangements within the Party Centre, **Khieu Samphan’s** wife was close to the other leaders and their wives.²¹¹⁵
533. **Khieu Samphan**, Pol Pot, **Nuon Chea** and other leaders held meetings with zone, sector and district representatives,²¹¹⁶ which were held on a fortnightly or at least monthly basis²¹¹⁷ throughout the 1975 - 1979 period.²¹¹⁸ At one such meeting Sao Sarun, the Secretary of Autonomous Sector 105, reported to Pol Pot, **Nuon Chea, Khieu Samphan** and Son Sen about “the livelihood of the people, the rice production...[and] welfare.”²¹¹⁹ The meeting discussed “managing the forces and masses,” strengthening the defence of the border areas, and resisting against Vietnam.²¹²⁰ Outside the meeting, Sao Sarun additionally spoke to **Khieu Samphan** about “economic matters,” requested supplies from him²¹²¹ and informed him about “the actual shortages.”²¹²²
534. **Khieu Samphan** has given an insight into the meetings of the leadership, describing them as collegial or family gatherings, where members often joked among themselves, and where “nothing approaching fear was apparent”²¹²³ (a description which his wife confirmed in her testimony²¹²⁴). **Khieu Samphan** states that, even as members of the Central and Standing Committee were arrested, the confidence of other members (clearly including **Khieu Samphan** himself) in Pol Pot “did not waver.”²¹²⁵
535. **Khieu Samphan’s** consistent use of the words “we” and “we the leadership” when describing activities of the CPK Party Centre reflects his membership of this body and the collective nature of its work.²¹²⁶ For example, he has stated that, following 17 April 1975, “we could discuss things together.”²¹²⁷ This principle also applied before the

victory. **Khieu Samphan** has admitted that, had a single voice been raised against the forced evacuations of the cities in 1975, “there would have been no evacuations.”²¹²⁸

536. **Khieu Samphan** continued to work as a member of the leadership until the final moments of the DK regime. On 5 or 6 January 1979, as the fall of the DK appeared imminent, he presided over a meeting which was attended by the commanders of several RAK divisions and military units, leaders from DK ministries and offices, as well as Kaing Guek Eav alias Duch as the Head of S-21.²¹²⁹ **Khieu Samphan** informed the attendees that the Vietnamese army had advanced into Cambodia,²¹³⁰ and blamed the “enemy burrowing within”²¹³¹ for DK’s military losses. He also gave the attendees information and instructions regarding the plans “to fight back” against the Vietnamese.²¹³² Given that three trial witnesses (including Ruos Suy, a witness proposed by **Khieu Samphan** himself) have described this meeting in detail, the testimony of his driver, Leng Chhoeung, who claims that **Khieu Samphan** did not attend the meeting, should not be accepted.²¹³³

ROLE IN THE STANDING COMMITTEE

537. Among the Party leaders, after **Nuon Chea** and Pol Pot, **Khieu Samphan** was the most frequent participant in the meetings of the Standing Committee for which records have survived. He has testified that the Committee met every 7-10 days and more frequently in the case of emergencies.²¹³⁴ In the 19 Standing Committee minutes which contain a record of attendees, he is listed as attending 16, or 84 per cent, of the meetings (See Annex 2). In contrast, Sao Phim and Ta Mok,²¹³⁵ who were full rights members of the Committee, did not attend any of the meetings.
538. **Khieu Samphan** has claimed that he only attended “expanded meetings” of the Standing Committee.²¹³⁶ This is not true. While individuals subordinate to the Party Centre (such as ministerial representatives and regional secretaries) attended individual meetings relevant to their areas of responsibility, the purpose of their attendance was to report to the leaders and receive instructions.²¹³⁷ **Khieu Samphan** is the only non-Standing Committee member (apart from Doeun, and Phok Chhay *alias* Touch,²¹³⁸ the Committee’s minute taker) who attended meetings dealing with virtually every aspect of CPK policy and governance.
539. Equally disingenuous is **Khieu Samphan’s** explanation that the reason for his attendance at these meetings was so he could talk to diplomats.²¹³⁹ Taking into account CPK’s obsession with secrecy,²¹⁴⁰ **Khieu Samphan’s** participation in the meetings can

have only one explanation - that he was a trusted participant in the work of the Standing Committee and Party Centre. As Philip Short testified: “Knowledge was only for those who needed to have it.”²¹⁴¹ **Khieu Samphan’s** attendance at the meetings is of great significance as it placed him in a small group of individuals who “knew what was going on.”²¹⁴² When the Minister of Propaganda, Hu Nim, was sent to S-21, he wrote a letter to the leaders to plead his innocence and beg to be released. As David Chandler testified, Hu Nim addressed his letter to those who he knew had authority to intervene in his case - members of the Party Centre, including **Khieu Samphan**.²¹⁴³

540. **Khieu Samphan** claims that he never took the floor in the meetings of the Standing Committee.²¹⁴⁴ Again, this is false. While not all the minutes record the details of speakers at the meetings, two of the documents show that **Khieu Samphan** took the floor and discussed important matters: the implementation of a sham election to give the new regime an appearance of legitimacy,²¹⁴⁵ and the fate of Norodom Sihanouk²¹⁴⁶ who was placed under house arrest and remained under **Khieu Samphan’s** direct responsibility.²¹⁴⁷
541. **Khieu Samphan** also suggests that he only attended meetings on “general issues”²¹⁴⁸ and thus knew nothing about the abuses which were taking place,²¹⁴⁹ including, specifically, arrests.²¹⁵⁰ Contrary to this statement, the minutes of the Standing Committee meetings which he attended record discussions of a broad range of policies and criminal activities, such as: a) Establishment of the DK’s governmental apparatus, including the holding of sham elections, use of propaganda, the role of PRA as a façade²¹⁵¹ and the fate of Norodom Sihanouk;²¹⁵² b) External and internal enemies, including mass arrests in Sectors 303, 106 and 103,²¹⁵³ the need for vigilance against suspected enemies,²¹⁵⁴ and monitoring of former high level GRUNK officials,²¹⁵⁵ c) Reporting instructions to lower echelons,²¹⁵⁶ d) National defence, including military planning²¹⁵⁷ and deployments,²¹⁵⁸ and the establishment of the Kampong Chhnang Airport forced labour site;²¹⁵⁹ e) Conflict with Vietnam, including territorial negotiations²¹⁶⁰ and attacks by DK forces on Vietnamese installations;²¹⁶¹ f) Conditions of life in the countryside, including food rationing,²¹⁶² deaths and starvation,²¹⁶³ g) Ministry of Social Affairs’ implementation of the Party line,²¹⁶⁴ challenges in the treatment of diseases,²¹⁶⁵ and the use of traditional medicine²¹⁶⁶ and child workers;²¹⁶⁷ h) Foreign affairs,²¹⁶⁸ i) Commerce²¹⁶⁹ and the use of Chinese aid.²¹⁷⁰
542. **Khieu Samphan** attended the September 1978 Party Congress in Phnom Penh, at which he sat on the stage with other leaders²¹⁷¹ while Pol Pot explained the Central Committee

directive which declared that the CPK had eliminated its enemies,²¹⁷² and that further arrests can only be conducted with the authorisation of the Central Committee.²¹⁷³

SUPPORT FOR THE CPK, AND PERSONAL INFLUENCE

543. **Khieu Samp han**'s decision to participate in CPK's criminal plans was a conscious choice driven by his nationalist views²¹⁷⁴ and his paranoia about a Vietnamese threat – beliefs which he shared with Pol Pot and **Nuon Chea**.²¹⁷⁵ Although he knew that crimes were being “perpetrated in my name,” he decided to remain a member of the CPK leadership,²¹⁷⁶ and thus support the commission of mass crimes. This is because leaving the CPK would, in his view, have been tantamount to supporting Vietnam.²¹⁷⁷ He was (and remains) convinced that, where a perceived conflict arises between human rights and the defence of a country's sovereignty, the latter must always prevail.²¹⁷⁸ His unwavering commitment to CPK's goals during the DK²¹⁷⁹ enabled him to win the support of the other leaders and retain his positions within the Party's highest echelon. He and **Nuon Chea** are the only two CPK leaders to be publicly praised by Pol Pot.²¹⁸⁰
544. **Khieu Samp han** has also expressed his loyalty and a sense of duty to Pol Pot,²¹⁸¹ describing him as a “historical leader...never wrong when it came to making important decision”²¹⁸² and a “patriot.”²¹⁸³ Recently he stated he missed Pol Pot, “[b]ecause he had such an exceptional mind...To us.”²¹⁸⁴ **Khieu Samphan** was so close to Pol Pot during the DK period that he has been able to describe in detail his work methods, including his “3-7-8” principle of analysis,²¹⁸⁵ and monitoring of “key cadres.”²¹⁸⁶
545. Although he was aware of widespread arrests both at the Centre and in the countryside during the DK period, **Khieu Samphan** has stated emphatically that he never felt afraid because he lived “in close quarters” with the other leaders and because “Pol Pot trusted me, I am telling you.”²¹⁸⁷ Confirming that he had no reason to fear Pol Pot, he declared “[k]nowing each other well, we would talk as normal.”²¹⁸⁸ His defences of the Khmer Rouge as a national force are just as passionate.²¹⁸⁹ Contrary to his recent self-serving statement that he was not “the Khmer Rouge,”²¹⁹⁰ **Khieu Samphan** has admitted on numerous past occasions that he was a committed and active leader of the movement.²¹⁹¹
546. Kaing Guek Eav *alias* Duch has described **Khieu Samphan** as “an important character” who “had Pol Pot's trust”²¹⁹² (a view confirmed by Philip Short²¹⁹³) and access to “privileged information.”²¹⁹⁴ This was reflected in the fact that he was entrusted with

sensitive tasks²¹⁹⁵ within the leadership, including, as discussed in the *Chairmanship of Political Office 870* Section, investigations of senior Party members.²¹⁹⁶

547. Throughout the CPK's period in power, **Khieu Samphan** enjoyed great personal power and influence. While millions of Cambodians were forcibly expelled from their homes and separated from their families, he lived together with his wife and children in Phnom Penh²¹⁹⁷ and also had his mother living close to him.²¹⁹⁸ In 1978, **Khieu Samphan** sent a telegram to Witness Meas Voeun, Secretary of Sector 103,²¹⁹⁹ instructing him to send reports on all matters in the Sector, and to check on the well-being of **Khieu Samphan's** relatives.²²⁰⁰ He ordered that his relatives be sent to Phnom Penh if they were "facing hardship."²²⁰¹ Meas Voeun investigated the matter and informed **Khieu Samphan** that his sister-in-law, Yeat, who had been the head of women in Sector 103,²²⁰² was detained at Siem Reap.²²⁰³ Meas Voeun and Ta Soeung, the new Secretary of the North Zone,²²⁰⁴ personally had Yeat released from the prison,²²⁰⁵ leaving behind some 700 prisoners.²²⁰⁶ **Khieu Samphan's** brother in law, Chhorn, who was also a Sector 103 cadre, was released from the prison.²²⁰⁷ Meas Voeun arranged a transfer of **Khieu Samphan's** parents-in-law from Preah Vihear to Siem Reap.²²⁰⁸ Kaing Guek Eav *alias* Duch has attributed the arrest Kang Chap *alias* Se, the New North Zone Secretary, to the fact that the latter had ordered arrests of **Khieu Samphan's** relatives.²²⁰⁹ Finally, when Youk Chuong *alias* Chorn, head of an electrical plant in Phnom Penh, implicated **Khieu Samphan** in his S-21 confession, **Nuon Chea** personally threatened Duch and ordered him to ensure such statements are removed from prisoners' confessions.²²¹⁰

RESPONSIBILITY FOR POLITICAL INDOCTRINATION OF CADRES

548. Throughout CPK's period in power, just as he had done prior to April 1975, **Khieu Samphan** took part in the political indoctrination of cadres together with other Party leaders. In this manner, he ensured the enforcement of CPK's criminal policies.
549. Witness Rochoem Ton testified that, following the fall of Phnom Penh, **Khieu Samphan** taught political indoctrination sessions for 40 cadres and combatants who would later work at Office 870 and the Ministry of Foreign Affairs. **Khieu Samphan** discussed "the masses movement throughout the country to oppose our common enemy and mobili[sing] the forces...in order to continue our resistance movement."²²¹¹ Witness Pean Khean, a former messenger / bodyguard of North Zone Secretary Koy Thuon *alias* Khuon *alias* Thuch,²²¹² described a meeting at Borei Keila which was

organised by Chhim Sam Aok *alias* Pang (the head of S-71). At the meeting, **Nuon Chea** and **Khieu Samphan** gave “high-level political education” to ministry cadres and senior regional cadres from sector level up.²²¹³ This session was more important than “normal meeting[s] to ordinary peasants or workers” chaired by Pang, because it was taught by the “senior people or leaders.”²²¹⁴ **Nuon Chea** and **Khieu Samphan** lectured the cadres about “the political line,”²²¹⁵ including defending the country, establishing cooperatives and building dams and canals.²²¹⁶ Defending the country meant fighting against the enemies who had infiltrated, including the CIA, KGB agents and Vietnamese / Yuon,²²¹⁷ and “watch[ing] over people who violated the political line.”²²¹⁸ Cadres were taught by Pang that anyone associated with these enemies “shall be destroyed.”²²¹⁹

550. Civil Party Em Oeun was a Sector 20 (East Zone) medic²²²⁰ and a member of the Party.²²²¹ In 1975²²²² / 1976²²²³ or 1977,²²²⁴ he spent nine months in Phnom Penh where he attended a medical course at the 17 April / Khmer Soviet Hospital²²²⁵ as a student leader.²²²⁶ During that period he took part in a 7 - 10 day “political training” at Borei Keila²²²⁷ where approximately 2,000 participants (student leaders and various zone, sector and district committee members²²²⁸) were lectured by, *inter alia*, Pol Pot, **Nuon Chea** and **Khieu Samphan**.²²²⁹ Pol Pot explained revolutionary politics, such as the difference between friends and enemies who had to be smashed.²²³⁰ **Nuon Chea** followed, discussing the Great Leap Forward, and the need to identify enemies (including those who damaged equipment or were often sick,²²³¹ those burrowing within the Party, and soldiers of the Lon Nol regime²²³²). He also lectured the cadres about CIA and KGB spy networks²²³³ and members who had betrayed the Party, including Koy Thuon.²²³⁴ **Khieu Samphan**²²³⁵ spoke next, declaring that all cadres had to change themselves to achieve these goals, and that those who “used things unwisely” (e.g. women breaking needles) or pretended to be sick were betraying the Party and should be monitored.²²³⁶ He also stated that both New and Old People²²³⁷ as well as Party members²²³⁸ should be screened to identify “infiltrated enemies,” and explained how cadres should work to uncover traitors.²²³⁹ He said that New People in particular were to be watched as they were “steeped in feudalism.”²²⁴⁰ The speakers were introduced at the start of the session,²²⁴¹ remained present throughout the event,²²⁴² and endorsed the presentations preceding their own.²²⁴³ Em Oeun also testified that all those who obstructed or opposed the Party were regarded as enemies or traitors,²²⁴⁴ and described numerous arrests which he saw at the 17 April Hospital.²²⁴⁵ While his recollection of

- specific dates of events was not certain (a fact he acknowledged and **Khieu Samphan's** defence accepted²²⁴⁶), he stressed the truthfulness of his evidence about these events.²²⁴⁷
551. Witness Chea Say, a mechanic / driver in unit K-12, testified in his OCII statement that he attended political study sessions with **Nuon C hea** and **Khieu S amphan** at the technological institute and Borei Keila. He stated that these sessions were opened by Pang and attended by hundreds of participants.²²⁴⁸ **Nuon Chea** and **Khieu Samphan** taught the attendees about “preventing the hidden enemy from destroying [vehicles]” and told them “to be cautious and watch the activities of one another and keep the eyes one another.”²²⁴⁹ During his testimony before the Chamber, this Witness feigned poor memory when questions focused on the roles of the Accused,²²⁵⁰ but remembered “clearly” that their lectures focused only on “good work.”²²⁵¹ Nevertheless, he confirmed the truthfulness of his OCII statement.²²⁵² He also described **Khieu Samphan** and **Nuon C hea** as “senior leaders,”²²⁵³ and the only instructors²²⁵⁴ who taught “politics,” presented the same subject matters and “came from the same family.”²²⁵⁵ He also confirmed that these sessions were attended by various “K” units²²⁵⁶ and that “cadres” attended them more often than “ordinary members.”²²⁵⁷ He further described hearing on the radio **Khieu Samphan's** messages about raising the spirit high, “to engage in the production work.”²²⁵⁸ The Witness also confirmed, albeit reluctantly,²²⁵⁹ receiving instructions “regarding the hidden enemy... from above.”²²⁶⁰
552. Witness Ek Hen, a worker at K-9, the State Textile Factory,²²⁶¹ attended two annual political study sessions at Borei Keila, once in 1976 (or 1977) when a lecture was given by **Nuon Chea**, and once in 1978 when **Khieu Samphan** was the lecturer.²²⁶² **Khieu Samphan's** was a “large scale study session”²²⁶³ at which he lectured 400 - 500 participants²²⁶⁴ about the struggle to complete work quotas.²²⁶⁵ **Khieu Samphan** stated that Pang had been arrested and taken away as a traitor collaborating with the Vietnamese.²²⁶⁶ He instructed the attendees not to follow Pang's example and stated that Khmers had to be united and “free of Vietnamese.”²²⁶⁷ The session was followed by a week-long criticism and self-criticism session among the attendees.²²⁶⁸
553. An error arose during this Witness's OCII interview, where the investigator did not understand her evidence that **Khieu Samphan's** session took place after that of Nuon Chea,²²⁶⁹ and as a result suggested to her that **Khieu Sa mphan's** session had taken place in 1976.²²⁷⁰ However, during her testimony the Witness affirmed that **Khieu Samphan's** session was not the first, but the second one, and that it took place in 1978.²²⁷¹ This is not only consistent with the full transcript of the Witness's OCII

interview,²²⁷² but also with the fact that Pang was arrested in 1978.²²⁷³ The Witness was also adamant that it was **Khieu Samphan** that discussed the case of Pang.²²⁷⁴ Her identification of **Khieu Samphan** is beyond doubt as she saw him from a close distance on at least two other occasions,²²⁷⁵ and spoke to him on one of those occasions.²²⁷⁶ Like other witnesses from offices surrounding the Party Centre, Ek Hen described the arrests of cadres associated with supposed enemy networks, including her own supervisor.²²⁷⁷

554. The Chamber has also heard evidence of **Khieu Samphan's** political indoctrination of returning intellectuals.²²⁷⁸ In late 1975, he chaired a political study session at K-15 (the Khmer Soviet Technical Institute which had been converted into a holding camp for returning intellectuals). He justified the evacuations of the cities as necessary to destroy material private property, and told the returnees that their “spiritual private property” was far more dangerous, and therefore forbidden.²²⁷⁹ This encompassed “everything you think is ‘yours’...your parents, your family, your wife.” It also included “knowledge [that] comes from the teaching of the colonialists and imperialists” which “has to be destroyed.”²²⁸⁰ **Khieu Samphan** warned the attendees to keep these principles secret from “the masses,” thereby demonstrating the inherently devious nature of the ideology he was preaching.²²⁸¹ In a session for intellectuals in December 1975, he justified the evacuation of Phnom Penh as being necessary to avoid starvation.²²⁸² He also taught returning intellectuals in a 1976 indoctrination session at K-15²²⁸³ how to re-educate themselves to behave like peasants.²²⁸⁴

CHAIRMANSHIP OF POLITICAL OFFICE 870

KHIEU SAMPHAN'S APPOINTMENT TO AND CHAIRMANSHIP OF 870

555. **Khieu Samphan's** executive roles within the CPK Party Centre included his membership and chairmanship of Political Office 870, a “highly secret organization” which operated as the “nerve centre for transmissions”²²⁸⁵ and controlled the passing of information between the Party Centre and the zones.²²⁸⁶ This Office thus played an “absolutely crucial role” in the implementation of CPK policies.²²⁸⁷ It also functioned as a cabinet, secretariat or general office²²⁸⁸ of the CPK Central Committee.²²⁸⁹
556. Political Office 870 was established around June 1975,²²⁹⁰ and by October was given the task of monitoring the implementation of Party Centre's decisions.²²⁹¹ To facilitate this, on 30 March 1976 the Central Committee established a regime of weekly reporting to “follow up on plans closely and resolve problems in a timely manner.”²²⁹² As

discussed below, Political Office 870 also investigated senior party members suspected of treason.

557. Sua Vasi *alias* Doeun, former deputy of North Zone Secretary Koy Thuon²²⁹³ and a member of the Central Committee,²²⁹⁴ was the first Chairman of Political Office 870.²²⁹⁵ **Khieu Sa mphan** was the only other member of the Office.²²⁹⁶ Like **Khieu Samphan**, Doeun was a member of the Central Committee.²²⁹⁷ He was also the only member of that Committee apart from **Khieu Sa mphan**²²⁹⁸ who attended Standing Committee meetings on a frequent basis.²²⁹⁹ From May 1976 Doeun was tasked to supervise the Ministry of Commerce and split his time between that task and his work in Political Office 870. On 16 February 1977, he was arrested and sent to S-21.²³⁰⁰ **Khieu Samphan** took over the chairmanship of Political Office 870 in 1976 (at which point he also took over Doeun's authority over the Ministry of Commerce - see the *Role in the DK Economy & Slave State* Section), or at the latest by the time of Doeun's arrest.²³⁰¹ He denies having become Chairman of Political Office 870²³⁰² and claims that he does not know who replaced Doeun, but suggests that it may have been Pang.²³⁰³ He claims not to have even realised that Doeun was arrested until after the fall of the regime – some two years later.²³⁰⁴ He also alleges that he only learnt of the Office's role in arrests following the DK period.²³⁰⁵ These claims are untrue.
558. The absence of a written record of **Khieu Samphan's** appointment may be explained by: a) the high level of secrecy surrounding Political Office 870;²³⁰⁶ b) the possibility that the appointment was not actually recorded in writing; or c) the possibility that the evidence was destroyed by the regime or lost in the years since. Nevertheless, several senior members of the CPK have confirmed **Khieu Samphan's** chairmanship of Political Office 870. They include: a) Ieng Sary, DK Minister of Foreign Affairs and a member of the CPK Standing Committee, who has stated that **Khieu Samphan** became chairman of Political Office 870;²³⁰⁷ b) Van Rith, DK Minister of Commerce, who stated that **Khieu Samphan** was Chairman of Political Office 870 after Doeun;²³⁰⁸ c) Witness Rochoem Ton *alias* Phy Phuon, the Head of Security at DK Ministry of Foreign Affairs, who dealt with **Khieu Samphan** in his capacity as Chairman of Political Office 870;²³⁰⁹ d) Kaing Guek Eav *alias* Duch, the former Head of S-21, who has identified **Khieu Sa mphan** as Secretary of Office 870,²³¹⁰ the Head of Office 870,²³¹¹ President of Office 870,²³¹² Chief of Office 870,²³¹³ and Chairman of the Central Party Committee;²³¹⁴ e) Witness Saloth Ban, Pol Pot's nephew and General Secretary of the Ministry of Foreign Affairs.²³¹⁵ The expert witnesses (Philip Short²³¹⁶

and David Chandler²³¹⁷) as well as historian Stephen Heder²³¹⁸ also agreed that **Khieu Samphan** held the position of Chairman of Political Office 870.

559. Importantly, Kaing Guek Eav *alias* Duch has testified that, even before Doeun's demise, **Khieu Samphan** had greater powers than him and was at no time his subordinate.²³¹⁹ He described **Khieu Samphan** as a "much more important character" than Doeun.²³²⁰

OFFICE 870 VS POLITICAL OFFICE 870 VS S-71

560. Due to the enforcement of secrecy surrounding the inner workings of the leadership structure,²³²¹ most workers surrounding the Centre were kept unaware of the exact functions of Office 870 and Political Office 870.²³²² This has led some to confuse Office S-71, an administrative unit of the Party Centre, with Office 870 and Political Office 870.²³²³ The use of code "870" was a deliberate strategy on the part of the CPK leadership "to leave outsiders confused and uncertain as to its meaning."²³²⁴
561. The terms "Committee 870," "Com 870" and "Office 870" were code names for the CPK Central Committee, and more specifically the Party Centre - the group of Party leaders based in Phnom Penh²³²⁵ (See *Roles in Party Centre April 1975 - January 1979* Section above). Professor Chandler testified that Office 870 was a reference to "a very small director group"²³²⁶ and "a catch all address for the central operations of the CPK."²³²⁷ Similarly, Stephen Heder described Office 870 as a reference to the top level of the CPK structure.²³²⁸ Political Office 870, as noted above, had the specific role of overseeing the implementation of policies set by the Party Centre.²³²⁹
562. Office S-71, as indicated above, was a logistical / administrative unit,²³³⁰ which operated "[u]nder the guidance of the Committee 870" and was tasked with ensuring the smooth functioning of the "K" offices surrounding the leadership.²³³¹ It was this unit that was headed by Chhim Sam Aok *alias* Pang,²³³² who received "joint orders" from the senior leaders, including Pol Pot, **Nuon Chea** and **Khieu Samphan**.²³³³ Pang was not a member of either Office 870 or Political Office 870. His elevation to these offices is entirely inconsistent with: a) his responsibilities, which were concerned with security and administration of "K" offices, and not political matters;²³³⁴ b) his subordination to, and receipt of instructions from, **Khieu Samphan** and other leaders;²³³⁵ c) his absence from all Standing Committee meetings for which records are available;²³³⁶ and d) his arrest and execution under the orders of the Party Centre.²³³⁷

KHIEU SAMPHAN'S RESPONSIBILITIES WITHIN POLITICAL OFFICE 870

563. Philip Short testified that chairmanship of Political Office 870 was an “absolutely key position,”²³³⁸ and that, as Chairman, **Khieu Samphan** “had an important role.”²³³⁹ This is consistent with Professor Chandler’s evidence that “[t]o have anyone in [Political Office 870] meant he had to be trusted by the very top half dozen people in the Party.”²³⁴⁰
564. As Chairman of Political Office 870, **Khieu Samphan** received and had access to confidential communications between the Party Centre and the zones.²³⁴¹ As discussed in the *CPK / DK Structure and Communications* Section, a telegram encryption unit headed by Witness Norng Sophang decoded incoming telegrams and prepared typed copies for delivery to members of the Party Centre, including Pol Pot, **Nuon Chea**, Ieng Sary, Vorn Vet, Son Sen, and “Office.”²³⁴² Norng Sophang testified that the “Office” copies were intended for, delivered to Political Office 870²³⁴³ and kept there.²³⁴⁴ This meant that **Khieu Samphan** had access even to those telegrams which he may not have received in person.²³⁴⁵ It was unusual for telegrams not to be copied to the “Office.”²³⁴⁶ Other testimonial evidence confirms that **Khieu Samphan** received messages intended for the Party Centre²³⁴⁷ and confidential telegrams addressed to Office 870.²³⁴⁸ Numerous surviving telegrams delivered to Political Office 870 contain reports on, *inter alia*, military matters,²³⁴⁹ arrests,²³⁵⁰ interrogations and killings of enemies,²³⁵¹ forced labor and agricultural production,²³⁵² movements of people,²³⁵³ food shortages,²³⁵⁴ disease,²³⁵⁵ and other events of note (including instances of rape)²³⁵⁶ occurring in cooperatives.
565. The Party Centre also sent out instructions to lower level authorities via telegram.²³⁵⁷ **Khieu Samphan** used the telegram encryption unit to prepare and send out telegrams dealing with economic matters²³⁵⁸ and distribution of materials²³⁵⁹ as well as directives regarding national ceremonies.²³⁶⁰ He sent handwritten messages to Mr Sophang via courier, or would summon him to his office and dictate the contents of the telegrams to him.²³⁶¹ One of only three direct phone lines in the telegram encryption unit was connected to **Khieu Samphan’s** office.²³⁶²
566. The testimony of Witness Meas Voeun provided an example of **Khieu Samphan’s** authority as Chairman of Political Office 870. The Witness was appointed Secretary of Sector 103 in late 1978 following the arrest of his predecessor and other senior cadres in the area.²³⁶³ He testified that Sector 103 was under **Nuon Chea** and **Khieu Samphan’s**

supervision and “supposed to report directly to **Khieu Samphan**.”²³⁶⁴ Upon arriving in the area, the Witness received a telegram from **Khieu Samphan** ordering him to report on the situation there,²³⁶⁵ and did so report.²³⁶⁶ The Court has also heard evidence of **Khieu Sa mphan’s** telegrams being received by Secretary of Autonomous Sector 105.²³⁶⁷ In his position as Chairman of Political Office 870, **Khieu Samphan** presided over political meetings of Party branches of “K” offices,²³⁶⁸ and signed travel documents for Kaing Guek Eav *alias* Duch.²³⁶⁹

567. Under the Central Committee’s decision on the right to smash enemies inside and outside Party ranks, Political Office 870 was delegated the authority to decide on the smashing of individuals “[s]urrounding the Center Office,”²³⁷⁰ that is those surrounding the Central Committee.²³⁷¹ This included at least some ministerial cadres.²³⁷² Kaing Guek Eav *alias* Duch has confirmed the fact that this authority was vested in **Khieu Samphan**.²³⁷³ **Khieu Samphan** has admitted that Political Office 870 was tasked with monitoring suspected members of the party for the Standing Committee but alleged that Doeun performed this function.²³⁷⁴ Philip Short testified that **Khieu Samphan** dealt with these “particularly delicate matters,” by carrying out investigative missions into potential arrests of senior cadres.²³⁷⁵ Once **Khieu Sa mphan** reported on his missions,²³⁷⁶ decisions were made as to whether or not to arrest the suspected cadres.²³⁷⁷ He personally investigated a dispute between West Zone Secretary Chou Chet *alias* Sy and his deputy, Phal. In the investigation, Phal was cleared while Sy was sent to S-21.²³⁷⁸ **Khieu Samphan** was also present at a secret meeting at which a decision was made to purge East Zone Secretary Sao Phim and other leading cadres in the Zone.²³⁷⁹ Finally, he read out S-21 confessions at meetings of CPK cadres in Phnom Penh.²³⁸⁰

ROLE IN THE DK ECONOMY AND SLAVE STATE

568. **Khieu Samphan** played a key role in the running of the CPK / DK economy from 1975 to 1979, and was thus directly involved in the implementation of the Party’s forced movement and enslavement policies. He has claimed that his responsibilities were limited to setting price scales for products from co-operatives, working on importation of specific goods, and implementing decisions regarding the distribution of products.²³⁸¹ As illustrated below, his authority and responsibilities were far more significant.
569. Working within the Party Centre, **Khieu Sa mphan** was initially responsible for the management of the state’s agricultural production and economy together with three other senior members: Koy Thuon *alias* Khuon *alias* Thuch, former Secretary of the

North Zone and a Central Committee member;²³⁸² Vorn Vet, former Secretary of the Special Zone²³⁸³ and an alternate member of the Standing Committee;²³⁸⁴ and Sua Vasi *alias* Doeun (discussed above). All of these men were arrested and killed at S-21. As they met their demise, **Khieu Samphan** remained in the Party Centre, taking over their responsibilities and continuing to partake in CPK's criminal plans and policies.

KHIEU SAMPHAN'S APPOINTMENTS TO ECONOMY COMMITTEES

570. On 9 October 1975, the Standing Committee allocated responsibilities among the Party leaders. Ranked fourth in the list, below only Pol Pot, **Nuon Chea** and Ieng Sary, **Khieu Samphan** was assigned responsibility for "the Front and the Royal Government, and Commerce for accounting and pricing."²³⁸⁵ Koy Thuon was assigned Domestic and International Commerce,²³⁸⁶ and Vorn Vet "Industry, Railroads and Fisheries." Doeun's appointment as Chairman of Political Office 870 was confirmed,²³⁸⁷ and **Khieu Samphan** joined that Office.²³⁸⁸ **Khieu Samphan** in fact had responsibilities in relation to the economy even prior to the October 1975 appointments, as evidenced by his negotiation of an aid package with the Chinese government in August 1975.²³⁸⁹
571. In March and April 1976, the Standing Committee further appointed **Khieu Samphan** as: a) second-ranking member of a committee (chaired by Koy Thuon and also including Ieng Sary, Vorn Vet and Doeun) assigned with making "examinations and preparation for merchandise" to be purchased from China;²³⁹⁰ and b) Chairman of a committee (also comprising Ieng Sary, Koy Thuon, and Doeun) to examine banking matters.²³⁹¹ The establishment of a bank was necessary to facilitate international trade and receipt of financial aid from China.²³⁹² **Khieu Samphan** and Ieng Sary were also assigned to provide assistance in negotiations with North Korea.²³⁹³
572. Following CPK's entry into power, Koy Thuon held the post of Minister of Commerce.²³⁹⁴ He was arrested on 8 April 1976.²³⁹⁵ On 19 - 21 April 1976, the Standing Committee made assignments of cadres to a number of DK ministries (referred to as "committees" during the DK period²³⁹⁶) which were subordinated to the Party Centre.²³⁹⁷ These included the Committees of Agriculture and Industry, as well as a Commerce Ministry headed by Van Rith.²³⁹⁸ Rith had already been in charge of a Commerce Committee within the framework of GRUNK as early as May 1975.²³⁹⁹
573. On 7 May 1976, Doeun was assigned to supervise the new Commerce Ministry for three months.²⁴⁰⁰ By September or October 1976, **Khieu Samphan** took over from Doeun, a development reflected in the change of the Ministry's reporting lines from Doeun to

Khieu Samphan.²⁴⁰¹ As discussed in the *Chairmanship of Political Office 870* Section, in this period **Khieu Samphan** also took over Doeun's role in Political Office 870. Doeun was arrested in February 1977.²⁴⁰² As discussed below, from 1976 to 1979, the Ministry of Commerce remained under the direct authority of **Khieu Samphan** with Vorn Vet, Deputy Prime Minister for the Economy,²⁴⁰³ performing a secondary role.

MINISTRY OF COMMERCE STRUCTURE, OFFICES AND OPERATIONS

574. The Ministry / Committee of Commerce was one of DK's largest ministries. As noted above, it was headed by a committee whose chairman was Van Rith. Its sites and offices in and around Phnom Penh included: a) K-51, the head office located initially near the *Psar Chas* market, and later on the Russian Boulevard;²⁴⁰⁴ b) state warehouses and produce packing facilities at Tuol Tumpung (Mao Tse Tung Boulevard),²⁴⁰⁵ Chrang Chamres / Kilometre 6 (National Road 5),²⁴⁰⁶ riverside in Phnom Penh (the "ice [Tik Kak] warehouse"),²⁴⁰⁷ Russey Keo,²⁴⁰⁸ and Ta Khmau;²⁴⁰⁹ and c) a foreign trade office named "Khmer company for Foreign Trade - FORTRA."²⁴¹⁰
575. Outside Phnom Penh, the Ministry's operations included: a) Ren Fung, a DK foreign trading corporation registered in Hong Kong and staffed by DK personnel,²⁴¹¹ and b) the Seaport in Kampong Som,²⁴¹² which was transferred to the Ports Committee / Ministry in 1976.²⁴¹³ FORTRA and Ren Fung facilitated DK's sale and purchase of goods on the international markets.²⁴¹⁴ Finally, operating under the Ministry's supervision was the Foreign Trade Bank of Cambodia which processed DK's financial transactions relating to foreign aid from China and trade between DK and other countries.²⁴¹⁵
576. The state warehouses listed above were used to store agricultural produce supplied by DK zones, and pack / prepare it for exporting.²⁴¹⁶ They were managed by a Committee headed by Roeung²⁴¹⁷ (prior alias Rith²⁴¹⁸), but were functionally part of the Ministry of Commerce.²⁴¹⁹ Disbursements of produce from the warehouses required the approval of Office K-22,²⁴²⁰ which, like the Ministry, was under **Khieu Samphan's** authority.²⁴²¹
577. Thousands of tons of rice and other produce extracted through forced labour in zones and autonomous sectors were stored in the state warehouses. The Kilometre 6 complex had 4,000 workers²⁴²² and stored produce such as rice, bean and rubber.²⁴²³ At this site alone, an estimated 640 - 850 tonnes of rice were packed into sacks every day.²⁴²⁴ While some of the rice was distributed to offices in Phnom Penh,²⁴²⁵ most of it was exported, and none of it was sent to feed the starving population.²⁴²⁶ Agricultural produce such as

corn, green bean, soy bean, sesame and coffee bean was also stored at Tuol Tumpung.²⁴²⁷ The produce was transported from the state warehouses to the Kampong Som Port by train where it was loaded onto ships.²⁴²⁸ The exports were handled by the Ministry of Commerce under the supervision of the “upper echelon.”²⁴²⁹

578. The zones and autonomous sectors operated commerce offices in Phnom Penh, whose role was to facilitate the transport of the produce from their respective zone or sector to the state warehouses, and to forward the zones’ and sectors’ requests for the provision of equipment and materials to the State.²⁴³⁰ These requests were submitted to **Khieu Samphan** and subject to his authorisation.²⁴³¹

KHIEU SAMPHAN’S OVERSIGHT OF THE MINISTRY OF COMMERCE

579. As noted above, the Ministry of Commerce was subordinate to Office 870 / Party Centre, of which **Khieu Samphan** was a member. More specifically, Van Rith and the Ministry were under the direct supervision of **Khieu Samphan** and Vorn Vet and had no authority to make decisions without their approval.²⁴³² This was confirmed by Witness Sar Kimlomouth, former Deputy Director of the Foreign Trade Bank of Cambodia²⁴³³ who attended several meetings with foreign delegations which were reported to **Khieu Samphan**,²⁴³⁴ and also held a ministerial position in the post-January 1979 DK government headed by **Khieu Samphan**.²⁴³⁵
580. The documentary evidence reflects the above relationship, showing that the Ministry submitted, *inter alia*, 23 written reports to **Khieu Samphan** on negotiations with North Korea, China and Yugoslavia from October 1976 to April 1978.²⁴³⁶ The reports are addressed exclusively to **Khieu Samphan** as a superior (usually “Respected and Beloved Brother Hem” or “Bang Hem”), and refer to or seek his instructions. For instance, a November 1977 report states that negotiations with Yugoslavia were settled “following your guidance,”²⁴³⁷ while a November 1976 report seeks “Angkar’s instructions,” demonstrating that **Khieu Samphan** was a member of this collective body.²⁴³⁸ Other reports addressed to **Khieu Samphan** seek his instructions,²⁴³⁹ guidance,²⁴⁴⁰ and advice.²⁴⁴¹ These 23 documents also show that, while holding the nominal position of Deputy Prime Minister for the Economy, Vorn Vet was not actively involved in the oversight of the Ministry of Commerce or exporting of DK produce. None of the reports were addressed to him, and in those cases where he received a copy, his name was listed below that of Hem.²⁴⁴² Following Vorn Vet’s arrest in November 1978,²⁴⁴³ his name was omitted from reports submitted to **Khieu Samphan**.²⁴⁴⁴

581. Numerous other Ministry of Commerce records contain annotations by Van Rith²⁴⁴⁵ or other senior Ministry officials indicating that copies were regularly submitted to **Khieu Samphan**. They include: a) state warehouse tables reporting the receipt of thousands of tons of rice by zone, as well as the exporting of rice and other produce;²⁴⁴⁶ b) ledgers reporting the expenditure of a 140 million Yuan aid grant received from China, as well as trade between DK and China;²⁴⁴⁷ c) details of shipments from China;²⁴⁴⁸ d) communications between the Commerce Committee or FORTRA and Ren Fung;²⁴⁴⁹ e) import requests by DK Ministries;²⁴⁵⁰ and f) other communications relating to trade with China and Yugoslavia.²⁴⁵¹ Like the Ministry reports discussed above, these documents evidence **Khieu Samphan's** authority over the Ministry. For example, a number of Ministry directives to Ren Fung were submitted to **Khieu Samphan** for review before being sent to Hong Kong.²⁴⁵² Annotations on some of the documents also indicate that they were “personally” submitted by Van Rith to **Khieu Samphan**.²⁴⁵³
582. In exercising his oversight over the Ministry of Commerce and related offices, **Khieu Samphan** often visited the state warehouses²⁴⁵⁴ and Kampong Som Port,²⁴⁵⁵ inspected the goods destined for exports,²⁴⁵⁶ and gave lectures²⁴⁵⁷ and instructions to the workers.²⁴⁵⁸ Witness Sim Hao gave evidence of such a visit to Tuol Tumpung, describing how Van Rith bowed his head in a sign of respect for **Khieu Samphan**.²⁴⁵⁹
583. Additionally, the evidence discussed above demonstrates that **Khieu Samphan** took part in the implementation of CPK's enslavement program while being fully aware that significant amounts of produce were being withdrawn from a starving population²⁴⁶⁰ in order to meet the Party's production targets.²⁴⁶¹

ARRESTS AND THE CHANGING STRUCTURE OF THE MINISTRY

584. Starting with Koy Thuon's arrest in April 1976, the Ministry of Commerce became one of the most heavily purged DK institutions.²⁴⁶² Hundreds of S-21 prisoners came from various Commerce sites,²⁴⁶³ and many workers were also sent to tempering / forced labour sites such as the Kampong Chhnang Airport construction site.²⁴⁶⁴ These arrests occurred during the Ministry's subordination to **Khieu Samphan**.
585. Surviving records demonstrate that the Ministry Committee arrested and sent scores of workers to “security” for interrogation or re-education.²⁴⁶⁵ These arrests were reported to the upper echelon. The ten-day reports to Angkar included a section on the enemy situation, detailing arrests, interrogation and re-education of workers.²⁴⁶⁶ Arrests were also discussed at a 1976 annual Ministry conference, the report of which includes

comments²⁴⁶⁷ by Prum Nhem *alias* Tit Sun *alias* Nhem (Deputy Minister of Commerce²⁴⁶⁸ and head of the Sea Port in Kampong Som in 1975/76²⁴⁶⁹), and Nget You *alias* Hong (the Head of Domestic Commerce²⁴⁷⁰). These men were under **Khieu Samphan's** authority - for example, Hong headed Cambodian delegations in meetings with foreign states, the reports of which were submitted to **Khieu Samphan**.²⁴⁷¹

586. At the Kilometre 6 and Tuol Tumpung warehouses, victims were taken away in trucks.²⁴⁷² Arrests of battalion chiefs at Kilometre 6 were followed by arrests of their subordinates.²⁴⁷³ Witness Ruos Suy, a former senior clerk at the Kilometre 6 warehouse, described how he and Roeung of the State Warehouse Committee facilitated arrests of workers by “national security.”²⁴⁷⁴ The victims were taken away to a “meeting” and disappeared forever.²⁴⁷⁵ Similarly, at Tuol Tumpung, arrests were continuous²⁴⁷⁶ and facilitated by Tha, the site supervisor.²⁴⁷⁷ The victims disappeared forever.²⁴⁷⁸
587. Once suspected “enemies” or “spies” were arrested from a Ministry site and interrogated, those in their “string” (such as subordinates²⁴⁷⁹) were also arrested.²⁴⁸⁰ Scores of workers who were originally from the North and East Zones were arrested for their perceived connections to Koy Thuon and Sao Phim.²⁴⁸¹ The arrests led to a climate of constant fear within the Ministry.²⁴⁸² Van Rith presided over a meeting of hundreds of commerce and warehouse workers at which he declared that Koy Thuon had been arrested because he “was a CIA” who had “plotted to launch a coup d’etat.”²⁴⁸³ He also warned the workers at Tuol Tumpung that they would be classified as enemies if they “broke even one spoon.”²⁴⁸⁴ Roeung declared that screening would continue “until only the good persons remained,” even if this meant only one person was left at the end.²⁴⁸⁵
588. Several high ranking officials under **Khieu Samphan's** direct authority were arrested. They include Nhem²⁴⁸⁶ and Hong²⁴⁸⁷ (both referred to above), and Chhoeung²⁴⁸⁸ (Member of the Commerce Committee),²⁴⁸⁹ as well as Ren Fung personnel. In 1978, acting under Angkar's instructions, the Commerce Committee instructed Ing Sok and Phal Va *alias* Nat, the husband and wife who were joint shareholders in Ren Fung, to return to Cambodia.²⁴⁹⁰ Their shares were transferred to, *inter alia*, Tuch Rin *alias* Krin,²⁴⁹¹ the former Head of the Ports Committee.²⁴⁹² Sok and Nat were sent to S-21 upon their return,²⁴⁹³ while the Ministry and Krin continued to report to **Khieu Samphan**.²⁴⁹⁴

STATE PRESIDUM

589. On 17 April 1975, **Khieu Samphan** retained his positions as Deputy Prime Minister and Minister of Defense of the GRUNK.²⁴⁹⁵ In October 1975, he was given additional responsibilities for, *inter alia*, the GRUNK and the royal family.²⁴⁹⁶ He then played an active part in: a) the sidelining and removal of Norodom Sihanouk and other non-communist members of GRUNK,²⁴⁹⁷ whom were no longer considered useful to the CPK;²⁴⁹⁸ and b) establishment of the State of DK and the creation of a host of bogus institutions designed to give the new regime a cloak of democratic legitimacy.
590. On 15 August 1975 **Khieu Samphan** and Ieng Sary led a high level delegation to Beijing where they met with the Chinese Premier and Deputy Premier.²⁴⁹⁹ They then traveled to Pyongyang²⁵⁰⁰ where they persuaded Prince Sihanouk to return to Cambodia, having given assurances to both him and the Chinese leadership that the Prince would be retained as head of state for life and would not be forced into manual labour.²⁵⁰¹ Sihanouk returned to Phnom Penh with **Khieu Samphan** on 9 September 1975.²⁵⁰² Already sidelined,²⁵⁰³ in October 1975, the Prince travelled to New York to deliver a speech at the United Nations General Assembly, thus performing one of his last acts as the head of GRUNK.²⁵⁰⁴ Following a statement by one of his aides criticising the CPK, Sihanouk received a letter from **Khieu Samphan** threatening him not to choose the “wrong road.”²⁵⁰⁵ Sihanouk returned to Cambodia in December 1975, and accompanied **Khieu Samphan** on tours of the North, East and Northwest Zones during which they visited worksites at which tens of thousands of workers were “building field embankments and digging ditches.”²⁵⁰⁶
591. Speaking at the Third National Congress on 14 December 1975, **Khieu Samphan** explained the provisions of the new DK Constitution, boasting about a consultative process which supposedly led to its adoption. He declared that policy guidelines had been defined at a July 1973 Congress and the February 1975 Congress.²⁵⁰⁷ The April 1975 Special National Congress then supposedly established a constitutional commission which drafted the constitution with the input of the GRUNK Council of Ministers and the agreement of Norodom Sihanouk.²⁵⁰⁸ In fact, the new constitution was prepared by the CPK leadership.²⁵⁰⁹ The report of the April 1975 Congress makes no reference to this constitutional commission.²⁵¹⁰
592. The Constitution itself enshrined several core policies of CPK’s slave state, including that all people will “do manual labour together and increase production for the

construction and defence of the country.”²⁵¹¹ It prohibited unemployment,²⁵¹² abolished all private property (except that needed for “everyday use”)²⁵¹³ and absolutely banned “reactionary religions”²⁵¹⁴ - a prohibition that in practice extended to all religions.²⁵¹⁵ The culture was reduced to that which will “serve the tasks of defending and building Kampuchea.”²⁵¹⁶ The most serious offences were defined as “[d]angerous activities in opposition to the people’s State,” and were punishable “to the highest degree.”²⁵¹⁷

593. **Khieu Sa mphan** expanded on these principles in his December 1975 speech. He declared that production facilities, such as farms, factories, automobiles and motorboats “belong to the collective” and are controlled for the benefit of the “worker-peasant administration.”²⁵¹⁸ He stated that “a collective system in transportation and labor” had been in practice before 1975 in all areas controlled by the CPK, and that it was to continue throughout the country since it “helps us avoid making mistakes.”²⁵¹⁹ Further describing CPK’s forced labour policy, **Khieu Samphan** declared that “at every work site...[e]verybody works in the fields because our workers practice the collective system of labor.”²⁵²⁰ He stated that “everybody has a job...seethingly struggling to restore and defend the country.” With everyone working, **Khieu Samphan** announced that “total equality exists.”²⁵²¹ He credited the creation of this great labour movement to the fact that “peasants have become the masters of their own destiny.”²⁵²²
594. **Khieu Samphan** stressed that the new state opposed all “corrupt, reactionary cultures of the various oppressive classes and of imperialism and colonialism in Cambodia.” This meant that “movies, magazines which used to spread the corrupt, perverted culture exist no more as they were completely wiped out...along with the foreign imperialists.”²⁵²³ Expressing his disgust at the urban society that the CPK had uprooted on 17 April 1975, he stated: “the houses in Phnom Penh are full of unthinkable things” and “[f]or this reason, we resolutely oppose this kind of culture, because...it will surely affect our efforts to defend our country.”²⁵²⁴ **Khieu Sa mphan** also explained the prohibition of religion, stating that “our stand is not to allow any foreign imperialists to use religion to subvert us.” Continuous efforts of imperialists to use “a religious cloak to infiltrate our country” were therefore to be opposed “at all costs.”²⁵²⁵
595. Explaining the roles of DK institutions, **Khieu Samp han** declared that the power to make laws in the new state was vested in an elected PRA, which would appoint a government, set the country’s internal and external policies,²⁵²⁶ and also appoint the State Presidium.²⁵²⁷ In fact, the parliament was a charade²⁵²⁸ and the elections of the people’s “representatives” - a project which **Khieu Samphan** coordinated²⁵²⁹ - were a

- complete sham.²⁵³⁰ At the March 1976 meetings of the Standing Committee which **Khieu Samphan** attended, the Committee declared that the assembly is “worthless” and that the Party retained all power.²⁵³¹ The Party’s Central Committee made appointments to key DK state organs on 30 March 1976.²⁵³² PRA’s first and only session on 11-13 April 1976 merely rubber stamped these appointments for public consumption.²⁵³³
596. The same deception applied to DK’s system of justice. Contrary to **Khieu Samphan’s** assertion to the public that justice will be administered by judges appointed by the parliament,²⁵³⁴ no courts were ever established.²⁵³⁵ CPK’s brand of justice was instead administered in security centres, under the Central Committee’s delegation of the right smash, inside and outside the ranks.²⁵³⁶
597. The Constitution was promulgated on 5 January 1976.²⁵³⁷ On 11 and 13 March 1976, **Khieu Samphan** had meetings with Norodom Sihanouk and informed the Standing Committee of the latter’s wish to resign, stating that the Prince had asked “Angkar [to] take pity on him, that he would even crawl and show the gesture of respect, whatever, just let him resign.”²⁵³⁸ The Standing Committee deliberations, in which **Khieu Samphan** participated, described Sihanouk as a “killer of the people,” and considered killing him.²⁵³⁹ It was resolved that the Prince would be placed under house arrest²⁵⁴⁰ and his children ordered to return to Cambodia.²⁵⁴¹ The Committee further declared: “if he keeps on struggling, we must end it...The kings existing over 2,000 thousand [sic] years must, in the end, be clean.”²⁵⁴² **Khieu Samphan** oversaw the Prince’s house arrest.²⁵⁴³
598. On 30 March 1976, **Khieu Samphan** was appointed by the Central Committee as President of the State Presidium, DK’s Head of State.²⁵⁴⁴ Four days later, Norodom Sihanouk read out a public statement requesting the Cambodian people and the “revolutionary organization” to allow him to retire as head of state.²⁵⁴⁵ On the same day **Khieu Samphan** issued a public statement by which the GRUNK Council of Ministers supposedly accepted the resignation.²⁵⁴⁶ On 6 April, the GRUNK also submitted its resignation, declaring its mission completed.²⁵⁴⁷ The resignation was purportedly accepted by the PRA on 11-13 April.²⁵⁴⁸ On 19-21 April, the Standing Committee appointed committees to head a number of ministries answerable to the Party Centre.²⁵⁴⁹
599. For the remainder of the DK period, just as he had done in his role as GRUNK Deputy Prime Minister, **Khieu Samphan** used his position as President of the State Presidium to publicly endorse and advance CPK’s criminal policies at home and abroad.²⁵⁵⁰

2. PARTICIPATION AND CONTRIBUTION

PARTICIPATION IN THE FIRST FORCED TRANSFER AND EXECUTIONS

600. **Khieu Samp han** was party to and helped implement the plan to forcibly evacuate Phnom Penh and to search out and execute senior former Khmer Republic officials in April 1975 and the months following. As demonstrated below, he took part in the collective decision to evacuate the capital, gave speeches and statements supporting and directing the attacks on Phnom Penh, and issued public orders for the killings of Khmer Republic officials. He supported Khmer Rouge efforts to strangle Phnom Penh and other cities, and openly encouraged the commission of crimes against their residents.

Statements Contributing to the War Effort and Attacks on Enemies

601. In 1970 and 1971 **Khieu Samp han** made broadcasts supporting the CPK armed struggle and rejecting the Khmer Republic's "pacification efforts."²⁵⁵¹ In a September 1972 appeal, he stated that the "traitors" were facing a shortage of rice, and that CPNLAF forces were besieging Phnom Penh and isolating it, causing "the enemy's last stronghold [to be] in a panic-stricken state."²⁵⁵² He appealed on all to fight to eliminate the traitors, including the leaders of the Khmer Republic regime and their subordinates, and to "rise up to smash the enemy."²⁵⁵³
602. In January 1973, **Khieu Sam phan** issued a statement setting out in detail military advances made by CPK forces, and praising the smashing of a total of 10,245 "enemy heads."²⁵⁵⁴ These successes included the smashing of 1,550 "heads" on the National Rd 3 front²⁵⁵⁵ and 10 strategic villages on the National Road 2 (Svay Prey) battlefield,²⁵⁵⁶ the smashing, injuring, killing and / or capture of 1,170 enemies along National Road 5 (Kampong Chhnang area),²⁵⁵⁷ the smashing of 1,500 "heads of enemies" at Kampong Thom and Siem Reap battlefields,²⁵⁵⁸ and the smashing of 1,000 enemies and liberation of 1,000 households south of Phnom Penh.²⁵⁵⁹ According to **Khieu Samphan**, through coordinated attacks from several directions,²⁵⁶⁰ the revolutionary forces were tightening the pressure on Phnom Penh, "the last haven to the clique of the nation-selling thieves."²⁵⁶¹ The smashing of "2,105 heads of our enemies" and the occupation of the Mekong waterway meant that "the Phnom Penh traitors' transport of goods food, rice, gasoline...[were] completely cut off."²⁵⁶² Witness Meas Voeun, **Khieu Samphan's** former bodyguard²⁵⁶³ who fought along National Road 5 as a battalion commander in 1973,²⁵⁶⁴ confirmed the accuracy of the above report from his front, and testified that he

had transmitted this information via radio to his division,²⁵⁶⁵ thus demonstrating **Khieu Samphan's** receipt of military reports from divisional commanders. Witness Kim Vun, a worker at the Party Centre's printing house in the pre-1975 period confirmed that this statement was both broadcast on the radio and printed in Party publications.²⁵⁶⁶ Witness Kim Vun, a worker at the Party Centre's Printing house in the pre-1975 period confirmed that this statement was both broadcast on the radio and printed in Party publications.²⁵⁶⁷

603. In a 28 December 1974 speech, given during a visit by Vietnamese representatives to the Khmer Rouge "liberated zone," **Khieu Samphan** boasted that the Khmer Rouge had set up an administration "from central to local level" in 90 per cent of the country. Describing Phnom Penh as the enemy's "last den," he noted that the city was suffering a famine and entirely dependent on aid. He boasted that the capital cannot "withstand the revolutionary administration," and predicted that the liberation armed forces "will certainly sweep the enemy away."²⁵⁶⁸ He also declared that, in the forthcoming dry season, the forces will continue "to hit the enemy more vigorously" and refuse any compromise.²⁵⁶⁹ In a 31 December 1974 broadcast, he again boasted about the revolutionary forces' siege of Phnom Penh²⁵⁷⁰ and other Cambodian cities.²⁵⁷¹ He called on the revolutionary forces to "launch the most vigorous...offensive against the enemy" and implored the cadres to "sweep the enemy pacification activities from the entire liberated zone."²⁵⁷² The final Khmer Rouge offensive against Phnom Penh started on 1 January 1975,²⁵⁷³ immediately following this appeal.
604. As discussed in the *Development of CPK Policies and Role of Accused (Pre-17 April 1975)* Section, Khmer Rouge's siege of Phnom Penh intensified following the start of the January 1975 offensive. In the weeks and months that followed, **Khieu Samphan** made numerous public statements: a) praising the destruction of enemies on the battlefields surrounding Phnom Penh;²⁵⁷⁴ b) calling for the intensification of attacks and annihilation of enemies;²⁵⁷⁵ c) urging and approving the continued siege of the capital and blockage of delivery of humanitarian supplies;²⁵⁷⁶ d) praising the shelling of the capital;²⁵⁷⁷ e) condemning the provision of humanitarian aid to the capital;²⁵⁷⁸ f) urging foreign embassies and organisations to evacuate, stating that their safety would not be guaranteed;²⁵⁷⁹ g) rejecting any offers of negotiation to bring about a peaceful end to the war;²⁵⁸⁰ h) calling on Khmer Republic forces to surrender,²⁵⁸¹ warning them of their impending "destruction;"²⁵⁸² and i) urging the people to destroy food depots and kill the enemies in the cities under siege.²⁵⁸³ The siege of Phnom Penh and the relentless

Khmer Rouge attacks²⁵⁸⁴ in the months leading up to 17 April 1975 caused a serious humanitarian crisis²⁵⁸⁵ and numerous casualties in the capital,²⁵⁸⁶ which in turn exacerbated significantly the suffering of civilians during the forced evacuations. The authenticity of the FBIS transcripts, which contain numerous **Khieu Sa mphan** statements cited above, has been confirmed by Stephen Heder²⁵⁸⁷ and David Chandler.²⁵⁸⁸ Witness Rochoem Ton confirmed seeing **Khieu Sa mphan** writing “everything for [the National] Front,” including messages which were broadcast on the radio and documents distributed to cadres in political study sessions.²⁵⁸⁹

Participation in the Decision to Foribly Evacuate Phnom Penh

605. As discussed in the *Development of CPK Policies and Role of Accused (Pre-17 April 1975)* Section, the CPK Central Committee decided at its June 1974 meeting²⁵⁹⁰ to “mount the decisive offense to liberate Phnom Penh and the entire country”²⁵⁹¹ and evacuate Phnom Penh and all other urban centres upon victory.²⁵⁹² Discussions of this plan gave rise to disagreements among senior members of the CPK even prior to the meeting. Witness Nou Mao, a former commune level cadre in the Oudong District,²⁵⁹³ attended study sessions with approximately 200 participants in 1973, at which Ta Mok and Chou Chet *alias* Sy discussed a plan to evacuate Phnom Penh upon victory.²⁵⁹⁴ While Sy opposed the plan, Ta Mok was in favour²⁵⁹⁵ and stated that all cities would be evacuated.²⁵⁹⁶ Like Sy, Hou Yuon opposed the evacuations. At a 1974 study session for cadres, he said that he was “very determined not to allow people to be evacuated from Phnom Penh.”²⁵⁹⁷ At this time, cadres learnt that, unlike Hou Yuon and Chou Chet, **Khieu Samphan** was in favour of the plan to evacuate the cities by force.²⁵⁹⁸
606. In March and April 1974 **Khieu Samphan** led a high level GRUNK / FUNK delegation on an extended tour of friendly countries in Asia and Europe, to rally international support for the war effort.²⁵⁹⁹ During this trip, he made several speeches praising Khmer Rouge victories²⁶⁰⁰ and calling for a continuation of an “uncompromising struggle.”²⁶⁰¹ In a speech delivered in North Korea on 5 April 1974, he celebrated the fall of Oudong on 18 March 1974, reporting that 3,500 enemies had been killed and 1,500 captured in the attack.²⁶⁰² In the following months, while conducting political indoctrination for subordinates of the Party Centre at CPK headquarters, he described the forced evacuation of Oudong as a good example to be followed in the case of Phnom Penh.²⁶⁰³
607. **Khieu Samphan** returned to Cambodia via Vietnam by the beginning of June 1974 together with Ieng Sary.²⁶⁰⁴ He was then present at the above June 1974 meeting of the

Party Centre, and took part in the collective decision to evacuate Phnom Penh and other cities following victory.²⁶⁰⁵ While confirming **Khieu Samphan's** return to the Central Committee headquarters at Meak by early June 1974,²⁶⁰⁶ his wife So Socheat presented a false account of his activities in order to give him an alibi from attending the June 1974 meeting: First, in supposedly describing **Khieu Samphan's** qualities as a good husband, she volunteered that he had stayed with her for one month following his return from the trip abroad.²⁶⁰⁷ Then, apparently realising that one month may not be sufficient, she changed her testimony, stating that **Khieu Samphan** remained inseparable from her for three, or four to five months from May 1974, or “almost up to the liberation of Phnom Penh.”²⁶⁰⁸ In this crucial period, according to So Socheat, the Deputy Prime Minister of GRUNK spent months “washing the nappies,” “bring[ing] food” to her and “fetch[ing] water” so that she could rest.²⁶⁰⁹ She later conceded, however, that she could not account for his activities throughout June 1974.²⁶¹⁰

608. During So Socheat's examination by the Co-Prosecutors, Counsel Kong Sam Onn sought to mislead the Court as to the Witness' evidence on the issue of how long **Khieu Samphan** had stayed by her side in 1974.²⁶¹¹ When this strategy was exposed by a reading of the Khmer transcript,²⁶¹² the Counsel resorted to coaching the So Socheat, in the face of the Court, as to what she had actually “meant to say.”²⁶¹³ The Co-Prosecutors made an immediate application to the Chamber that the Counsel be sanctioned for this gross breach of ethics.²⁶¹⁴
609. The Chamber must reject So Socheat's untruthful evidence on **Khieu Samphan's** activities upon returning to Cambodia in June 1974. Her lack of credibility is demonstrated by her presentation of falsehoods on several other matters, including, but not limited to: a) the supposedly difficult conditions²⁶¹⁵ she and **Khieu Samphan** faced living in Phnom Penh, which she described as equal to those of the evacuees in the countryside,²⁶¹⁶ before admitting that there was no shortage for the leaders;²⁶¹⁷ b) an exodus of all leaders, except **Khieu Samphan**, from K-3 in 1976, which, as discussed in the *Roles of Party Centre April 1975 - January 1979* Section, is inconsistent with all other evidence;²⁶¹⁸ c) her suggestion that she never discussed Doeun's disappearance with **Khieu Samphan**,²⁶¹⁹ contradicted by a later admission that they had had such discussions;²⁶²⁰ d) her testimony that she learnt about her husband's work by discussing it with other people,²⁶²¹ contradicted by a later admission that she actually discussed it with **Khieu Samphan**,²⁶²² e) her statement that she only discussed “personal matters” with her husband during the civil war, followed by evidence that they did discuss the

revolution, whose rationale was “to attack the imperialist power;”²⁶²³ f) her suggestion that, from 1972-1975, she did not know that her husband was Deputy Prime Minister of GRUNK;²⁶²⁴ and g) her testimony that **Khieu Samphan’s** mother located him at the secret CPK headquarters in 1974, by traveling alone and asking villagers along the way as to his whereabouts.²⁶²⁵

610. In early 1975, **Khieu Samphan** attended regular meetings with Pol Pot, **Nuon Chea**, zone secretaries and military commanders at the advanced battlefield command centre,²⁶²⁶ B-5, in Taing Pon/Kraing Daung village, Kampong Tralach District, Kampong Chhnang Province, west of Oudong.²⁶²⁷ Pol Pot stayed at this location during the late 1974 / early 1975 dry season.²⁶²⁸ By the end of March 1975, **Khieu Samphan** also moved to stay at B-5, where he followed the progress of the battles on military radio, and received briefings from Pol Pot.²⁶²⁹
611. In early April 1975, **Khieu Samphan** attended a key meeting of the battlefield committees at B-5, at which the plan to evacuate Phnom Penh was discussed.²⁶³⁰ He offered his personal views on the plan at the meeting, and agreed to the evacuation.²⁶³¹ The participants shared lessons from prior forced evacuations, including Oudong,²⁶³² and agreed unanimously that it was necessary to evacuate all the cities “so that we could easily conquer” them, control the evacuees and “survive as the resistance.”²⁶³³ At this meeting, orders were given designating troops responsible for various “spearheads,”²⁶³⁴ and no concerns were expressed about expelling entire urban populations.²⁶³⁵

Khieu Samphan’s Entry into Phnom Penh and Subsequent Statements

612. On 17 April 1975 when news of the “liberation” of Phnom Penh reached the senior leaders, **Khieu Samphan** was with Pol Pot at Sdok Toel village, in Ponhea Leu District, Kandal Province, south of Oudong.²⁶³⁶ He entered Phnom Penh in a heavily guarded convoy together with Pol Pot, **Nuon Chea**, and several zone and military commanders from Oudong on or about 21 April 1975.²⁶³⁷ He claims that he arrived in Phnom Penh some 7-10 days after its fall, and that the city had already been emptied at this time.²⁶³⁸ This is untrue. On 22 April 1975, he issued a statement from the Phnom Penh radio station congratulating Khmer Rouge forces on their “greatest historic victory.”²⁶³⁹ On 25 - 27 April 1975, he presided over a “Special National Congress” in Phnom Penh, which resolved to struggle “against all forms of foreign interference...subversion and aggression against Cambodia” including “under whatever form of so-called humanitarianism.”²⁶⁴⁰ Rochoem Ton has testified that **Khieu Samphan** entered Phnom

- Penh on or about 21 April 1975,²⁶⁴¹ and Philip Short has characterised **Khieu Samphan's** accounts of his late entry as lies.²⁶⁴²
613. Soon after arriving, together with **Nuon Chea**, **Khieu Samphan** inspected the Northern Zone checkpoint on highway 5 at Prek Kdam and reported that the “evacuation was proceeding smoothly.”²⁶⁴³ As discussed in the *Roles in Party Centre April 1975 - January 1979* Section, after his entry into Phnom Penh, **Khieu Samphan** remained with the other leaders at the train station, before moving to the Ministry of Commerce, Silver Pagoda and ultimately the K-1 compound.
614. **Khieu Samphan** claims that he had had no knowledge of the decision to evacuate Phnom Penh until he overheard soldiers discussing it on or about 17 April, prior to his departure for Phnom Penh.²⁶⁴⁴ He admits that he was aware that, as a result of the forced evacuation, civilians would have “fallen along the way,” but says that he only asked himself why the evacuations had taken place after the fall of the regime in 1979.²⁶⁴⁵ Nevertheless, he claims that he expressed his disagreement to Pol Pot after entry into Phnom Penh, but also that he could not criticise the political line.²⁶⁴⁶ His denials of knowledge of the evacuation plan are clearly untrue when juxtaposed against the overwhelming evidence of his active participation in the work of the Party leadership and his support for the decision to evacuate the cities. In light of the CPK’s pre-existing practice of evacuating cities by force (see the *Development of CPK Policies and Role of Accused (Pre-17 April 1975)* Section), and the fact that even lower level cadres knew of the plan to evacuate Phnom Penh upon victory,²⁶⁴⁷ someone in **Khieu Samphan's** position could have remained unaware of it.²⁶⁴⁸ In fact, as early as 1982, **Khieu Samphan** admitted that he participated in the collective decision to evacuate Phnom Penh.²⁶⁴⁹
615. **Khieu Samphan's** support for the evacuation is corroborated by his statements in the immediate aftermath of the fall of Phnom Penh, and subsequently. On 22 April 1975, with the evacuations still in progress, he celebrated the fall of Phnom Penh, recalling how CPK forces had waged an uncompromising people’s war, “relentlessly attacking and draining the enemy” until finally he “died in agony.”²⁶⁵⁰ He acclaimed the fall of Phnom Penh as the “nation’s and people’s greatest historic victory,”²⁶⁵¹ and a “joyous occasion.”²⁶⁵² In August 1975, he again praised the success of the 17 April victory as “one of the great victories.”²⁶⁵³ In 1976, he described 17 April 1975 as the day on which “the dark era...the sufferings and misery of [Cambodian] workers and peasants...ended.”²⁶⁵⁴ This was a day on which people had “liberated themselves from

the oppressive yoke of imperialism, old and new colonialism and all other oppressive reactionary classes.”²⁶⁵⁵ As discussed in the *Political Indoctrination of Cadres* Section, **Khieu Samphan** also sought to justify the forced evacuations as necessary to destroy material private property and avoid starvation.²⁶⁵⁶

616. In more recent years, he has continued to justify the evacuation of Phnom Penh, and confirmed his support for it. He has stated that, after conducting research, he “realised the reason for the evacuation, which was mainly in order to preserve security (presence of CIA agents and Lon Nol soldiers), was correct compared to the situation at that time.”²⁶⁵⁷ In a recent interview, he argued that Vietnam’s border conflict with DK in 1976 demonstrated that the April 1975 forced evacuations were necessary in order to preserve security.²⁶⁵⁸ In his 2007 book, he expressed support for the thinking underpinning the evacuation, saying: “Evacuating the cities seemed to be the only measure that the situation at the time required; it seemed unavoidable.”²⁶⁵⁹

Decision to Kill Khmer Republic Officials and Soldiers

617. **Khieu Samphan** was party to the decision to kill former Khmer Republic Soldiers upon the Khmer Rouge’s capture of Phnom Penh. As discussed in the *Khieu Samphan’s Statements Contributing to the War Effort and Attacks on Enemies* Section, he used his position as Commander-in-Chief of CPNLA to encourage and praise the killings and annihilation of enemies, destruction of villages, the shelling and siege of Phnom Penh, and the sweeping clean of enemies in the liberated zones. As described in the *Development of CPK Policies and Role of Accused (Pre-17 April 1975)* Section, Khmer Republic soldiers captured by CPK forces were subject to immediate execution,²⁶⁶⁰ and by 1973 the *Revolutionary Flag* was instructing cadres as to the methods of executing spies and enemies.²⁶⁶¹ Several CPK security centres were in operation from 1973/1974.²⁶⁶²
618. On 24 and 25 February 1975, **Khieu Samphan** presided over the Second National Congress at which seven senior Khmer Republic officials (Lon Nol, Sirik Matak, Son Ngoc Thanh, Cheng Heng, In Tam, Long Boret and Sosthene Fernandez) were declared to be “chieftains of the traitors,” and where it was resolved that it was “absolutely necessary to kill these seven traitors.”²⁶⁶³ The Congress further proclaimed that “other low or high-ranking government officials...army officers, police officers...politicians, high personalities and...members of every organization of the traitors’ regime” could join the FUNK, but only if “they immediately cease their service to the seven traitors

- and stop cooperating with them.”²⁶⁶⁴ The Congress appealed to these individuals to carry on the struggle against the traitors by “seeking all available means to destroy their...administrative apparatuses...and their food and fuel depots, and, turning your guns against them.”²⁶⁶⁵ Expert witness Philip Short testified that the ultimatum given to these members of the Khmer Republic regime was that, if they failed to abandon the regime, they would be in the same category as the “super traitors.”²⁶⁶⁶ He also testified that **Khieu Samphan** agreed with this decision, and the policy that underpinned it.²⁶⁶⁷
619. The decision to kill senior members of the Khmer Republic regime was officially communicated by CPK propaganda on numerous occasions,²⁶⁶⁸ and confirmed by the Party Centre.²⁶⁶⁹ It was also disseminated to the UN General Assembly.²⁶⁷⁰ **Khieu Samphan** himself confirmed the decision on at least two occasions in 1975.²⁶⁷¹ On 25 March 1975 he presided over a meeting of the GRUNK Cabinet (which had been reorganised to transfer responsibilities to in-country ministers²⁶⁷²), which affirmed the resolution to execute the seven super traitors and to reject “all negotiation maneuvers of U.S. imperialism and its lackeys.”²⁶⁷³ Two days earlier, he had presided over a ceremony attended by representatives of the military and various GRUNK ministries and offices, where he reported on the “great offensive,” to win “without compromise or retreat” and appealed to the troops to continue to launch vigorous offensives. The meeting resolved to “uphold revolutionary vigilance and smash all enemy schemes.”²⁶⁷⁴
620. As discussed in the *First Forced Transfer* Section, two of the seven individuals who were sentenced to death by the National Congress (Prime Minister Long Boret and Prince Sirik Matak) stayed in Phnom Penh and were executed in the following days together with scores of Khmer Republic military and government officials. As discussed above, in a 22 April 1975 broadcast, **Khieu Samphan** praised the CPK victory as the day on which the Party had “crushed” its enemy²⁶⁷⁵ until “the enemy died in agony.”²⁶⁷⁶ At the very moment when CPK forces were searching for and executing Khmer Republic officials throughout Cambodian cities, **Khieu Samphan** warned against complacency, stating that all cadres must “struggle courageously by constantly increasing revolutionary vigilance.”²⁶⁷⁷

Continued Participation in the Targeting of Enemies

621. In the months and years that followed, **Khieu Samphan** called on the cadres to maintain “revolutionary vigilance,”²⁶⁷⁸ which he argued continued to be necessary because “the enemy would never give up their dark schemes to destroy our

revolution”²⁶⁷⁹ and has “carried on its attempts to destroy the results of the victory of our people”²⁶⁸⁰ He called for the destruction of both internal and external enemies,²⁶⁸¹ urging the cadres to search for and eliminate “enemies from all quarters,”²⁶⁸² to “further steel” themselves, “remain alert” and to “continue to fight and suppress all stripes of enemy at all times.”²⁶⁸³ These statements fully reflected Party policy.²⁶⁸⁴

622. In his speeches, **Khieu Samp han** also endorsed CPK’s view that the country was infiltrated by foreign agents.²⁶⁸⁵ He praised Party cadres for defeating Vietnamese maneuvers “such as subversion, espionage, and attempts to stage a coup d’etat to overthrow the CPK.”²⁶⁸⁶ He presided over resolutions to “exterminate resolutely, all agents of the...Vietnamese aggressors...and...all CIA agents...forever”²⁶⁸⁷ as well as to “screen and exterminate all enemy elements planted within our ranks.”²⁶⁸⁸ He admits giving these speeches, and agreeing with their substance.²⁶⁸⁹ He also played a more direct role in the arrests. As discussed in the *Chairmanship of Politcal Office 870* Section, as Chairman of Political Office 870, he investigated senior Party members who came under suspicion, and were arrested on his recommendation. Furthermore, by virtue of his membership of the Party Centre and attendance at Standing Committee meetings, he was aware of arrests and executions occurring in Phnom Penh and in the countryside – including those of his friends and colleagues such as Koy Thuon, Hou Yuon, Hu Nim, Toch Phoeun, Sua Vasi *alias* Doeun, Chhim Sam Aok *alias* Pang, Vorn Vet, Ros Nhim and Bou Phat *alias* Hang.²⁶⁹⁰ Only days after Hu Nim’s arrest, **Khieu Samphan** was encouraging thorough implementation of the CPK policy to “wipe out the enemy [...] neatly and thoroughly.”²⁶⁹¹
623. As DK’s Head of State **Khieu Sampha n** received written communications from the organisation Amnesty International in 1976 and 1977, which pointed to reports of executions pursuant to the decision to kill the seven super traitors, as well as other mass killings.²⁶⁹² These appeals went unanswered.²⁶⁹³ In 1975 and 1976 **Khieu Samp han** dismissed reports of atrocities in Cambodia as slanderous campaigns by “U.S. imperialism” and its henchmen²⁶⁹⁴ and an “irritating and meaningless noise.”²⁶⁹⁵
624. In his interviews, **Khieu Samphan** has sought to justify the purges, saying: “Pol Pot did not just arrest cadres randomly. These were matters that had to be investigated, monitored, and seen clearly.”²⁶⁹⁶ When interviewed by Stephen Heder in August 1980 about the mass arrests and killings during the CPK rule, **Khieu Samphan** stated that innocent people’s lives were “affected” because of “Khmer people who were Yuon undercover agents.”²⁶⁹⁷ According to **Khieu Sam phan**, as at 1975, these agents

included “less than half of the Central Committee, but nearly half in the Standing Committee.”²⁶⁹⁸ He declared that this was “an attempt to attack us from the inside out,” but that nevertheless “we fought constantly against these attempts and defeated them...completely.”²⁶⁹⁹ Confirming his involvement in the crimes, he stated that he and the other leaders had investigated these cases carefully and were thus able to prevent the arrest of a “comrade in the west” who had been falsely accused²⁷⁰⁰ (as discussed in the *Chairmanship of Politcal Office 870* Section, **Khieu Samp han** had personally investigated the case of Chou Chet, the West Zone Secretary). When he was challenged on the reasons for the killings of his own friends and numerous civilian and military cadres, he stated unequivocally that “[n]ot a single one” of them was innocent.²⁷⁰¹ In his testimony, Stephen Heder confirmed the authenticity of this interview, which was tape-recorded with **Khieu Samphan’s** knowledge, and transcribed.²⁷⁰²

625. In 1987, **Khieu Sa mphan** issued a publication blaming Vietnam for killing over 2,500,000 Cambodians.²⁷⁰³ He stated that, in pursuing Vietnamese agents, “we committed mistakes” causing the deaths of “over 3,000 people,” a number that contributed to the total death toll from 1975 to 1978 that **Khieu Samphan** described as being less than the number of people killed in car accidents in other countries.²⁷⁰⁴ In a 2007 interview, when asked about children killed at S-21, he declared “a few youngsters is not a reason to erase and reject an entire period in history!”²⁷⁰⁵ Presenting a passionate defence of the Khmer Rouge movement, he stated: “So they talk about the little S-21 here in order to make people forget the gigantic S-21 over there. [Southern Vietnam]”²⁷⁰⁶

PARTICIPATION IN THE SECOND FORCED TRANSFER

Khieu Samphan’s Participation Through the Party Centre

626. In April 1975, the CPK Party Centre turned Cambodia into a slave state,²⁷⁰⁷ forcing the country’s entire civilian population into agricultural cooperatives in order to, *inter alia*, develop the country at breakneck speed and be able to fight Vietnam.²⁷⁰⁸ As far as the CPK leadership was concerned, the economy was yet another battlefield to be conquered through extreme measures, with no regard for human suffering.²⁷⁰⁹ In August 1975 the Standing Committee visited the Northwest Zone, and, having examined the situation of the evacuees, stongly urged to move another 400,000 to 500,000 people there, to increase agricultural production.²⁷¹⁰ In September 1975, the CPK Central Committee considered imposing a minimum annual production quota of three tons of

rice per hectare (to be applied as an average on a countryside basis).²⁷¹¹ To meet the objective of a rapid increase in production, the Central Committee endorsed the Standing Committee's decision to move 500,000 people forcibly to the Northwest Zone, and another 20,000 to Preah Vihear (Sector 103).²⁷¹² The two regions were deemed capable of producing three to four tons of rice per hectare.²⁷¹³

627. **Khieu Sa mphan** supported the above decisions and contributed to their implementation. As noted above, the decisions were made collectively by the Party leadership,²⁷¹⁴ of which **Khieu Sam phan** was an integral part.²⁷¹⁵ They were also widely distributed within the Party: the October / November 1975 issue of the *Revolutionary Flag* states that the Party Centre's "three tons per hectare" decision was endorsed at the first countrywide economic congress in early November 1975, making it "the common resolution for the entire Party, the whole population and the whole Revolutionary Army."²⁷¹⁶ As discussed above, within the CPK leadership, **Khieu Samphan** was the leading economist.²⁷¹⁷ He played a key role in the running of the state's economy and promoted the strict fulfilment of the "three-tons-per-hectare" target.²⁷¹⁸
628. **Khieu Sa mphan** was actively involved in the work of the leadership in the period during which the decision was made to affect the second forced transfer. He: a) lived and worked with Pol Pot, **Nuon Chea** and other leaders; b) from October 1975, was responsible for "Commerce, for accounting and pricing" as part of CPK's plan to export agricultural produce extracted from the cooperatives; c) worked with Koy Thuon to set up a barter system between the cooperatives and the state;²⁷¹⁹ d) was one of only two members of Political Office 870, which had the task of overseeing the implementation of Party Centre's decisions; e) was appointed to several committees responsible for commercial matters in March 1976; and f) took part in the promulgation of the DK constitution, which reinforced the policies of forced labour and forced transfer.
629. Surviving records demonstrate that **Khieu Samp han** was attending Standing Committee meetings throughout the period in which the second forced transfer was implemented.²⁷²⁰ On 8 March 1976, Bou Phat *alias* Hang, Secretary of Sector 103, one of the areas which had received thousands of people as part of this transfer, reported to Pol Pot, **Nuon Chea** and **Khieu Sa mphan**. He indicated that the Sector intended to expand its rice fields, although many men and women "in the work sites are ill and have fevers."²⁷²¹ Hang also reported about "groups fleeing in from different locations," with 100 escapees having been arrested since January 1976.²⁷²² In response, the leaders

- directed that efforts be made to expand rice fields to 10,000 hectares.²⁷²³ As for the issue of purchases to improve the people's livelihood, the Committee noted that "expenditures...are limited because we must purchase many other things as well."²⁷²⁴
630. A November 1975 telegram from the East Zone, which referred to "the Organization's advice and instructions" for the forced movement of people to the North Zone,²⁷²⁵ and sought further instructions,²⁷²⁶ was sent to Doeun in addition to Pol Pot and **Nuon Chea**.²⁷²⁷ Doeun's receipt of this correspondence, dealing with the implementation of the second forced transfer, confirms that Political Office 870 was directly involved in this crime.²⁷²⁸ As discussed in the *Roles in Party Centre April 1975 - January 1979* Section, **Khieu Sa mphan** has admitted that the Central Committee received and discussed reports of the conditions of the evacuees during the first year of the regime. Reports and telegrams sent to the Party Centre later in the DK period evidence the continued use of forced labour and forced transfers of people.²⁷²⁹
631. In April 1977, **Khieu Sa mphan** demonstrated his awareness of forced movements of enslaved civilians by citing transfers of "progressive corps" to assist with "work on other fronts,"²⁷³⁰ and stating that the leadership was now able to "organize our forces better."²⁷³¹ As demonstrated below, throughout the 1975-1979 period, he publically endorsed CPK's enslavement and forced labour plans which were inextricably linked to the forcible transfers of civilian populations.

Khieu Samphan's Statements Evidencing Involvement in and Support for Forced Transfers / Forced Labour

632. As early as April 1975, **Khieu Samp han** praised the CPK's use of forced collectivisation during the civil war period, stating that people living in the areas under CPK's control had supported the war effort by "building dikes, digging canals and water reservoirs...working day and night...and by making countless outstanding sacrifice."²⁷³²
633. Throughout the period in which the Party Centre ordered and implemented the second forced transfer, **Khieu Samp han** endorsed CPK's enslavement and forced transfer program. In August 1975, speaking on behalf of the leadership, he stated that, to overcome a "thousand and one serious problems" which arose following the liberation, "[w]e mobilized all of our forces, that is the forces of all the people and the armed forces."²⁷³³ To this end, **Khieu Sa mphan** boasted, "we have organized the forces to increase production throughout the country."²⁷³⁴ He offered a "100 per cent guarantee"

- that in one or two years there would be sufficient produce to export, and that “people’s livelihood will be gradually improved.”²⁷³⁵ **Khieu Samphan** boasted that “our people and revolutionary army have brandished the combat banner to restore the economy, build the country and defend it with the most seething enthusiasm.”²⁷³⁶ During an August 1975 visit to China, he declared that Cambodia had become “a big construction site.”²⁷³⁷
634. Speaking in September 1975, **Khieu Samphan** declared “we have basically solved the problems of livelihood for the masses,”²⁷³⁸ stating that, since 17 April 1975, the people “were not idle” but had “plunged into economic restoration [and] production.”²⁷³⁹ He said “the movement for increasing production is developing daily, thus greatly transforming the entire countryside.”²⁷⁴⁰ In the same month, he told Norodom Sihanouk in North Korea that the leadership had “fulfilled all the conditions to be 100 percent Communist” and that “[w]ith one giant leap forward we can reach the goal of communism and not go through stages of socialism.”²⁷⁴¹
635. In his December 1975 report on the constitution, **Khieu Samphan** declared that the CPK had established a nation-wide collective system of compulsory labour during the war period, which was to continue under DK.²⁷⁴² In April 1976, speaking at PRA’s inaugural congress, he declared that the delegates will “work for greater production in a big way...in accordance with the aspiration of our revolutionary organization.”²⁷⁴³ One of the immediate tasks which the representatives were to fulfil was “to maintain our revolutionary vigilance so as to advance in giant strides in all production fields and particularly in the field of agriculture in which we must produce rice to the maximum.”²⁷⁴⁴ In the same month, speaking at the first anniversary of the fall of Phnom Penh, **Khieu Samphan** declared: “[W]e have accelerated the great movement to boost agricultural production and especially the production of rice.”²⁷⁴⁵ He boasted that CPK’s advance in “just 1 year” was “as much as [other countries] would in 10 years.”²⁷⁴⁶
636. In a September 1976 interview **Khieu Samphan** defended CPK’s forced labour policies,²⁷⁴⁷ stating “everyone must work if the country’s problems are to be resolved; this means everyone without distinction.”²⁷⁴⁸ He stated that “the question of individualism would be an inconceivable luxury.”²⁷⁴⁹
637. **Khieu Samphan** also endorsed the CPK policy that rapid agricultural production was necessary to secure the nation’s defence, independence and self-reliance.²⁷⁵⁰ His calls for self-reliance and development at breakneck speed²⁷⁵¹ entailed, among other things, the use of adult²⁷⁵² and child forced labour,²⁷⁵³ and the rejection of foreign aid.²⁷⁵⁴

Consistent with the arguments he had made in his PhD thesis, **Khieu Samp han** dismissed foreign aid as subversion and interference in Cambodia's domestic affairs, dressed up as "so-called humanitarianism."²⁷⁵⁵ He also acknowledged the virtual enslavement of the entire population, such that even their food rations were allocated by the State ("three, two and a half, or two small tin cans [of rice]...daily)."²⁷⁵⁶ He determined that the provision of "dessert three times a month" to the enslaved population was "sufficient to take care of their health and fatten them up."²⁷⁵⁷ In a shocking acknowledgment of the abuse of the people evacuated to cooperatives and forced labour camps, **Khieu Samphan** boasted that all the work was done manually,²⁷⁵⁸ but stated it "does not matter" if the massive dams and reservoirs being built by hand would last "only five or 10 years."²⁷⁵⁹

638. **Khieu Sa mphan** dismissed the need for technical skills since self-reliant economic development and correct ideological stance were more important.²⁷⁶⁰ He supported the effective abolition of schools, because they had previously relied on foreign educational methods which were "useless."²⁷⁶¹ Responding to a question from a civil party in court, **Khieu Samphan** acknowledged that he was aware of the abolition of schools, and that children were expected to learn at work "for example, in collecting fertilizer."²⁷⁶²
639. Importantly, **Khieu Sa mphan** rejected constant criticisms of the regime, thereby confirming that he was aware of contemporaneous international reports of CPK's abuses of the civilian population. Responding to the criticisms in August 1975, he declared: "U.S. imperialism and a handful of its henchmen have built up their propaganda apparatuses to carry out intentional and premeditated campaigns to discredit and slander us;"²⁷⁶³ and these forces "have not abandoned their intention to destroy us."²⁷⁶⁴ According to **Khieu Samphan**, this meant that "we must heighten our spirit of revolutionary vigilance" against these "evil designs and dirty retaliatory schemes."²⁷⁶⁵ Speaking in April 1976, he declared that "through their propaganda apparatus U.S. imperialism and its lackeys tried hard to distort and discredit the reality of our revolution."²⁷⁶⁶ He dismissed these criticisms as "an irritating and meaningless noise."²⁷⁶⁷ In September 1976, when presented with statistics that 800,000 people had perished since the start of the DK period, **Khieu Samphan** rejected the number as "a disgraceful slander spread by traitors who have fled Democratic Cambodia."²⁷⁶⁸
640. **Khieu Samphan's** support for the CPK's collective decision to forcibly move civilians into and between cooperatives is also reflected in statements and interviews he gave after the DK period. According to him, coercion was necessary because "nobody would

voluntarily take part in cooperatives.”²⁷⁶⁹ Furthermore, everybody had to work, “both the healthy people and the sick people.”²⁷⁷⁰ He defended the use of coercion in the establishment of cooperatives as necessary to solve the problem of starvation.²⁷⁷¹ He also described cooperatives as necessary for Cambodia’s defence, independence and self-reliance,²⁷⁷² and the only way to outrun Vietnam.²⁷⁷³ He has also acknowledged that CPK forcibly mobilised the population to build dams,²⁷⁷⁴ including the Trapeang Thma dam, which he visited during the DK period.²⁷⁷⁵

641. When asked about the food starvation caused by CPK policies, **Khieu Sa mphan** dismissed them as “unavoidable” and stated “[w]hat was necessary rather was work.”²⁷⁷⁶ As recently as 2007, **Khieu Samphan** maintained that he continues to hold the views which he held during the DK period and expressed a lack of regret for his actions.²⁷⁷⁷

LEADERSHIP OF CPK / DK AFTER JANUARY 1979

642. From 6 January 1979 when **Khieu Samphan** fled Phnom Penh²⁷⁷⁸ up until his defection to the Cambodian government in December 1998,²⁷⁷⁹ he held numerous key positions in the political parties of the Khmer Rouge, and used his influence to continue fighting alongside Pol Pot and **Nuon Chea** for the Khmer Rouge’s return to power. **Khieu Samphan** continued to be one of the members of the Party Centre.²⁷⁸⁰ In December 1979, he was appointed Prime Minister of the Government of DK, President of the DK State Presidium, and Provisional President of the PDFGNUM.²⁷⁸¹ He represented the Khmer Rouge in negotiations with Prince Norodom Sihanouk and Son Sann,²⁷⁸² which resulted in the dissolution of the CPK in December 1981 and the formation of the Coalition Government of Democratic Kampuchea (CGDK) in June 1982.²⁷⁸³ He was appointed CGDK Vice President in charge of Foreign Affairs, a position he held until at least 1988.²⁷⁸⁴ As a representative of the Khmer Rouge leadership he also took part in negotiations leading up to the 1989 Paris Peace Conference,²⁷⁸⁵ and in 1990 was appointed a member of the Supreme National Council of Cambodia, a body granted transitional authority under the 1991 Paris Peace Agreement.²⁷⁸⁶
643. In addition to holding the above public positions, for almost 20 years after the fall of the DK, **Khieu Samphan** continued to live and work with Pol Pot, **Nuon Chea** and other Khmer Rouge leaders at various locations in Cambodia and Thailand.²⁷⁸⁷ Among other things, he: a) continued to attend Standing Committee meetings and frequently met and worked with Pol Pot at Office 89 in Koh Kong;²⁷⁸⁸ b) together with Pol Pot, supervised

the telegram unit at Office K-18 in Trat Province, Thailand, where they issued orders, gave instructions, and received updates;²⁷⁸⁹ c) together with Pol Pot, Ta Mok, Son Sen and **Nuon Chea**, lectured at political study sessions for the military;²⁷⁹⁰ d) together with other leaders, directed and commanded the Khmer Rouge military forces;²⁷⁹¹ e) attended meetings to strategise military battles;²⁷⁹² f) visited the troops to distribute supplies and offer encouragement in their struggle;²⁷⁹³ g) as CGDK Vice President in charge of Foreign Affairs, issued numerous statements praising and encouraging the civil war against the PRK government and Vietnamese forces, including a statement that the resistance would “cut (the) enemy’s throat,”²⁷⁹⁴ h) issued statements warning more ethnic violence,²⁷⁹⁵ and i) represented the Khmer Rouge in diplomatic engagements and communications with foreign states²⁷⁹⁶ and at UN conferences.²⁷⁹⁷

644. **Khieu Sa mphan** remained in the Khmer Rouge leadership even as their forces diminished significantly in 1997.²⁷⁹⁸ He defected to the Cambodian government together with **Nuon Chea** only after Pol Pot's death in 1998.²⁷⁹⁹ At an official press conference following the defection, when asked what he had to say to those who lost their families under the CPK regime, he stated “Let bygones be bygones is the best solution for our country...it is a *sine qua non* condition for peace and stability in our country.”²⁸⁰⁰

VI. LEGAL CHARACTERISATION

A. CRIMES AGAINST HUMANITY

645. In this subsection, the Co-Prosecutors will demonstrate that the material facts established in this Brief satisfy, in terms of the applicable law: a) the common contextual elements for crimes against humanity; b) the material and mental elements applicable to the Direct Perpetrators of the specific crimes within the scope of Case 002/01: i) murder; ii) extermination; iii) persecution on political grounds; iv) other inhumane acts (forced transfer); v) other inhumane acts (attacks on human dignity); and vi) other inhumane acts (enforced disappearances). As a consequence of the severance of Case 002 and the scope of trial in Case 002/01, the Co-Prosecutors’ demonstration is

limited to the factual allegations arising from the First Forced Transfer, the killing of Khmer Republic officials at Tuol Po Chrey, and the Second Forced Transfer.

646. The legal characterisation of modes of liability within the scope of Case 002/01 and the particular criminal responsibility of **Nuon Chea** and **Khieu Samphan** are addressed in the following section.

1. CONTEXTUAL COMMON ELEMENTS

647. The evidence admitted at trial demonstrates beyond reasonable doubt that the acts and omissions of Direct Perpetrators were part of an attack involving the commission of multiple acts of violence taking place within a system of organised repression of the civilian population. These acts of violence followed a takeover of power by means of military force and the institution of an authoritarian regime by the CPK. The attack involved, *inter alia*, the forced movement of more than two million civilians from the urban centres, and then forced movement between rural areas, and the subsequent enslavement of the entire population in cooperatives and worksites. Hundreds of thousands of individuals were imprisoned, tortured and executed in these prisons and at other locations such as mass execution sites. The number of deaths caused by the attack has been estimated as being between 1.7 and 2.2 million people, including some 800,000 to 1.3 million violent deaths.
648. The attack was widespread by reason of its large-scale nature, extended duration, geographical scope and the number of victims against whom it was directed. Lasting over three years and eight months, the attack targeted the country's civilian population, which plummeted from an estimated 7.8 to 8.1 million people in April 1975 to an estimated 6.1 to 6.4 million people in January 1979. The attack was sustained across the entire land territory of Cambodia and its territorial waters and involved the use of extensive resources at the regime's disposal, including military troops under the CPK's control, Direct Perpetrators throughout the country and DK governmental authority structures.
649. The attack was systematic as it was carried out pursuant to centrally-devised and coordinated State policies to kill perceived "enemies;" target specific groups for persecution and discrimination; forcibly transfer and enslave the population; and force marriage and sexual intercourse on a country-wide scale. The attack was highly planned and organised, and followed the directives issued by the CPK leadership. The Party Centre monitored the implementation of the plan by receiving regular reports and

issuing instructions to the direct perpetrators, including cadre of the CPK. The systematic nature of the attack is further illustrated by: (1) the policy statements issued by the CPK leadership which directed and encouraged the commission of crimes; (2) the consistent deployment of similar means to perpetrate crimes across the country (including the use of enslavement, forced labour, physical abuse and arbitrary arrests and executions); (3) the participation of the CPK officials at all levels in the commission of crimes; (4) the fact that criminal actions by Direct Perpetrators reflected the policies set by the Party Centre; (5) the commitment of extensive public resources to the attack; (6) and the inescapability of the attack for virtually every inhabitant of Cambodia, including foreign nationals.

650. The attack was directed against the entire civilian population of Cambodia. The civilian population was the primary target of the attack, and the vast majority of victims were civilians, which includes Khmer Republic senior leaders, civil servants, their spouses and children, and the spouses and children of Khmer Republic military personnel. The non-civilian victims of the attack also included Khmer Republic enlisted soldiers, non-commissioned officers and commissioned officers, who had taken an active part in hostilities prior to their unconditional surrender on 17 April 1975, but were unquestionably *hors de combat* in the period within the temporal jurisdiction of the ECCC.
651. The attack against the civilian population was based, in part, on political grounds. By creating a slave state absorbing the civilian population of Cambodia and abolishing fundamental rights and freedoms, the CPK leadership sought to enforce a political revolution and eliminate political opposition to its rule. During the First Forced Transfer, at Tuol Po Chrey, and in the Second Forced Transfer, Direct Perpetrators identified, segregated and summarily executed Khmer Republic officials, and those associated with them. Direct Perpetrators targeted members of the so-called capitalist, feudalist and bourgeois classes. In addition, all former residents of urban areas (including those classified in the CPK ideology as members of “exploiting classes,” as “17 April people,” “new people,” and/or “depositees;”) were subjected to various forms of abuse and inhumane treatment due to the CPK’s perception that they had, or were associated with, capitalist, feudalist and bourgeois values or tendencies. Once the population was enslaved in cooperatives and worksites, “depositees” were subjected to harsher treatment, and were more likely to be subjected to arbitrary arrest, imprisonment and execution. All civilians were under constant surveillance, and anyone

- suspected of objecting to the CPK rule, or sympathising with the Party's enemies, was systematically targeted for the harshest forms of treatment, or immediately executed.
652. Direct perpetrators knew of the attack directed against the civilian population of Cambodia, including its urbanised elements and those associated with the Khmer Republic regime, because of the highly centralised organisation of the attack; the consistent implementation of the CPK's criminal policies; the involvement of the CPK authorities at all levels; the fact that Direct Perpetrators acted in their official capacity and in most cases under the orders or guidance of senior cadres, or with their express or tacit approval; the scale and extended duration of the attack; the consistency of the criminal acts; and the monitoring by the CPK leadership of Direct Perpetrators in positions of authority at all levels.

2. SPECIFIC OFFENCES

MURDER

653. The evidence admitted at trial establishes beyond reasonable doubt that Direct Perpetrators killed members of the civilian population.²⁸⁰¹ In each instance, Direct Perpetrators intended to cause the deaths of each of the victims; or were aware that death would occur in the ordinary course of events; or were reckless as to causing the death of their victims.²⁸⁰²
654. Immediately prior to, during and immediately following the First Forced Transfer, Direct Perpetrators killed up to 20,000 Khmer Republic officials, their spouses and children, and members of the urbanised civilian population. Executions took place in Phnom Penh, en route and on arrival at their initial destination. Of that 20,000, approximately 10,000 were killed as a result of the inhumane conditions inflicted during the transfer. At Tuol Po Chrey between 200 to 500 and up to thousands of Khmer Republic officials were killed. Direct Perpetrators also killed by execution or inflicting inhumane conditions on thousands of transferees during and immediately following the Second Forced Transfer.
655. Killings were carried out by direct and indirect means. Victims were executed by shooting; stabbing; suffocation; blunt force trauma; and beating. Infants and children were torn apart by brute force, bayoneted, and swung against trees. Victims died from these actions and/or some combination of the aforementioned means. Thousands died during and immediately following the first and second phases of the forced transfer as a result of starvation, exhaustion, illness, denial or a lack of access to medical treatment,

withholding sufficient living accommodation, and exposure to the elements. Witnesses testified that they saw piles of bodies of murdered civilians and soldiers *hors de combat* in houses, towns, and on roadsides, some killed so recently that babies were still seen crawling on their dead mothers' bodies. Other persons were taken away by Direct Perpetrators and never seen again.

656. All executions were carried out with the intent to kill, although in different circumstances. Direct Perpetrators followed the Party Centre's general policy and specific orders to kill its enemies, communicated by means of thinly-veiled euphemisms such as "smash" and "sweep clean." The CPK also announced explicitly its intention to kill certain individuals deemed "traitors." In some instances the intention to kill is shown by evidence of planning and premeditation, such as by conveying the order to kill through the chain of command, the vilifying of certain groups prior to their killing, the methodological nature of the killings, the separation of those intended to be murdered from other parts of the population, the restraining the victims, the use of deception to lure or more easily control victims, and the conveyance of the victims to pre-prepared gravesites prior to their murder. The intent to kill is further confirmed by the existence of a State policy; the organised nature of the executions; the consistency of the execution methods; and the swift and regular reporting of the executions to the upper echelons of the Party through the formalised communication structures. In those cases where the evidence demonstrates that victims died as a result of beatings, torture or the imposition of inhumane conditions, and where immediate death was not directly intended, Direct Perpetrators knew that death would occur in the ordinary course of events from the serious injuries sustained and, in some cases, from the vulnerable condition of many of the victims due to pre-existing medical conditions and/or age.

EXTERMINATION

657. The evidence admitted at trial establishes beyond reasonable doubt that Direct Perpetrators killed substantial numbers of the civilian population²⁸⁰³ on a mass scale,²⁸⁰⁴ including deaths resulting from conditions of life calculated²⁸⁰⁵ to bring about the destruction of part of the population. The evidence also establishes that Direct Perpetrators meant to commit killings on a mass scale; intended to create conditions of life that lead to the death of a substantial number of people;²⁸⁰⁶ intended to create such conditions in the knowledge that such conditions were likely to cause the deaths of a substantial number of persons in the ordinary course of events; knew that their actions

were part of a vast murderous enterprise in which a large number of individuals were systematically marked for killing or were killed; failed to act to remedy inhumane conditions in a manner disclosing an intent to kill, or knowledge that death would occur in the ordinary course of events; or demonstrated gross negligence as to the likelihood of death.²⁸⁰⁷

658. As described above, in relation to murder as a crime against humanity, over 20,000 people are likely to have been killed in the First and Second Forced Transfers and the executions at Tuol Po Chrey. These killings occurred at multiple sites across Cambodia and in relation to Case 002/01; through beatings, torture, other forms of physical abuse inflicted by Direct Perpetrators, as well as through starvation, illness, exhaustion, exposure and other inhumane conditions imposed by Direct Perpetrators. Consequently, the mass scale element of the charge of extermination is satisfied.

PERSECUTION

659. The evidence admitted at trial establishes beyond reasonable doubt that Direct Perpetrators severely deprived persons of fundamental rights,²⁸⁰⁸ targeting those associated with the Khmer Republic regime and the urbanised civilian population on political grounds; that is, by reason of their perceived political affiliations, values, positions or opinions.²⁸⁰⁹ The evidence also establishes that Direct Perpetrators specifically intended to severely deprive members of these targeted groups of their fundamental rights, including their rights to life; liberty; security of the person; freedom of expression; freedom of thought, conscience and belief; family; decent work; and privacy; knew the facts giving rise to the discriminatory context in which they acted or were aware that their acts were targeting victims for severe deprivation of rights by reason of their affiliation to one of these target groups.²⁸¹⁰
660. Direct Perpetrators considered the urbanised population of Cambodia to be rife with potential political enemies. The evidence demonstrates that targets of systematic discrimination included the urbanised population not solely on the basis of their perceived social class, but also their “stances” or “ideologies,” terms used by the CPK to classify political opinions and perceived political affiliations or preferences. Those associated with the Khmer Republic regime were also classified as “enemies” and “traitors” by the Party Centre; a decision conveyed through its organisational structures of power through well-established means of communication. Both the urbanised population and those associated with the Khmer Republic regime were specifically

targeted for discrimination on the grounds of their opposition or perceived opposition to the policies of the CPK Party Centre. The substantial majority of victims of the first and second phases of the forced transfer and the killings at Tuol Po Chrey comprised Khmer Republic personnel or the former urbanised population. The persecutory acts committed by Direct Perpetrators included killings by direct and indirect means; forced transfer; torture; cruel, inhumane, humiliating and degrading treatment; and unlawful detention; severe mental and physical suffering; and appropriation and looting of private property including homes. These deprivations of rights and persecutory acts establish the material elements of persecution both singularly and cumulatively.

661. The evidence also establishes beyond reasonable doubt that Direct Perpetrators perpetrated the persecutory acts deliberately and with the specific intent to discriminate against the victims on political grounds. The fact that the victims resided in Phnom Penh was reason to target them for separate treatment, and the Direct Perpetrators set up registration areas and ordered persons to write biographies in order to further identify them on politically persecutory grounds. These acts were committed in the implementation of the CPK's policy to identify, suppress and eliminate its political opponents, and those not aligned with its political ideology.

OTHER INHUMANE ACTS (FORCED TRANSFER)

662. The evidence admitted at trial establishes beyond reasonable doubt that Direct Perpetrators inflicted great suffering, or serious injury to body or to mental or physical health,²⁸¹¹ by means of forced transfer; and either intended to inflict such suffering or injury, or were aware that such suffering or injury would arise in the ordinary course of events.²⁸¹² Concerning the underlying forced transfer, the evidence also establishes beyond reasonable doubt that the Direct Perpetrators deported or forcibly transferred, without grounds permitted under international law, one or more persons to another State or location, by expulsion or other coercive acts.²⁸¹³ They intended to displace (permanently or otherwise), the victims within the relevant national borders,²⁸¹⁴ and it was reasonably foreseeable that such displacement would occur as a consequence of their actions.²⁸¹⁵
663. The forced transfers constituted, in themselves, inhumane acts committed against civilians whom the CPK sought to enslave in cooperatives and worksites. Direct Perpetrators, mainly military personnel, monitored and executed all aspects of the forced transfer of the population from Phnom Penh on 17 April 1975. The inhabitants of

- Phnom Penh were there lawfully under international law, and the forced transfers were wholly without justification on grounds permissible under international law.
664. In many cases, transferees were pooled at collection points at the outskirts of the urban area before being sent on to the rural areas. Direct Perpetrators publicly announced the First Forced Transfer by means of loudspeakers and radio broadcasts and enforced the transfer by means of street-by-street and house-by-house searches of the urban area. Civilians were ordered to leave their homes, using the threat of violence, actual violence or by means of an inherently coercive and oppressive environment established by the presence and behaviour of military forces, including the brandishing and firing of weapons, shouting, as well as deceptive threats of imminent bombing. The movement was involuntary and the population had no genuine choice but to leave. All inhabitants of the cities were forced to leave immediately.
665. No exceptions were allowed for those gravely ill, hospitalised, or suffering from serious injuries; hospital patients; women who had just given birth; the elderly; the infirm; and infants and children of all ages. No specific provision was made for infants and children during the transfer and families were separated at the whim of direct perpetrators. Direct Perpetrators constantly monitored the forced movement and subjected transferees to extremely harsh conditions, as well as thousands of instances of cruelty, violence and degrading treatment, causing them serious mental and bodily harm. Transferees were not allowed to carry sufficient belongings or to make adequate preparations for the journey. They were forced to travel long distances, usually on foot, during the hottest month of the year, and without any provisions for water, food or shelter, including numbers forced to sleep without shelter from the elements and parasites, among rice paddies; in ditches; or on roadsides. No arrangements were made for adequate medical care to be provided to the sick and the elderly. Aid that could have been provided by international agencies was spurned. The victims were in a constant state of fear as severe punishments were meted out on the spot to those who did not comply with the forced marches. The impact of these conditions on the victims is illustrated by the thousands of deaths resulting from starvation, exhaustion, exposure, illness and execution during the transfer. Families were permanently separated. Direct Perpetrators failed to provide minimally-adequate accommodation for the forcibly transferred persons during their transfer or upon arrival at their respective destinations. Following the forced movements, the victims were not returned, or allowed to return, as soon as

possible, with most who survived only being able to return following the fall of the CPK from power in Cambodia from 7 January 1979.

666. The extent and gravity of suffering imposed on the victims of the forced transfers demonstrates that Direct Perpetrators intended to inflict great suffering or serious bodily or mental harm or were aware that such suffering or harm would occur in the ordinary course of events as a consequence of forced transfer. The coordinated forced transfer of hundreds of thousands on foot, and in overloaded trucks and trains, in grossly inhumane conditions in which civilians were held remained unchanged even though Direct Perpetrators directly witnessed the extent of suffering caused; received internal reports confirming such suffering and were aware of international analytical and media reports confirming they saw the extent of the suffering which they were causing. Within each site and event, Direct Perpetrators consistently implemented the CPK policies condoning cruel and inhumane treatment, including physical abuse, of all perceived “enemies.”
667. The evidence does not support any justification for the First Forced Transfer under international law. As previously explained in the Co-Prosecutors’ submission on the applicable law,²⁸¹⁶ international law countenances only two permissible justifications for the forcible transfer of persons: “security of the population”, and “imperative military reasons.”²⁸¹⁷ In the course of proceedings, the Defence have sought to justify the First Forced Transfer on the basis of concern for the security of the population. They have not sought to justify the forced movement on the basis of any legally legitimate imperative military reasons. The Co-Prosecutors submit that the evidence demonstrates beyond a reasonable doubt that the Accused did not undertake the first forced transfer for legally permissible reasons.
668. The Accuseds’ claims that the First Forced Transfer was carried out to protect the population from imminent bombing by the United States and/or starvation are demonstrably pretextual. Claimed fears of United States aerial bombardment of Phnom Penh were not objectively reasonable. The United States ceased bombing Cambodia in 1973²⁸¹⁸ and, in any event, that bombing never targeted Phnom Penh. No evidence has been presented that would justify a concern that the United States was about to resume bombing. Furthermore, no evidence has been presented that Khmer Rouge forces took any other action to prepare for imminent bombing in Phnom Penh, such as protecting troops and buildings, or countering the attacks. To the contrary, numerous Khmer Rouge leaders entered and stayed in Phnom Penh themselves in the relevant period.

669. Similarly the evidence demonstrates that concerns regarding food shortages in Phnom Penh did not motivate the forced transfer of the population and/or were objectively unreasonable. The evidence does not support a contention that food shortages had reached a dire level at the time of the First Forced Transfer. In fact, Ieng Sary acknowledged that prior to the evacuation, Cambodia received between 30,000 and 40,000 tons of food a month from the United States,²⁸¹⁹ and Philip Short's expert testimony demonstrated that there was enough food for a matter of days.²⁸²⁰ Critically, Philip Short emphasised that "a static population is, by definition, much easier to feed than some millions of people who are streaming out of the city in all directions; when no medical facilities have been provided for that exodus; when no food reserves along the route have been provided; [and when] ...they are going to areas where there...are no warehouses with food to feed them."²⁸²¹
670. The Khmer Rouge leadership also took other actions at odds with concerns regarding feeding the population, such as refusing international aid²⁸²² and preventing aid organisations from continuing their work.²⁸²³ The evidence demonstrates that the Accused made no further plans, other than the illegal objective of forced labour, to alleviate any food concerns following transfer. Further, the conditions that created any food scarcity that existed prior to the First Forced Transfer were largely created by the Khmer Rouge and would have been mooted upon their victory.
671. The Accused have not attempted to justify the First Forced Transfer on the basis of imperative military necessity, and indeed no permissible imperative military reason existed. As the Co-Prosecutors previously submitted, the exception for imperative military reasons is aimed at the safety of the population, and therefore allows for forced movement under certain conditions where it is necessary to move a populace in order to effectively carry out military operations without harming them.²⁸²⁴ At the time of the First Forced Transfer, the Lon Nol forces had surrendered and the military conflict was over.
672. Additionally, the Accused have failed to identify any permissible military actions that they actually carried out, or even intended to carry out, that required the movement of the population. Moreover, there is no evidence that they took other actions in preparation for military activities that indicate the transfers were done to facilitate military objectives. While the Accused have at times stated that one objective of the First Forced Transfer was to identify and eradicate "enemies" and "spies" in Phnom

- Penh, forced movement for this purpose is not permissible, as the Co-Prosecutors explained in their submission on the law of forced transfer.²⁸²⁵
673. In fact, the purpose of the First Forced Transfer was to implement their policy of transferring the population to enslave them in co-operatives so as to monitor, control and seek out perceived enemies in order to re-educate or kill. The fact that the evacuation of Phnom Penh was planned for just under a year and the CPK evacuated the population from other towns and cities to the countryside at the same time, in the absence of any concerns regarding the security of the population, demonstrates that these forced transfers were a policy, not an *ad hoc* humanitarian solution.
674. Similarly, with the Second Forced Transfer, the permissible reasons for forcibly transferring the population for (1) the population's security or (2) imperative military reasons are not supported by evidence. The CPK's transfer of the population in the Second Forced Transfer was carried out in pursuance of the enslavement of the New People and was inherently discriminatory and coercive. The executions, the mistreatment of the population during the transfer, the failure to provide adequate food, shelter or medical assistance upon arrival and the thousands of deaths that consequently occurred demonstrate that the Second Forced Transfer was not motivated or justified by the security of the population. In relation to both forced transfers, once they had occurred the Accused made no attempt to allow, let alone facilitate, the vast majority of the population to return, and, in fact, those that survived were not able to return until after the fall of the DK regime in 1979.

OTHER INHUMANE ACTS (ATTACKS ON HUMAN DIGNITY)

675. The evidence admitted at trial establishes beyond reasonable doubt that Direct Perpetrators caused great suffering or serious injury to physical or mental health by attacking the human dignity of the civilian population.²⁸²⁶ Direct Perpetrators intended to inflict such suffering or serious harm or were aware that such suffering or harm would occur in the ordinary course of events.²⁸²⁷ Concerning the underlying attacks on human dignity, the evidence also establishes beyond reasonable doubt that Direct Perpetrators deprived of food, shelter, medical assistance, and minimum sanitary conditions, which caused on victims serious mental and physical suffering and injury, as well as a serious attack on human dignity of similar gravity to other crimes against humanity. The evidence also demonstrates beyond reasonable doubt that Direct

- Perpetrators were aware of the factual circumstances that established the gravity of their conduct, particularly the inhumane conditions of the First and Second Forced Transfers.
676. The facts supporting the great suffering, or serious injury to body or to mental or physical health required to prove the crimes of Forced Transfers as Other Inhumane Acts also substantiate in proving the Attacks on Humane Dignity as an Inhumane Act. These crimes directly effected over 2.5 million people; approximately 2 million people endured these conditions in the First Forced Transfer and over 500,000 in the Second Forced Transfer.

OTHER INHUMANE ACTS (ENFORCED DISAPPEARANCES)

677. The evidence admitted at trial establishes beyond reasonable doubt that Direct Perpetrators, acting with the authorisation, support or acquiescence of the DK government, inflicted great suffering, or serious injury to mental health²⁸²⁸ as a result of the arrest or detention of persons. Direct Perpetrators intended to inflict such suffering or serious harm or were aware that such suffering or harm would occur in the ordinary course of events.²⁸²⁹ Concerning the underlying enforced disappearances, the evidence also establishes beyond reasonable doubt that the Direct Perpetrators, on one hand, arrested or detained persons and the other hand refused to acknowledge the arrest or detention or to give information on the fate or whereabouts of such persons. In the absence of a functional judiciary, the detention invariably placed such persons outside the protection of law, and Direct Perpetrators refused to provide access to or information about such persons. Further, Direct Perpetrators meant to arrest or detain such persons and were aware of the factual circumstances that establish the gravity of their conduct, as demonstrated by evidence which shows that intentional measures were taken in order to conceal the fate of people who had disappeared who, in most cases, were killed thereafter.
678. Direct Perpetrators arrested or detained many individuals, including foreign nationals, in the course of the First and Second Forced Transfers. Most were never seen again. Relatives of the disappeared were given information that Direct Perpetrators knew to be false by means of statements that individuals who were the subject to inquiries were “sent to study,” “required by Angkar” or went to “become diplomats.” The families of a number of Khmer Republic officials who subsequently disappeared were told by Direct Perpetrators that their relatives had gone to meet the King (“Samdech Eav”). A number of witnesses also confirm that the inherently coercive environment enforced by Direct

Perpetrators within the DK slave state made them too afraid to inquire about the location and condition of the disappeared - they did not “dare to ask.” This amounts to a constructive denial of information as to the fate of the disappeared. The established enemy policy and culture of secrecy imposed by the Party Centre, which controlled the DK government, fully authorised Direct Perpetrators to arrest and detain persons and maintain their enforced disappearance, including the refusal to give information to their relatives. Numerous Civil Parties and witnesses have testified to the severity of the suffering and mental harm inflicted upon them by the lack of information as to the whereabouts of their relatives, in many cases lasting to the present day.

B. MODES OF LIABILITY

679. In this subsection, the Co-Prosecutors will demonstrate that the material facts established in the *Role of Nuon Chea* and *Role of Khieu Samphan* Sections, above, satisfy, in terms of the applicable law: a) the objective and subjective legal requirements applicable to the modes of liability of commission, by means of the systemic form or, in the alternative, the basic form of joint criminal enterprise; planning; instigating; ordering; aiding and abetting; and superior responsibility relevant to each of the crimes charged.

1. JOINT CRIMINAL ENTERPRISE

680. The evidence admitted at trial establishes, beyond reasonable doubt, that as of 17 April 1975 until at least the end of 1976 a plurality of persons,²⁸³⁰ comprising **Nuon Chea** and **Khieu Samphan**, together with Pol Pot, Ieng Sary *alias* Van, Vorn Vet, Chhit Choeun *alias* Ta Mok, So Vanna *alias* Sao Phim, Son Sen *alias* Khieu and Sua Vasi *alias* Doeun (members of the Standing Committee and/or the “Party Centre”); Zone Secretaries and Deputy Secretaries (including, but not limited to: Ros Nhim *alias* Muol Sambath, Chou Chet *alias* Thang Si, Koy Thuon *alias* Thuoch *alias* Khuon, and Ke Pauk); commanders of Military Divisions; and leading CPK cadre (including, but not limited to Ieng Thirith *alias* Phea) (collectively, “JCE members”) shared together a common criminal plan²⁸³¹ to create a slave state and destroy real and perceived enemies of the CPK, involving the commission of crimes against humanity of murder; extermination; persecution on political grounds; and other inhumane acts (forced transfer; attacks on human dignity; and enforced disappearance) (“the crimes charged”).

681. The evidence further demonstrates, beyond reasonable doubt, that **Nuon Chea**, **Khieu Samphan** and other JCE members, acting in order to further²⁸³² the common criminal

plan, used non-members of the JCE²⁸³³ through the organised structures of power²⁸³⁴ of the CPK (“Direct Perpetrators”) to carry out the material elements of the crimes charged; and that such crimes in fact occurred or continued,²⁸³⁵ between 17 April 1975 and the end of 1976.

682. The evidence also shows, beyond reasonable doubt, that **Nuon Chea, Khieu Samphan** and other JCE members, acting through an established framework of collective decision-making, determined the scope of the common criminal plan, and the general identity of its victims,²⁸³⁶ by designing, adopting, disseminating and enforcing CPK directives on forced transfer, the elimination of enemies and targeting of specific groups through the organised structures of power of the CPK. As implemented by Direct Perpetrators, these directives set in place an organised system of ill-treatment - a “nation-wide, government-organised system of cruelty and injustice”²⁸³⁷ - initially across the liberated zone and subsequent to the fall of Phnom Penh, across the territory of Democratic Kampuchea, starting no later than June 1974 and ongoing at the end of 1976, by which the CPK forcibly transferred the entire urbanised population of Cambodia in order to monitor, control and target and kill real and perceived enemies, including former Lon Nol officials, and effectively enslaved the civilian population of Cambodia in worksites and cooperatives.
683. Finally, the evidence proves, beyond reasonable doubt, that **Nuon Chea** and **Khieu Samphan**, individually and through an established framework of collective decision-making, actively enforced the organised system of ill-treatment, and intended to further the organised system of ill-treatment or knowingly contributed to its maintenance, and thereby incur individual criminal responsibility for commission of the crimes charged on the basis of the systemic form of joint criminal enterprise (type II); or in the alternative, that **Nuon Chea** and **Khieu Samphan** significantly contributed to the commission of the crimes within the scope of the common criminal plan; were aware that their actions or omissions would enable the commission of such crimes; had knowledge of the crimes; and shared with the Direct Perpetrators the requisite mental state satisfying the mental elements for each of the crimes charged, and thereby incur individual criminal responsibility for commission of the crimes charged on the basis of the basic form of joint criminal enterprise (type I).²⁸³⁸

CONTRIBUTIONS OF NUON CHEA

684. **Nuon Chea** made significant, intentional contributions to the establishment, furtherance or enforcement of the organised system of ill-treatment; or in the alternative, to the commission of crimes within the scope of the common criminal plan included: a) heading the organised structures of power of the CPK, second only to Pol Pot, and wielding tremendous influence in the framework of collective decision-making; b) leading the design of the criminal plan to forcibly transfer the population and eliminate real or perceived enemies; c) identifying strategic priorities, means and methods for the commission of crimes; d) playing a major role in CPK military and security apparatus, which played a central role in the execution of the crimes; d) leading indoctrination sessions and instilling discipline in Direct Perpetrators to be used as tools in the commission of crimes; e) ordering, directing, supervising, monitoring, and reporting on the commission of crimes; f) exhorting Direct Perpetrators to maintain and enforce the organised system of ill-treatment; g) reinforcing, justifying and defending the organised system of ill-treatment within the CPK organised structures of power; and g) concealing and maintaining the covert character of the authority of JCE members exercising governmental authority through the organised structures of power of the CPK, thereby facilitating the commission of crimes.

FORCED TRANSFERS

First Forced Transfer

685. **Nuon Chea** participated in all unanimous and collective decisions of the Central Committee and subordinate CPK committees to forcibly expel the civilian population of Phnom Penh, without exception, and move them to rural cooperatives and worksites, furthering the organised system of ill-treatment already well-established in the liberated zone from 1973. **Nuon Chea** admits designing the CPK policy to target the cities, together with Pol Pot, before the First CPK Congress in 1960, which characterised cities as the “nerve-centre” of the CPK’s enemies. He participated in the design and promulgation of the directive to “seize the people”, and consistently exhorted Direct Perpetrators to follow this directive and affirmed its efficacy in achieving the aims of the CPK. **Nuon Chea** also admits that the CPK Military Committee, on which he served, oversaw the evacuation of Phnom Penh. He has admitted expelling the civilian population from the cities because “there were many enemies”, demonstrating his specific intent to target the urbanised population on account of their perceived

opposition to the CPK's political lines and his intent to forcibly transfer the population. From 17 April 1975, **Nuon Chea** supervised, monitored and reported to other members of the the Party Centre on the forced evacuation of the civilian population by Direct Perpetrators, confirming his firsthand knowledge of the fact of forced transfer and the conditions under which the civilian population were being expelled from Phnom Penh.

Second Forced Transfer

686. **Nuon Chea** participated in the collective decision of the Central Committee to rapidly expand agricultural production through forced collectivisation and forced labour to build dams and canals; and in the collective decision of the Standing Committee to forcibly transfer 500 000 people to the Northwest Zone, knowing of the lack of food and medicine. He admits discussions with Zone committees regarding the forced transfer of up to 1.4 million people to the Northwest Zone. He was responsible for "internal matters" that "related to the people" and as such received telegrams notifying him that the "instruction" of Angkar has been carried out to transfer of 50 000 Cham people from the East Zone. As a leading CPK figure at political indoctrination sessions, **Nuon Chea** exhorted and raised the discipline of Direct Perpetrators to implement plans to permanently displace the former urbanised population through repeated transfers. This further demonstrates his intent to further essential role in the commission of crimes arising from the Second Forced Transfer.

TARGETING OF KHMER REPUBLIC OFFICIALS

687. **Nuon Chea** admits that the CPK killed perceived "enemies" and "traitors" and defended the killings as necessary. He admits that the leadership of the Khmer Republic was "liquefied". **Nuon Chea** presided over meetings to restructure the CPK armed forces to better combat enemies "within the country" and "within" the rank. Through other political education sessions, he indoctrinated CPK cadre on the identification of specific groups of enemies, teaching them to "know how to identify enemies from friends" and participated in specific meetings on targeting Khmer Republic officials. As Deputy Secretary of the CPK Standing Committee and Central Committee, **Nuon Chea** occupied the secondmost senior position in the CPK organised structure of power. He developed, together with Pol Pot, the CPK directive to kill its enemies from 1960 onwards. He promulgated this policy directive, including the necessity of screening and monitoring CPK cadre and through direct statements, through *Revolutionary Flag and Revolutionary Youth* and in other communications. Through the CPK organised

structures of power, with **Nuon Chea** at its uppermost echelon and serving on its Military Committee, military commanders were ordered to search for and identify former Khmer Republic officials and district chiefs were ordered to segregate former Khmer Republic soldiers and civil servants from other transferees to be executed.

CONTRIBUTIONS OF KHIEU SAMPHAN

688. **Khieu Samp han** made a significant, intentional contribution to the establishment, furtherance or enforcement of the organised system of ill-treatment; or in the alternative the commission of crimes within the scope of the common criminal plan. His primary contributions included: a) taking a willing and active part in the design of the criminal plan and identifying means and methods for the commission of crimes; b) indoctrinating and instilling discipline in Direct Perpetrators to be used as tools in the commission of crimes; c) ordering, directing, supervising, monitoring, and reporting on the commission of crimes; d) prompting, urging and encouraging the commission of crimes; e) securing the flow of material and human resources to the Party Centre as means necessary for the commission of crimes; f) reinforcing, justifying and defending the organised system of ill-treatment both within and outside Cambodia, thereby giving material support to the commission of crimes; and g) concealing and maintaining the covert manner in which JCE members exercised governmental authority through the organised structures of power of the CPK, thereby facilitating the commission of crimes.

FORCED TRANSFERS

First Forced Transfer

689. As a senior leader of the CPK, GRUNK and FUNK, **Khieu Samphan** participated with other JCE members in the June 1974 Central Committee collective decision to launch a final attack on Phnom Penh and to forcibly evacuate it and other urban centres upon victory. He spoke in favour of the First Forced Transfer at a meeting of the CPK leadership and battlefield committees in early April 1975 at Office B-5 and participated in the unanimous decisions to evacuate the entire urban population and to issue orders designating troops responsible for “spearheads” to the commanders of Military Divisions. These orders were implemented by CPK-controlled military forces prior to, on and immediately following 17 April 1975. At the time, **Khieu Samphan** was aware that the displacement of the civilian population to rural areas for the purpose of forced labour was essential to the implementation of the criminal plan to establish a slave state,

- as demonstrated by his December 1975 statement to the Third National Congress celebrating the establishment of a nation-wide system of forced labour.
690. The evidence demonstrates that **Khieu Samp han** resided and coordinated regularly with other JCE members at Central Committee field headquarters established at S-71 and B-20 (1970-1975), B-5 (March-April 1975), Sdok Toul village (immediately prior to 20 April 1975) and the Phnom Penh railway station (on or about 20 April 1975) . From the day of his arrival in Phnom Penh, he supervised, monitored and reported to the other members of the Party Centre on the forced evacuation of the civilian population, including his report that “the evacuation is proceeding smoothly,” which confirms his firsthand knowledge of the fact of forced transfer and the conditions under which the civilian population were being expelled from Phnom Penh. While he has admitted he “clearly realised” that the population “might have fallen” in the course of the First Forced Transfer, the evidence of his presence in Phnom Penh at the time of the evacuation, his active monitoring of the evacuation, and his firsthand awareness of the conditions of the transfer, establishes beyond reasonable doubt that he knew deaths would occur in the ordinary course of events.
691. By means of earlier public radio broadcasts, **Khieu Sa mphan** contributed to the preparation of the inherently coercive conditions vital to the successful execution of the First Forced Transfer. As the GRUNK Deputy Prime Minister and Commander in Chief of the CPNLAF, he threatened foreign diplomatic delegations and internationally-protected premises by stating, on 26 February 1975, that the RGNUC refused to “bear responsibility for any accidents,” just one week after a radio broadcast attributed to the Voice of FUNK warned foreign delegations that “it is common knowledge that to remain is to die.” By means of speeches and political indoctrination lectures specifically directed at Direct Perpetrators, he endorsed the efficacy of forced transfer of the civilian population as a means of achieving CPK goals and encouraged the use of forced transfer in future military victories. In numerous broadcasts from December 1974 to April 1975, he called for relentless attack on Phnom Penh, announced the scarcity of rice and foodstuffs in the capital and the blockade of most transportation routes by CPNLAF forces, in order to demoralise the enemy and further encourage CPNLAF in their attack against the city and its civilian population. These speech demonstrate his leadership role in the military campaign as Commander-in-Chief of CPNLAF forces, his knowledge of and access to information on military reports, plans and objectives, including the intentional targeting of civilians and indiscriminate blockade of

- humanitarian aid, and his awareness of the deteriorating living conditions facing the civilian population of Phnom Penh in advance of the final assault on the city.
692. By means of political indoctrination sessions he taught to cadre affiliated to the CPK, **Khieu Samp han** directed that “New People” should be monitored to identify “infiltrated enemies” and that “New People” were “steeped in feudalism”, a coded term employed by the JCE members to refer to a defined class enemy of the CPK. As a member of the Central Committee and the Party Centre, **Khieu Samphan** supported and promoted CPK directives issued through *Revolutionary Flag* and *Revolutionary Youth* that monitoring of “enemies” in general and “New People” in particular. The repeated and insistent dissemination of the directive to monitor and target “New People” was indispensable to furthering the organised system of ill-treatment by removing all perceived threats or opposition to the absolute rule of the CPK. The evidence demonstrates that he formed, promoted, reinforced and shared the specific intent of Direct Perpetrators to discriminate against “New People” on the basis of their perceived political opinions, values or positions.
693. **Khieu Samphan** has admitted his “indispensable” role in establishing the GRUNK and FUNK coalition, in which he held the most senior positions of all the JCE members, and has stated that he was the “only one” who could establish relations with Norodom Sihanouk. These essential contributions secured the continued flow of material and human resources to achieve the aims of the common criminal plan, including but not limited to: 1) the financial, military and logistical support of the People’s Republic of China and the Socialist Republic of Vietnam to the CPK; 2) the expansion of CPK military forces by tens of thousands of voluntary recruits; and 3) building networks of support for the CPK, and opposition to the Khmer Republic among the urbanised population. These developments not only enabled the CPK to topple the Lon Nol regime, but, after 17 April 1975, to keep the CPK organised structure of power concealed and in covert control of the DK governmental authority and the specific roles of the JCE members concealed from the Cambodian public and from external scrutiny, thereby reinforcing the CPK’s grip on power. **Khieu Samphan** also worked tirelessly to garner international political support attract international legitimacy for the CPK, by meeting with foreign delegations visiting the “liberated zones” and leading a GRUNK delegation on a tour of several friendly countries.
694. There is no credible evidence that **Khieu Samphan** ever desisted or wavered in his wholehearted support for the collective decision to evacuate Phnom Penh, a decision he

subsequently endorsed and promoted in public statements, including those urging on the armed forces in his official capacity as their Commander-in-Chief. He witnessed firsthand the implementation of the JCE members' criminal plan of forced transfer upon his arrival in Phnom Penh. The only reasonable conclusion on the evidence is that **Khieu Samphan** shared the intent to forcibly transfer the civilian population of Phnom Penh through the use, by JCE members, of Direct Perpetrators as tools to achieve the common criminal plan; that he knew of the crime of forced transfer being committed; and that he was aware that his contributions would enable the commission of that crime.

Second Forced Transfer

695. As a member of the Party Centre charged responsible for the economy, domestic production and commerce, as well as the leading economist of the CPK, **Khieu Samphan** participated in the collective decisions of the Central Committee to order the Second Forced Transfer, and contributed to the implementation of the criminal plan of enslavement of the population, including the August 1975 Standing Committee proposal to relocate 500 000 civilians to the North West Zone and the Central Committee's subsequent collective decision to order the transfer of 500 000 to the North West Zone and 20 000 to Sector 103 (Preah Vihear province). He publicly advocated adherence to grossly unrealistic rice production quotas. He participated in all Standing Committee meetings for which records are available during the period of the Second Forced Transfer and personally received reports of the inhumane conditions facing the transferees, the arrest of escapees in line and requests for instructions from the Party Centre, in line with established CPK directives on the treatment of enemies.
696. By means of speeches and public statements, **Khieu Samphan** promoted, endorsed and defended the enslavement policy of the CPK and the forcible means employed by the JCE members, through the instrumentality of Direct Perpetrators, to forcibly transfer the civilian population. In an August 1975 speech, as the Second Forced Transfer was set in motion, he referred to the entire civilian population as "forces" that the CPK had "mobilised" and "organised". He also shielded the criminal plan of enslavement from international scrutiny. **Khieu Samphan** also took a leading role in the Party Centre to promulgate and disseminate the DK Constitution, which reinforced the intertwined CPK policies of forced transfer and forced labour thereby furthering the objectives of the JCE.

TARGETING OF KHMER REPUBLIC OFFICIALS

697. **Khieu Samphan** participated in, approved and confirmed the decision to kill the seven “Super Traitors”, including Long Boret and Sirik Matak, whose extrajudicial execution was publicly acknowledged by Ieng Sary on behalf of the JCE members. **Khieu Samphan** publicly promulgated CPK directives to smash enemies in 1972, 1973, 1974 and 1975, and publicly identified the “leaders” of the Khmer Republic “and their subordinates” as “traitors,” and called for their elimination. In February 1975, **Khieu Samphan** communicated an ultimatum to Khmer Republic military personnel and civil officials inviting them to join the FUNK forces, but only if they “immediately” abandoned the Khmer Republic regime; the implication being that those who did not come to the side of **Khieu Samphan** would be treated like the “Super Traitors.” In a pre-dawn radio broadcast from Phnom Penh on 22 April 1975, while the evacuation was ongoing, **Khieu Samphan**, speaking as Commander-in-Chief of the CPNLAF, Deputy Prime Minister and Minister for National Defence of GRUNK congratulated the attacking armed forces, lauded the fall of Phnom Penh and celebrated the fact that the enemy had “died in agony.” Concurrent to the searches for Lon Nol officials across the territory of Cambodia, **Khieu Samphan** called on Direct Perpetrators to “constantly” increase their “revolutionary vigilance,” a coded term already associated within the CPK organised system of targeting perceived enemies. The “Seven Traitors” were named by **Khieu Samphan** in a December 1975 speech as the targets of a policy of “condemning and punishing”, further supporting the inference that he participated in the design and planning of the murders, the identification of the victims; and had knowledge of the murders.
698. **Khieu Samphan**’s intent to cause the death of the Long Boret and Sirik Matak and the deaths on a mass scale of other senior and subordinate Lon Nol officials is reflected in his repeated, public calls for their extrajudicial execution as “traitors” and his public characterisation, as a member of the Party Centre, of such individuals as “enemies” in the context of established CPK policy directives mandating the killing of all enemies of the CPK. His knowledge of the commission of the crimes of murder, extermination and persecution by Direct Perpetrators is demonstrated by the contemporaneous international press coverage of the events, on which every member of the Party Centre, including **Khieu Samphan**, received regular reports . As a senior leader of the CPK, his repeated public calls for the marginalisation, monitoring, execution and mass killings of senior and subordinate Khmer Republic officials, addressed to Direct Perpetrators with

an organised system of power establishes, beyond reasonable doubt, his awareness that his own acts and omissions would further the criminal plan to kill those associated with the former Khmer Republic.

2. PLANNING

699. The evidence admitted at trial demonstrates beyond reasonable doubt that **Nuon Chea** and **Khieu Samphan**, either individually or as part of an established framework of collective decision-making, designed criminal conduct constituting the crimes charged, which were later perpetrated by Direct Perpetrators;²⁸³⁹ and that these acts of planning substantially contributed to the criminal conduct of Direct Perpetrators.²⁸⁴⁰ The evidence further proves, beyond reasonable doubt, that both **Nuon Chea** and **Khieu Samphan** intended to design such criminal acts, and knew such crimes would be committed in the execution of the plan; or that each was aware of the substantial likelihood that crimes would be committed in the execution of that plan.²⁸⁴¹
700. The evidence admitted at trial demonstrates beyond reasonable doubt that **Nuon Chea** was the original co-author of CPK policies to use revolutionary violence, to kill or “smash” its enemies in general, and to specifically target the urban population and Khmer Republic officials, from 1960 onward. He disseminated these plans through the CPK organised structures of power through speeches and publications, political indoctrination and direct communication with Zone secretaries and military commanders. He participated in the collective decisions to plan the First and Second Forced Transfers and the killings of Khmer Republic officials as a specific class after the fall of Phnom Penh. He demonstrably intended to design such criminal acts and knew that the crimes would be committed in the execution of his plans.
701. The evidence admitted at trial demonstrates beyond reasonable doubt that **Khieu Samphan** took an active role in the design of criminal conduct by the Direct Perpetrators through his active participation in decision-making meetings at the highest levels of the CPK, including decisions to forcibly transfer the population to cooperatives and worksites during the First and Second Forced Transfers ; to execute Khmer Republic officials perceived as “traitors” and “enemy heads” ; and to specifically target “New People” for heightened scrutiny and designation as enemies at the slightest misstep, which **Khieu Samphan** described in public statements as including the loss of sewing needles or not working hard enough. By serving in advance field headquarters to coordinate with military commanders and other members of the Party Centre, he

substantially contributed to the criminal conduct of Direct Perpetrators. With oversight of the Ministry of Commerce, he planned the distribution of the rice harvested through forced labour, and designated most of the rice harvest for export, and none to feed the starving population. **Khieu Samphan** was aware of the substantial likelihood that deaths would result from the execution of that plan. The evidence further proves, beyond reasonable doubt that **Khieu Samphan** intended to design the movement of the masses and the programme to eliminate perceived “traitors” throughout the country, and realised that civilians would have “fallen along the way” resulting from the execution of the forced transfer .

3. INSTIGATING

702. The evidence admitted at trial demonstrates beyond reasonable doubt that both **Nuon Chea** and **Khieu Samphan** prompted,²⁸⁴² urged or encouraged²⁸⁴³ Direct Perpetrators to commit the crimes charged, whether by acts or omissions, and that each of their acts of instigation substantially contributed to the criminal conduct of Direct Perpetrators.²⁸⁴⁴ The evidence further proves, beyond reasonable doubt that both **Nuon Chea** and **Khieu Samphan** intended to provoke or induce Direct Perpetrators to commit such crimes; or were aware of the substantial likelihood that crimes would be committed as a probable consequence of their respective actions.²⁸⁴⁵
703. As demonstrated by **Nuon Chea’s** multiple acts of participation in the joint criminal enterprise, above, **Nuon Chea** wielded tremendous influence in the CPK ranks, and intending to induce Direct Perpetrators to commit the crimes charged, he prompted, urged and encouraged the First and Second Forced Transfers and the targeting and killing of Khmer Republic officials, within the framework of CPK policy directives to “seize the people”, to empty the cities in order to establish a slave state, and monitor and kill “traitors” and other enemies – policies he co-authored with Pol Pot.
704. As demonstrated by **Khieu Samphan’s** multiple acts of participation in the joint criminal enterprise, above, **Khieu Samphan** encouraged Direct Perpetrators to carry out the First and Second Forced Transfers and to target and kill Khmer Republic officials, within the framework of CPK policy directives to “seize the people”, to empty the cities in order to establish a slave state, and monitor and eliminate “traitors” and enemies. His repeated public broadcasts and speeches, his leading role in political indoctrination of CPK cadre and his continued, willing exercise of the most senior, publicly-visible roles within the CPNLF, GRUNK and FUNK, prior to and following the fall of Phnom

Penh, disclose beyond reasonable doubt an intent to provoke or induce the commission of crimes by those who he addressed in his exhortations.

4. ORDERING

705. The evidence admitted at trial demonstrates beyond reasonable doubt that **Nuon Chea** and **Khieu Sam phan** issued express or implied orders²⁸⁴⁶ to subordinate²⁸⁴⁷ Direct Perpetrators or persons under his authority²⁸⁴⁸ to commit the crimes charged, and that such crimes in fact took place. The evidence further proves, beyond reasonable doubt, that he intended to provoke or induce Direct Perpetrators to commit such crimes; or was aware of the substantial likelihood that crimes would be committed as a probable consequence of his actions.²⁸⁴⁹
706. As demonstrated under the mode of liability of superior responsibility, below, **Nuon Chea** issued express orders for the First and Second Forced Transfers to subordinates through the established framework for collective decision-making by the Central Committee. Zone secretaries across the countries were functionally subordinated to **Nuon Chea** and Pol Pot; thus, **Nuon Chea** was in a superior-subordinate relationship with all Direct Perpetrators within the organised structures of power of the CPK. He met regularly with Zone secretaries and battlefield commanders. Having designed and indoctrinated Direct Perpetrator in the imperative of democratic centralism, of unquestioning implementation of the wishes of the Party Centre, **Nuon Chea** knew that his orders would be obeyed on pain of arrest, ill-treatment or torture and almost certain death. He issued orders for the First and Second Forced Transfers and the killing of the “Super-Traitors” within the established framework of collective decision-making and express orders to “get rid of” or eliminate” enemies of the CPK including Khmer Republic officials.
707. As demonstrated under the mode of liability of superior responsibility, below, **Khieu Samphan** issued express orders for the First and Second Forced Transfers to subordinates through the established framework for collective decision-making by the Central Committee and met regularly with battlefield commanders in advance of the fall of Phnom Penh, receiving reports and issuing instructions. He also expressly ordered the killing of the seven “Super Traitors”, resulting in the extrajudicial killing, by his subordinate forces of all those named by **Khieu Samphan** who were not able to flee . He further issued implied orders to kill all those designated as traitors, including subordinate Khmer Republic officials and New People who deviated from the orders of

the CPK Party Centre. The evidence demonstrates beyond reasonable doubt that CPK cadre murdered any members of the population of Phnom Penh who refused to leave , or faltered along the way . His intention to provoke or induce subordinate Direct Perpetrators to commit the crimes charged in demonstrated by his wholehearted, public expressions of celebration and approval of the forced transfers at home and abroad . He also ordered the monitoring of Khmer Republic officials and “New People” through the use of coded terms such as calls for “revolutionary vigilance” by his subordinates, sharing the intent to discriminate against Khmer Republic officials and “New People” on the grounds of their actual or perceived political affiliations, values or opinions.

5. AIDING AND ABETTING

708. The evidence admitted at trial establishes beyond reasonable doubt, that **Nuon Chea** and **Khieu Samphan** gave practical assistance, encouragement or moral support to the Direct Perpetrators of the crimes charged which had a substantial effect upon the commission by the principal of the crime aided²⁸⁵⁰ or abetted²⁸⁵¹ the commission of the crimes charged.²⁸⁵² The evidence further demonstrates, beyond reasonable doubt, that **Nuon Chea** and **Khieu Samphan** knew that his acts assisted the commission of specific crimes by the Direct Perpetrators.²⁸⁵³
709. **Nuon Chea’s** multiple acts furthering the common criminal plan of the JCE members, set out above, additionally facilitated the commission of crimes, particularly through his central role in political indoctrination of Direct Perpetrators, where he recast past crimes as victories and templates for future success. As a member of the Standing Committee, Nuon Chea supported and promoted its decisions and policies at every turn, lending moral support to Direct Perpetrators who were implementing those very policies in the commission of crimes.
710. **Khieu Samphan’s** multiple acts furthering the common criminal plan of the JCE members, set out above, additionally facilitated the commission of crimes, particularly through his public encouragement of the Direct Perpetrators and celebration of the commission of crimes. **Khieu Samphan** participated in the work of the Standing Committee, therefore he was aware of CPK policies regarding “internal and external enemies” the arrest and killing of perceived enemies, requests to the Party Centre for advice on how to deal with arrested persons and CPK directives to destroy anyone associated with these enemies. He knew that the population was being moved throughout the country by force and did not stop the perpetrators. He provided moral

support by openly encouraged the commission of crimes. He gave speeches and statements supporting the commission of crimes. Moreover, **Khieu Samphan** collected information carrying out investigative missions into potential arrests of senior cadres, knowing that such information would be used by other JCE members and Direct Perpetrators to execute the policy directive to target and kill enemies. He knew about the establishment of forced labour sites following forced transfer, and the conditions of life in the countryside, including food rationing deaths and starvation but did nothing to prevent the execution of these policies or to seek their alteration to mitigate their violent and destructive effects. He also facilitated the commission of crimes through his role as one of two staff of Office 870 at the material time, the nerve centre of communications to and from the Party Centre, where he received and had access to confidential communications between the Party Centre and the zones. **Khieu Samphan** had the capacity to stop the commission of crimes, as evidenced not only by the high esteem in which he was held but also by his intervention to shelter and improve the conditions of his relatives.

6. SUPERIOR RESPONSIBILITY

711. The evidence admitted at trial establishes beyond reasonable doubt that forces under a superior-subordinate relationship of effective command and control, or effective authority and control²⁸⁵⁴ of **Nuon Chea** and **Khieu Samphan** perpetrated the crimes charged as a result of his failure to exercise control properly over such forces;²⁸⁵⁵ and that **Nuon Chea** and **Khieu Samphan**, as military commanders or persons effectively acting as military commanders²⁸⁵⁶ either knew or, owing to the circumstances at the time, should have known that the forces were committing or about to commit such crimes;²⁸⁵⁷ and failed to take all necessary and reasonable measures within his power to prevent or repress their commission or to submit the matter to the competent authorities for investigation and prosecution.²⁸⁵⁸
712. **Nuon Chea** was second only to Pol Pot in the hierarchy of the CPK Party Centre and Acting Prime Minister in Pol Pot's absence. He served on the High Command of the CPNLAF, appointed by the Political Bureau of the FUNK and GRUNK. He spoke on behalf of the CPK Military Committee and admits that this Committee, on which he served, was tasked with "purging internal enemies". He was the immediate superior of Son Sen, head of the RAK General Staff, and the evidence demonstrates that **Nuon Chea's** approval was sought and required on priority matters relevant to the military,

including requests for investigation of suspected enemies. He was on notice of the day-to-day operation of the organised system of ill-treatment in place, and the details of crimes committed by Direct Perpetrators, as demonstrated by the evidence of his subordinate Kaing Guek Eav alias Duch, who stated that “everything” went through **Nuon C hea**. His superior-subordinate relationship with Northwest Zone cadre, including Ruos Nhim, was established from 1967 and continued during the mass killings at Toul Po Chrey by forces subordinate to Ruos Nhim. As the senior authority within the CPK for reporting on military and security matters, he was in a preminent position to prevent or repress the commission of crimes by his subordinates. Instead, he lauded and encouraged their criminal conduct.

713. **Nuon Chea**’s actual knowledge of the crimes about to be or being committed by his subordinates is demonstrated beyond reasonable doubt by his presence in Phnom Penh while the First Forced Transfer was still underway; his receipt, at the apex of military authority, of reports from Son Sen, Zone secretaries and military commanders; his
714. As Commander-in-Chief of the CPNLAF, Deputy Prime Minister and Minister for National Defence of GRUNK, **Khieu Samphan** held positions at the apex of both military and civilian authority structures in effective control of the entire territory of Cambodia from 17 April 1975. The evidence establishes that CPK organised structure of power, with **Khieu Samphan** operating at its the inner core, completely dominated and controlled the State apparatus and all means and mechanisms of State authority. The CPK organised structures of power were strictly hierarchical by design and in practice, with orders emanating from the upper-most echelon and reports on implementation absolutely required from subordinate structures, with drastic and deadly consequences for disobedience. **Khieu Samp han** was a member of the collective decision-making body that ordered the evacuation of Phnom Penh and issued detailed orders to Military Divisions on the assignment of troops to various “spearheads” to take control of the city. He was able to direct subordinate CPK cadre and Sector Secretary Meas Vouen to investigate the condition of his relatives and order that they be returned to Phnom Penh if required, as well as to order a Zone Secretary to release his sister-in-law from detention. **Khieu Samphan** clearly had the material ability to prevent and punish crimes committed by Direct Perpetrators in a superior-subordinate relationship with him, and that he exercised effective control over CPNLAF and CPK-controlled military forces.

715. **Khieu Samphan**'s actual knowledge of the crimes about to be or being committed by his subordinates is demonstrated beyond reasonable doubt by: his physical presence in Phnom Penh to witness part of the First Forced Transfer; his express orders to forces under his effective control to execute the "Super Traitors" and monitor and target subordinate Khmer Republic officials and "New People" as "traitors"; and his receipt of internal and external reports and letters addressed to him personally concerning the implementation of the forced transfer, the conditions on arrival of the transferees, the arrest and detention of "enemies", some of whom subsequently disappeared; the targeting of Khmer Republic officials and "New People" as specific categories of "enemies". Despite being on notice as to the commission of crimes, and exercising considerable powers to order investigations into matters of personal concern, such as the well-being of his relatives, on his own initiative, and Party Centre concerns through Office 870, **Khieu Samphan** did not act to prevent the commission of crimes by his subordinates, or to investigate those alleged to be responsible or submit the matters for investigation or prosecution by other members of the Party Centre or any other competent authority.

VII. CONVICTION AND SENTENCING

A. CONVICTION

716. Considering the legal characterisation of the material facts, the Co-Prosecutors respectfully request the Chamber to find that the evidence establishes, beyond reasonable doubt, the criminal responsibility of **Nuon Chea** and **Khieu Samphan** for the crimes against humanity of murder; extermination; persecution on political grounds; and other inhumane acts (forced transfer; attacks on human dignity; and enforced disappearance) punishable under Articles 5, 29 (new) and 39 (new) of the ECCC Law:

- (1) on the basis of their *individual criminal responsibility* pursuant to Article 29 of the ECCC Law, for having committed such crimes, by means of a systemic (type II) or basic (type I) joint criminal enterprise; or having planned, instigated, ordered and/or aided and abetted such crimes; and
- (2) on the basis of their *responsibility as superiors*, pursuant to Article 29 of the ECCC Law and as defined in customary international law as at 17 April 1975, as they knew or had reason to know that subordinates under their effective command and control, or authority and control, were about to commit such crimes or had done so and they failed to take the necessary and reasonable measures to prevent such crimes or to punish the perpetrators.

717. In Case 001,²⁸⁵⁹ this Chamber adopted the “Čelebići” test permitting multiple criminal convictions based on the same conduct only if each statutory provision involved has a materially distinct element not contained in the other.²⁸⁶⁰ The Supreme Court Chamber applied the same standard.²⁸⁶¹ The material elements of the crime against humanity of murder are encompassed by the crime against humanity of extermination.²⁸⁶² The remaining crimes for which **Nuon Chea** and **Khieu Samphan** should be convicted are not impermissibly cumulative.²⁸⁶³ For these reasons, the Co-Prosecutors submit that the Chamber should enter convictions against **Nuon Chea** and **Khieu Samphan** and sentence each for the crimes against humanity of extermination by killing (encompassing murder); persecution on political grounds; and other inhumane acts (forced transfer; attacks on human dignity; and enforced disappearance).
718. Applying the conceptual distinction between principal and accessorial liability in international criminal law,²⁸⁶⁴ the Chamber should subsume convictions on the basis of the modes of liability of planning and ordering²⁸⁶⁵ under commission; and ordering, planning and instigating under superior responsibility.²⁸⁶⁶

B. SENTENCING

1. SENTENCING RANGE

719. The Chamber may impose any fixed term of imprisonment that is equal to or greater than five years, or impose a life sentence,²⁸⁶⁷ and “may impose a single sentence that reflects the totality of the criminal conduct where an accused is convicted of multiple offences.”²⁸⁶⁸ In Case 001, this Chamber found that there is no specific indication of whether sentencing before the ECCC is governed by international or Cambodian legal rules, or some combination of both.²⁸⁶⁹ On appeal, Judges Klonowieka-Milart and Jayasinghe stated:

*[W]here there is no established international standard, the ECCC should deviate from the Cambodian sentencing regime only where there is good reason in the circumstances [such as] where Cambodian law contemplates a sentence that is clearly inadequate under international practice either because it is too harsh or too lenient.*²⁸⁷⁰

720. The Cambodian Criminal Code (in force since 2010)²⁸⁷¹ prescribes a mandatory sentence of life imprisonment for crimes against humanity,²⁸⁷² or between 15 and 30 years imprisonment with mitigating circumstances.²⁸⁷³ The French Criminal Code, to which the Cambodian law is most closely related, also imposes mandatory life imprisonment for crimes against humanity,²⁸⁷⁴ as does the criminal code of Belgium.²⁸⁷⁵ The German *Völkerstrafgesetzbuch* imposes mandatory life imprisonment for the

specific crimes against humanity of murder and extermination as defined in national law.²⁸⁷⁶ In Canada, mandatory life imprisonment applies to any crime against humanity which includes an element of intentional killing.²⁸⁷⁷ The Co-Prosecutors submit that this comparative practice confirms that the mandatory life sentence prescribed by Cambodian law is appropriate upon conviction for crimes against humanity.

721. As the Trial Chamber has previously held that the gravity of the crimes and all relevant aggravating and mitigating circumstances should be taken into account, the Co-Prosecutors address these issues in turn.²⁸⁷⁸

2. GRAVITY OF THE CRIMES

722. The **gravity of the crimes** committed is the “litmus test for the appropriate sentence” and must include “consideration of the particular circumstances of the case” and the “form and degree of participation of the Accused in the crime.”²⁸⁷⁹ The Supreme Court Chamber has held that the factors relevant to the assessment of gravity of the crimes include: (a) the number and the vulnerability of victims; (b) the impact of the crimes upon them and their relatives; (c) the discriminatory intent of the Convicted Person, when this is not already an element of the crime; (d) the scale and brutality of the offences; and (e) the role played by the Convicted Person in the commission of the crimes.²⁸⁸⁰ Additionally, the Trial Chamber emphasised the factors deemed relevant in the ICC Statute when considering gravity which include the age, education, social and economic condition of the Convicted Person.²⁸⁸¹ As discriminatory intent is a common mental element applicable to all the crimes against humanity under the ECCC Law, it is not to be considered in determining the gravity of the crimes for the purposes of sentencing.
723. Regarding the **number and vulnerability of victims and the scale and brutality of the offences** within the scope of Case 002/01 the evidence demonstrates that hundreds of individuals, at a minimum, were **killed by execution**, tens of thousands were **killed by the infliction of inhumane conditions** and millions were affected by the **forced transfer under inhumane conditions** from their homes.
724. Former **Khmer Republic officials, city dwellers and other transferees were brutally murdered** in mass in a consistent pattern of individual acts of killing during the First Forced Transfer - those who refused to leave their homes, left too slowly, or carried too much. The second wave of forced transfers created another opportunity for the CPK to locate and identify people perceived to be enemies and kill them.

725. More specifically, they killings targeted Khmer Republic officials and soldiers, some of whom were lured into revealing their backgrounds, as well as infants, children, hospital patients, the elderly and other civilians who were unable to defend themselves. At Tuol Po Chrey the victims were bound with rope in groups of twenty and shot to death, group by group. En route, transferees were shot, clubbed or beaten to death, had throats slit or were buried alive. One witness saw orphaned children crying for their mothers thrown from a moving train. Another saw an infant torn limb from limb. Some victims were forced to dig their own graves before being killed and buried, or buried alive.
726. During the First Forced Transfer, individuals were ***killed by the infliction of inhumane conditions***, many en route and thousands on arrival and in the weeks thereafter. Transferees who were too sick, too young, too old and too weak for the journey died as a result of the inhumane conditions inflicted upon them, alongside those who were healthy on departure and succumbed to dehydration, exhaustion, pre-existing medical conditions and lack of food amongst others causes. CPK troops did not provide adequate transport, food, water, hygiene facilities, medical care or sleeping accommodation during the First Forced Transfer. The roads leaving Phnom Penh were littered with bodies of those who could not cope with the unbearable conditions. In the Second Forced Transfer, many died from similar conditions, evident from eyewitness accounts of bodies strewn along the roadsides and train tracks. Masses died upon arrival at their destinations, particularly in the North and Northwest Zones. The lack of food, water, accommodation and medical care, coupled with overwork caused thousands of deaths, particularly among the urban population, ill-trained and ill-equipped for the work exacted from them under deplorable conditions.
727. There are no comprehensive records of the exact numbers who perished as a consequence of the forced transfers. Nor are there exact numbers of those who were executed at Tuol Po Chrey. However, CPK leaders, eyewitnesses account and contemporaneous CPK documents confirm that approximately 20,000 people were killed during the forced transfers within the scope of Case 002/01, in addition to the killings at Tuol Po Chrey.
728. The CPK's ***forcible transfers of at least 2 million people under inhumane conditions*** represents the victim toll relevant to these proceedings. Those that lived through these transfers suffered grave physical and mental harm. The CPK's criminal plan made no distinction or provision for anyone, including the most vulnerable. The population was not allowed to prepare for the First Forced Transfer. Civilians left ill-equipped, ill-

informed and in an atmosphere of fear and terror. They were forced to leave on foot, and provided insufficient food, water, clothing and medical care. They were forced to walk for several days and up to six weeks to reach their destinations. They were exhausted and suffered heatstroke at the peak of the hot season. They were helpless, distraught and robbed of all control over the course of their daily lives. They agonised over seeing killings, people dying and dead bodies strewn on the roadside. During the Second Forced Transfer, similarly, no significant provision was made for the civilian population, crammed into overcrowded trains and trucks.

729. The killings by execution, by the infliction of inhumane conditions on 20,000 people and the forcible transfers under inhumane conditions of over 2 million people continues to impact the Cambodian people. Expert evidence confirms the enduring physical and psychological effects of these crimes for survivors, their children and relatives.²⁸⁸² All those in the courtroom sensed the grief of witnesses and Civil Parties as they testified to their lasting psychological harm.²⁸⁸³ Harms resulting from the loss of community and identity for groups targeted for persecution;²⁸⁸⁴ trauma arising from forced expulsion and from leaving behind their belongings and familiar surroundings;²⁸⁸⁵ the debilitating experience of starvation;²⁸⁸⁶ and the particular impact of the crimes on children who lived through the DK period, including effects on subsequent generations.²⁸⁸⁷
730. The impact of the crimes becomes even more palpable upon consideration of the experience of each victim. Civil parties confirmed this terror, fear, powerlessness and acute loss and loneliness when witnessing murders, including those of family members.²⁸⁸⁸ Some victims were forced watch the killing of others knowing that they were next in turn. Others begged for their lives or the lives of their loved ones.
731. The CPK exacted the highest price for the establishment of its slave state. Killings and forced transfers under inhumane conditions were carried out by threats and violence, by subterfuge and mass deception, without any legal justification, in brutal conditions that left thousands dead and the memories, hearts and souls of victims irreparably damaged.²⁸⁸⁹
732. **The role played by the Accused in the commission of the crimes** is a further marker of gravity. Both **Nuon Chea** and **Khieu Samphan** formed part of a tightly-knit and exclusive group of leaders who conceived, set in motion and determined the scale and form of the crimes to be committed. The policies underpinning the killings and the forced transfers had been established years before these crimes were committed. Both Accused, together with other JCE members, specifically planned the forced transfers

almost a year in advance. Both Accused specifically devised and communicated the policy to kill former Khmer Republic officials well before the fall of Phnom Penh. The Accused planned and ordered the crimes through an established framework of collective decision-making and urged others to execute their designs.

733. The acts of the two Accused were indispensable to the commission of these crimes. The senior leadership of the CPK were prepared to do whatever it took to identify and eliminate any potential opposition to its rule and refashion the urbanised population into a purified class of revolutionary workers. They believed killing members of certain groups and forcing the population to move through the country under inhumane conditions was required to achieve this. These Accused were not small players in this plan but key actors in the commission of these crimes. Their role, together with others, in designing and implementing the systematic plan to “seize the people”²⁸⁹⁰ and destroy all perceived opposition lies at the core of the crimes charged in Case 002/01 - the forced transfer of the entire population of Phnom Penh and other urban centres in inhumane conditions and the targeted murder of “enemies.”
734. Significantly the **age, education and social and economic condition of the Accused increases the severity of the crimes**. Both **Nuon Chea** and **Khieu Samphan** were educated, intelligent and experienced in life by the time these crimes occurred. **Nuon Chea** was one of a privileged few given the opportunity to attend university outside Cambodia, and studied law for three years. He readily grasped and taught the philosophy of Stalin to others. **Khieu Samphan**, who holds a doctorate in economics, describes himself as a highly educated intellectual.²⁸⁹¹ He admits working in “the top position” during the DK period.²⁸⁹² The Accused were fully able to grasp the nature of their acts and understand their consequences.
735. These crimes were not the product of decisions taken in haste in a moment of confusion or weakness. These crimes were the result of 15 years of methodical preparation. The Accused and their circle took collective decisions – precise, inflexible and ruthless – which formed the basis of the crimes. For **Nuon Chea** and **Khieu Samphan**, the ends justified the means. While seeking to distance themselves from the stark reality of direct perpetration, the evidence demonstrates that in the commission of the crimes, each Accused played his longstanding, fraternal, willing and central part.

3. AGGRAVATING FACTORS

736. This Chamber has cited with approval the aggravating factors enumerated in the ICC Rules of Procedure and Evidence.²⁸⁹³ The most relevant factors in Case 002/01 include (1) an abuse of power or official capacity by the Accused; (2) the commission of the crime where the victim is particularly defenceless; and, (3) the commission of the crime with particular cruelty or where there were multiple victims.²⁸⁹⁴
737. It is clear that **Nuon Chea** and **Khieu Samphan** abused the power they possessed absolutely. The crimes were committed through the utter domination of the State by the Party, with the Co-Accused at its epicentre. Their conduct, at the very apex of authority of the DK, amounts to the essence of abuse of official capacity. The crimes committed affected millions, including the most vulnerable, with the intent to divide and cut away parts of families from families, villages from villages, and ultimately to homogenise the makeup of the State, as if to excise the nation from itself. Over the course of three years, eight months and twenty days, an ever-dwindling band dragged the Cambodian people through the morass of their own suspicions, and methodically stripped away their human dignity. Witnesses have testified to the singular inhumanity, engineered ruthlessness, deception, false hope and cruelty with which both phases of the forced movement, and the executions at Toul Po Chrey were carried out.
738. As Ieng Sary proclaimed, the CPK experimented with Cambodia, as had never been done before. **Nuon Chea**, **Khieu Samphan** and other JCE members abused the power entrusted to them as a government in control of the territory of Cambodia on the very first day they took “office”. By implementing a social experiment by force and through killings and the denial of all basic human rights, **Nuon Chea** and **Khieu Samphan** are criminally responsible for killing and displacing thousands and denying basic humanity to millions, mere instruments to fulfill a greater social experiment which the Accused had been designing for years.
739. The defencelessness and number the victims and the particular cruelty of the perpetrators have been addressed above. The Trial Chamber has also recognised that the zeal with which the crimes were committed is a relevant aggravating factor to be taken into account. **Nuon Chea** and **Khieu Samphan** were absolutely brazen and unrelenting in their orders and incitement to CPK troops to kill former Khmer Republic officials and other enemies of the State. Not a moment was afforded to prepare the

evacuees for their transfers to remote, rural destinations. The Cambodian people became the property of a Party determined to eliminate property.

4. MITIGATING FACTORS

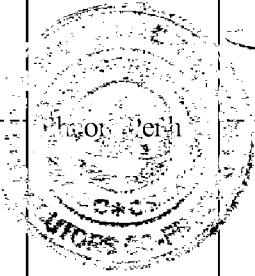
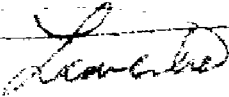
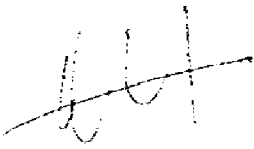
740. This Chamber has also approved the ICC Rules of Procedure and Evidence definition of **mitigating factors** to be taken into account in considering sentence.²⁸⁹⁵ Under the ICC Statute **mitigating factors** include (1) circumstances short of constituting grounds for exclusion of criminal responsibility, such as substantially diminished mental capacity or duress; and (2) the convicted person's conduct after the act, including any efforts by the person to compensate the victims and any cooperation with the Court.²⁸⁹⁶
741. There are no relevant mitigating factors that may properly be taken into account in sentencing **Nuon C hea** and **Khieu S amphan**. There is simply no evidence of diminished mental capacity or duress, and no such defences have been advanced. Neither is the conduct of the Co-Accused after the DK period in any way significant in mitigation. Participation at trial is a legal requirement under Cambodian law and not, in itself, sufficient evidence of “cooperation” with the ECCC warranting a less severe sentence.
742. **Nuon Chea** has shown not a jot of meaningful regret or remorse. While asserting that he shares responsibility with the leaders of the regime,²⁸⁹⁷ that he is bearing responsibility “from his heart,” and that he takes the responsibility morally,²⁸⁹⁸ he asserts that the Cambodians who lost their lives were killed by the Vietnamese.²⁸⁹⁹ He maintains that all accusations or charges against him are incorrect because he has devoted himself to serving his country.²⁹⁰⁰ He has, at no stage, accepted the reality of his criminal conduct or taken any step to acknowledge the wrongfulness of his actions. By contrast, he has been at pains to defend his record as a statesman who sought strength and independence for his country; to limit his involvement to matters of ideology and education, in striking contrast to the irrefutable evidence of his political, military and strategic leadership role; to vilify, on the trial record, the Vietnamese national group; and to defend the CPK policy towards its enemies in the most chilling terms: “We only killed the bad people.”²⁹⁰¹ When asked if he would make revolution again if he was reborn, his unequivocal response was to “Do it again, do it again.”²⁹⁰²
743. **Khieu Samphan** is unrepentant to this day. Despite working in “the top position” he has affirmed at trial that he had no power and no knowledge of any crimes. Yet at the same time he states that “torn, confronted by the most absurd contradictions, I could not

bring myself to raise my voice to express my opinion the violence perpetuated in my name.”²⁹⁰³ He has suggested that he was referring to contradictions he was faced with but could not solve.²⁹⁰⁴ But, dressed in the euphemism of “contradictions” were systematic crimes. **Khieu Samphan** told the Chamber that he was being disciplined and following the rules.²⁹⁰⁵ Two days later, he sought to blame the entire spectacle of the mass violence of the DK regime on former Issarak fighters.²⁹⁰⁶ **Khieu Samphan** continues to avoid or reject any responsibility for the crimes of the DK period. Such manipulation of the truth, each one contradicting the other, displays self-preservation at the cost of integrity and completely devalues his apparent expressions of remorse.

5. SENTENCE REQUESTED

744. The Co-Prosecutors note that Kaing Guek Eav *alias* Duch was sentenced to life imprisonment on appeal.²⁹⁰⁷ The ICTY Appeals Chamber has held that “sentences of like individuals in like cases should be comparable”²⁹⁰⁸ and sentences “out of reasonable proportion with a line of sentences passed in similar circumstances for the same offences” may be “capricious.”²⁹⁰⁹ The background and context of Case 001 and Case 002/01 are identical. The crimes within the scope of Case 002/01, encompassing crimes against humanity only, differ from those in Case 001, where convictions were entered for crimes against humanity and war crimes. The Co-Accused in Case 002/01 were senior leaders of Democratic Kampuchea at the core of the CPK Party Centre, while the Convicted Person in Case 001 held a rank subordinate to the Co-Accused, and reported directly to **Nuon Chea**. The scale of overall victimisation in Case 002/01 is exponentially greater than the number of victims who were imprisoned and perished at S-21. As such, the Co-Prosecutors reiterate its position that the mandatory life sentence prescribed by Cambodian law is appropriate upon conviction for crimes against humanity. The Co-Prosecutors further submit that the gravity of the crimes and the sentencing of Kaing Guek Eav *alias* Duch lends considerable support to the imposition of a term of life imprisonment.
745. The sentencing practice of international criminal tribunals also supports the imposition of a life sentence in these circumstances. In the absence of accessible, comparable jurisprudence before the Cambodian domestic courts, ICTY jurisprudence offers a further “source of guidance”²⁹¹⁰ as to how factors affecting gravity, together with aggravating and mitigating circumstances, may correlate to determine an appropriate sentence.

746. Before the ICTY, low-and middle-ranking offenders convicted of murder but not genocide have routinely received sentences above 15 years.²⁹¹¹ ICTY Chambers sentenced Dragan Nikolić (aged 47 upon final judgment), commander of the Sušica prison camp, to 20 years imprisonment on a guilty plea for the murder of nine detainees and the beating and torture of five others, together with convictions for sexual violence. Zoran Žigić (aged 46 upon final judgment) was sentenced to 25 years imprisonment for participation in the murder of three detainees at the Omarska and Trnopolje prison camps and the torture and mistreatment of others. Sredoje Lukić (aged 51 upon final judgment) was sentenced to 27 years imprisonment for aiding and abetting persecution and cruel treatment by substantially contributing to the deaths of 53 civilians.²⁹¹² Milan Lukić (aged 45 upon final judgment) received a life sentence, affirmed on appeal, for the murder of over 150 civilians, including by means of barricading victims into a burning house and either throwing in explosives or firing automatic weapons at those who tried to escape.²⁹¹³
747. At higher levels of civilian authority, upon conviction for the murder of more than 1,500 civilians,²⁹¹⁴ and planning and ordering the forced transfer of 20,000 civilians²⁹¹⁵ as an act of persecution, Milomir Stakić (aged 44 years upon final judgment) was sentenced to 40 years imprisonment.²⁹¹⁶ The forced transfer within the scope of Case 002/01 for which the **Nuon Chea** and **Khieu Samphan** are criminally responsible was at least one hundred times greater in scope than the displacement planned and ordered by Stakić. The number of murders and killings in the course of the First and Second Forced Transfer and Tuol Po Chrey surpass, by at least 10 times, those committed by Milan Lukić. **Nuon Chea** and **Khieu Samphan**, operated at the highest levels of the collective authority structure of Democratic Kampuchea, with the power of life and death over the victims of their crimes. The evidence demonstrates that they were able to save those whom they wished to protect, and eliminate all others, even at the stroke of a pen.
748. Considering, in accordance with comparative sentencing practices and international standards, the singular gravity of the crimes, which have left an indelible imprint of horrific trauma upon three generations and a nation; the significant aggravating factors; and the absence of relevant mitigating factors, the Co-Prosecutors respectfully submit that the Chamber should impose a sentence of life imprisonment upon **Nuon Chea** and **Khieu Samphan**.

Date	Name	Place	Signature
27 September 2013	CHEA Leang Co-Prosecutor		
	William SMITH Deputy Co-Prosecutor		

E295 Trial Chamber *Reconfirmation on Deadlines for Closing Briefs and Schedule for Closing Statements*, 24 July 2013.

E295/6 Trial Chamber *Response to E-mailed Request for Extension of Time*, 12 September 2013.

E1/2.1 Transcript of Trial Management Meeting, 5 April 2011, 11.34.50 to 11.37.10; **E1/4.1** Transcript of Initial Hearing, 27 June 2011, 09.18.25 to 09.22.10

E124 Severance Order Pursuant to Internal Rule 89ter, 22 September 2011, paras. 1, 5.

E131 Scheduling Order for Opening Statements and Hearing on the Substance in Case in Case 002, 18 October 2011.

E124 Severance Order Pursuant to Internal Rule 89ter, 22 September 2011, para. 6.

E163/5 Trial Chamber Memorandum titled “Notification of Decision on Co-Prosecutors’ Request to Include Additional Crime Sites within the Scope of Trial in Case 002/01 (E163) and deadline for submission of applicable law portion of Closing Briefs,” 8 October 2012, para. 3.

E124/7.3 List of paragraphs and portions of the Closing Order relevant to Case 002/01, amended further to the Trial Chamber’s Decision on Ieng Thirith’s Fitness to Stand Trial (E138) and the Trial Chamber’s Decision on Co-Prosecutors’ Request to Include Additional Crime Sites within the Scope of Trial in Case 002/01 (E163), paras. 6-7.

E141 Trial Chamber Memorandum titled “Response to issues raised by Parties in advance of trial and scheduling of informal meeting with Senior Legal Officer on 18 November 2011,” 17 November 2011, p. 2.

E284 Decision on Severance of Case 002 Following Supreme Court Chamber Decision of 8 February 2013, 26 April 2013, para. 118.

E163/5/1/13 Decision on the Co-Prosecutors’ Immediate Appeal of the Trial Chamber’s Decision Concerning the Scope of Case 002/01, 8 February 2013, paras. 49-50.

E163/5/1/13 Decision on the Co-Prosecutors’ Immediate Appeal of the Trial Chamber’s Decision Concerning the Scope of Case 002/01, 8 February 2013, para. 50.

E284 Decision on Severance of Case 002 following Supreme Court Chamber Decision of 8 February 2013, 26 April 2013

E284/4/7 Decision on Immediate Appeals against Trial Chamber’s Second Decision on Severance of Case 002 (Summary of Reasons) 23 July 2013, at para 9.

E284/4/7 Decision on Immediate Appeals against Trial Chamber’s Second Decision on Severance of Case 002 (Summary of Reasons), 23 July 2013, at paras 10-11.

E1/16.1 Transcript, 5 December 2011, Nuon Chea; **E1/17.1** Transcript, 6 December 2011, Nuon Chea; **E1/21.1** Transcript, 13 December 2011, Nuon Chea; **E1/22.1** Transcript, 14 December 2011, Nuon Chea; **E1/23.1** Transcript, 15 December 2011, Nuon Chea; **E1/24.1** Transcript, 10 January 2012, Nuon Chea; **E1/25.1** Transcript, 11 January 2012, Nuon Chea; **E1/26.1** Transcript, 12 January 2012, Nuon Chea; **E1/35.1** Transcript, 30 January 2012, Nuon Chea; **E1/36.1** Transcript, 31 January 2012, Nuon Chea; **E1/40.1** Transcript, 8 February 2012, Nuon Chea; **E1/41.1** Transcript, 9 February 2012, Nuon Chea; **E1/50.1** Transcript, 19 March 2012, Nuon Chea; **E1/63.1** Transcript, 18 April 2012, Nuon Chea.

E1/21.1 Transcript, 13 December 2011, Khieu Samphan, 14.16.49 to 14.50.14; **E1/26.1** Transcript, 12 January 2012, Khieu Samphan, 14.12.14; **E1/26.1** Transcript, 12 January 2012, Khieu Samphan, 14.23.52; **E1/196.1** Transcript, 23 May 2013, Khieu Samphan, 09.38.36 to 09.49.17; **E1/197.1** Transcript, 27 May 2013, Khieu Samphan, 10.01.20 to 10.07.23, 14.51.38 to 15.02.55; **E1/198.1** Transcript, 29 May 2013, Khieu Samphan, 09.56.12 to 10.15.12, 10.23.50, 11.48.03 to 11.51.45, 14.38.22 to 14.49.14; **E1/199.1** Transcript, 30 May 2013, Khieu Samphan, 09.40.16 to 09.47.26, 14.03.20 to 14.13.09; **E1/200.1** Transcript, 4 June 2013, Khieu Samphan, 10.03.09 to 10.08.37, 12.11.58 to 12.18.44, 15.28.40 to 15.32.50.

E1/26.1 Transcript, 12 January 2012, 13.51.27 to 13.55.34; See also **E164/1** Co-Prosecutors’ Response to Ieng Sary’s Request for Clarification that no Adverse Inferences Can Be Drawn from an Accused’s Silence when he Exercises His Right to Remain Silent, 10 February 2012, and the references below.

E174 Co-Prosecutors’ Request for Notice to be Given to Accused Khieu Samphan on the Consequences of a Refusal to Respond to Questions at Trial, 17 February 2012.

E1/63.1 Transcript, 18 April 2012, 11.12.32.

E288/4 Submissions by Mr Khieu Samphan’s Defence regarding the Questioning of the Accused, 8 July 2013.

E1/220.1 Transcript 9 July 2013, 10.28.52 to 10.36.31.

- 24 **E1/220.1** Transcript 9 July 2013, Khieu Samphan, 11.12.38 to 11.14.18.
- 25 **E288/4/1** Co-Prosecutors' Response to Khieu Samphan's Withdrawal from Testifying and a Request for Adverse Inferences to be Drawn, 16 July 2013.
- 26 **E1/225.1** Transcript, 17 July 2013, 13.50.10.
- 27 **E1/225.1** Transcript, 17 July 2013, 13.53.20 to 13.54.52, 13.57.14 to 14.06.54.
- 28 **E288/4/1** Co-Prosecutors' Response to Khieu Samphan's Withdrawal from Testifying and a Request for Adverse Inferences to be Drawn, 16 July 2013, paras. 28-30.
- 29 **E1/189.1** Transcript of Trial Proceedings (hereinafter "Transcript"), 6 May 2013, Philip Short, 09.24.24 to 09.26.54; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396223-25; **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 14.03.34 to 14.05.20; **E3/713** Khieu Samphan Interview, January 2004, at ENG 00177979.
- 30 **E3/659** Ieng Thirith Interview, 1980, at ENG 00182299-300; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396228.
- 31 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 14.03.34 to 14.05.20; **E3/17** David Chandler, *Brother Number One*, at ENG 00392935; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, 2005, at ENG 00396228.
- 32 **E3/17** David Chandler, *Brother Number One*, at ENG 00392938; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396235-36.
- 33 **E1/101.1** Transcript, 2 August 2012, Suong Sikoeun, 13.58.02 to 13.59.34; **E3/659** Ieng Thirith Interview, 1980, at ENG 00182301-02; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396255-56; **E3/2119** Henry Kamm, *Cambodia: Report from a Stricken Land*, at ENG 00394457-58; **E1/43.1** Transcript, 14 February 2012, 09.11.38 to 09.13.22 (excerpt of video **E109/2.3**).
- 34 **E3/659** Ieng Thirith Interview, 1980, at ENG 00182301, 00182306; **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 14.25.33; **E3/290** Pol Pot Biography, at ENG 00168654; **E3/2119** Henry Kamm, *Cambodia: Report from a Stricken Land*, at ENG 00394458; **E3/20** Elizabeth Becker, *When the War was Over*, at ENG 00237761-63, 00237767; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396255-56; **E3/18**, Khieu Samphan, *Cambodia's Recent History and the Reasons Behind the Decisions I Made*, July 2004, at ENG 00103740; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417630; **E3/97** Ong Thong Hoeung OCIJ Statement, at ENG 00287099-100.
- 35 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 14.20.07 to 14.25.33; **E3/659** Ieng Thirith Interview, 1980, at ENG 00182306; **E3/111** Ieng Sary interview, January 1972, at ENG 00762420; **E3/97** Ong Thong Hoeung OCIJ Statement, at ENG 00287099-100.
- 36 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396258-59.
- 37 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 14.31.37 to 14.32.28; **E3/18** Khieu Samphan, *Cambodia's Recent History & the Reasons Behind the Decisions I Made*, at ENG 00103740; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417630; **E3/97** Ong Thong Hoeung OCIJ Statement, at ENG 00287099-100; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396258.
- 38 **E3/19** Ieng Sary Biography, at ENG 00555704; **E3/88** William Shawcross, *Sideshow*, at ENG 00429926.
- 39 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 14.25.33 to 14.27.02; **E1/101.1** Transcript, 2 August 2012, Suong Sikoeun, 13.55.35 to 13.58.02, 14.23.12; **E1/103.1**, Transcript, 7 August 2012, Ong Thong Hoeung, 13.52.31; **E1/107.1** Transcript, 14 August 2012, Ong Thong Hoeung, 14.05.56 to 14.08.19; **E3/1713** (D141/1.2), Ong Thong Hoeung, *J'ai cru aux Khmers rouges*, 2003, at FRE 00287898-99, section not translated in KHM & ENG; **E3/89** (IS 20.6), Ieng Sary Interview, 17 December 1996, at ENG 00417628, KHM 00062489, FRE 00332709; **E3/110** (IS 2.10), Sasha Sher, *The biography of Khieu Samphan*, 2004, at ENG 00280537, KHM 00702682-83, FRE 00087511; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396312, 00396669; **E3/88** William Shawcross, *Sideshow*, at ENG 00429926-27.
- 40 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 14.36.10 to 14.42.18; **E3/18** Khieu Samphan, *Cambodia's Recent History & the Reasons Behind the Decisions I Made*, at ENG 00103726; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417630; **E3/17** David Chandler, *Brother Number One*, at ENG 00392971; **E1/55.1**, Transcript, 28 March 2012, Kaing Guek Eav alias Duch, 11:33:43 to 11:36:15; **E3/123**, Laura Summers, *Cambodia's Economy and Industrial Development*, at ENG 00750541-45; **E3/111**, **E3/645**, Le Courier du Vietnam, *Cambodia 1972*, at ENG 00418642, KHM 00711435-36, FRE 00738627; **E3/1815**, Ben Kiernan, *How Pol Pot Came to Power*, at ENG 00487301; **E3/1683**, David Chandler, *The Tragedy of Cambodian History*, at ENG 00193196; **E3/22** & **E3/2114**, Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393722-23; **E3/1796**, Timothy Carney, *Communist Party Power in Kampuchea: Documents and Discussion*, January 1977, at ENG S 00044074-75; **E3/2664**, *Biography of Khieu Samphan*, March 1975, at ENG 00716582.

- 41 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 14.40.37 to 14.42.18; **E3/659** Ieng Thirith Interview, 1980, at ENG 00182316, KHM 00741109, FRE 00743041; **E3/1697** Thiounn Prasith DK Biography, Section IV; **E3/2470** Personal Biography of Bou Phat *alias* Hang, 5 January 1978, at ENG 00768219; **E3/20** Elizabeth Becker, *When the War was Over*, at ENG 00237792-93; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396332, FRE 00639611; **E1/150.1** Transcript, 7 December 2012, Hun Chunnly, 15.54.42 to 15.56.10.
- 42 **E1/16.1** Transcript, 5 December 2011, Nuon Chea, 11.11.12 to 11.14.06; **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 11.19.53 to 11.22.55; **E3/17** David Chandler, *Brother Number One*, at ENG 00392968; **E3/52** Nuon Chea Interview, 8 September 2001, at ENG 00078968, FRE 00662218, KHM 00224484.
- 43 **E1/16.1** Transcript, 5 December 2011, Nuon Chea, 11.28.22 to 11.31.08; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184664; **E3/26** Nuon Chea Interview, October 2006, at ENG 00329506; **E1/35.1**, Transcript, 30 January 2012, Nuon Chea, 11.22.55.
- 44 **E3/3** Nuon Chea Interview, May 1998, at ENG 00184664; **E1/16.1** Transcript, 5 December 2011, Nuon Chea, 11.31.08; **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 11.51.23 to 11.55.43; **E3/26** Nuon Chea Interview, October 2006, at ENG 00329506-07; **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757502, KHM 00858266, FR 00849386.
- 45 **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 11.22.55 to 11.25.40; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184656.
- 46 **E1/23.1** Transcript, 15 December 2011, Nuon Chea, 11.05.55 to 11.15.34; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498226; **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757503-04, KHM 00858269-73, FR 00849388-90.
- 47 **E1/16.1** Transcript, 5 December 2011, Nuon Chea, 11.37.48 to 11.38.56; **E1/23.1** Transcript, 15 December 2011, Nuon Chea, 11.21.29. See also **E3/88** William Shawcross, *Sideshow*, at ENG 00429735 [describing terms of Geneva Agreement].
- 48 **E3/3** Nuon Chea Interview, May 1998, at ENG 00184658; **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 14.01.20; **E1/16.1** Transcript, 5 December 2011, Nuon Chea, 11.37.48 to 11.39.50; **E3/26** Nuon Chea Interview, October 2006, at ENG 00329507-08; **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757505, KHM 00858274-76, FR 00849391-92.
- 49 **E1/23.1** Transcript, 15 December 2011, Nuon Chea, 11.24.10 to 11.26.31; **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757505, KHM 00858276, FR 00849392-93.
- 50 **E3/3** Nuon Chea Interview, May 1998, at ENG 00184658; **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757505, KHM 00858277, FR 00849393; **E3/26** Nuon Chea Interview, October 2006, at ENG 00329508.
- 51 **E3/3** Nuon Chea Interview, May 1998, at ENG 00184660; **E3/26** Nuon Chea Interview, October 2006, at ENG 00329508; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417628-29; **E3/9** Philip Short, *Pol Pot: History of a Nightmare*, at ENG 00396335.
- 52 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 14.01.20 to 14.03.12; **E1/17.1** Transcript, 6 December 2011, Nuon Chea, 09.44.21 to 10.01.56; **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 11.56.19; **E1/23.1** Transcript, 15 December 2011, Nuon Chea, 11.24.10 to 11.26.31; **E1/16.1** Transcript, 5 December 2011, Nuon Chea, 11.37.48 to 11.39.50; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184660-61; **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757506-07, KHM 00858278-80, FR 00849394-95; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498229-30; **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486225, 00486231.
- 53 **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757506, KHM 00858279, FR 00849394; **E1/22.1** Transcript, 14 December 2011, Nuon Chea, 12.00.04 to 12.02.48.
- 54 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 14.03.12; **E1/24.1** Transcript, 10 January 2012, Nuon Chea, 11.08.39 to 11.11.11; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184662; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417632; **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486226; **E3/9** Philip Short, *Pol Pot: History of a Nightmare*, at ENG 00396337; **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156750; **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 14.20.07.
- 55 **E1/24.1** Transcript, 10 January 2012, Nuon Chea, 11.03.10 to 11.08.39 [6 to 7 people]; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184662 [10 to 15 representatives]; **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486226 [21 delegates].
- 56 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 14.03.12 to 14.04.05; **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486226-27; **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757507, KHM 00858281-82, FR 00849396; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498230-31.
- 57 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 14.03.12 to 14.04.05; **E1/24.1** Transcript, 10

January 2012, Nuon Chea, 10.10.08 to 10.15.56; **E1/25.1** Transcript, 11 January 2012, Nuon Chea, 09.29.18 to 09.31.39; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184662, FR 00596185, KHM 00078192; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417630-31; **E9/21.3** Ieng Sary List of Uncontested Facts, at ENG 00656980-81; **E3/9** Philip Short, *Pol Pot: History of a Nightmare*, at ENG 00396338-39.

E1/17.1 Transcript, 6 December 2011, Nuon Chea, 10.19.05 to 10.21.53; **E1/21.1** Transcript, 13 December 2011, Nuon Chea, 10.09.06 to 10.14.59; **E1/23.1** Transcript, 15 December 2011, Nuon Chea, 10.52.15 to 11.00.26; **E3/130** CPK Statute; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184666.

E1/23.1 Transcript, 15 December 2011, Nuon Chea, 10.55.17 to 11.04.47; **E3/130** CPK Statute, Articles 3(A) & 6; **E3/783** *Revolutionary Flag*, September - October 1972, at ENG 00720211-12, 00720228 [“plans must be proposed by the collective”]; **E3/139** *Revolutionary Flag*, November 1976, at ENG 00455305-09; **E3/787** CPK Circular *What is Angkar’s Ideology and the Party’s Discipline?*, at ENG 00742432; **E3/4051** Khieu Samphan Interview, at ENG 00788872; **E3/23** DK Ministry of Foreign Affairs Publication entitled “Black Paper: Facts and Evidence of the Acts of Aggression and Annexation of Vietnam against Kampuchea” (hereinafter “*Black Paper*”), September 1978, at ENG 00082540.

E1/23.1 Transcript, 15 December 2011, Nuon Chea, 10.57.18 to 11.05.55; **E3/558** Nuon Chea OCII Adversarial Hearing, at ENG 00148699, KHM 00148677, FR 00148715; **E3/26** Nuon Chea Interview, October 2006, at ENG 00329511, KHM 00000899, FR 00636871.

E1/14.1 Transcript, 22 November 2011, Nuon Chea, 14.04.05 to 14.06.39; **E1/25.1** Transcript, 11 January 2012, Nuon Chea, 10.00.01 to 10.04.16; **E3/147** Nuon Chea Speech, 16 January 1977, at ENG 00168467, KHM 00679796, FR 00698446; **E3/25** *Revolutionary Flag*, December 1976 - January 1977, at ENG 00491412, KHM 00063023, FR 00504033-34; **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486227-30, 00486233, 00486248; **E3/731** *Revolutionary Flag*, December 1975 - January 1976, at ENG 00865694, KHM 00809830; **E3/15** Kaing Guek Eav alias Duch OCII Statement, at ENG 00251372.

E3/138 CPK Circular *Sharpen the Ideology of the Proletarian Class*, at ENG 00743798; **E3/10** *Revolutionary Flag*, September - October 1976, at ENG 00450529, KHM 00063094, FR 00491895-96; **E3/146** *Revolutionary Youth*, August - September 1974, at ENG 00538746, KHM 00283409, FR 00611810 [“Feudalist-aristocrat refers to the ruling feudal group” and includes the “king and high rank officials such as minister, provincial governor, and district governor down to the commune chief and Chumtub-clerk”]; **E169/4/1.1.2** *Revolutionary Flag*, December 1975 - January 1976, at ENG 00865697, KHM 00809833; **E1/25.1** Transcript, 11 January 2012, Nuon Chea, 10.04.16 to 10.18.09 [stating that feudalists or aristocrats who were “nationalists” were not considered enemies].

E3/11 *Revolutionary Flag*, September 1977, at ENG 00486230, KHM 00063140, FR 00492816 [“First Party Congress defined this contradiction as an antagonistic contradiction”]; **E1/24.1** Transcript, 10 January 2012, Nuon Chea, 11.30.16 to 11.45.01; **E3/786** CPK Circular *Brief Study of the History of the Kampuchean Revolutionary Movement*, at ENG 00716595; **E3/138** CPK Circular *Sharpen the Ideology of the Proletarian Class*, at ENG 00743798-99, 00743812; **E3/10** *Revolutionary Flag*, September - October 1976, at ENG 00450529-30, KHM 00063093-94, FR 00491895-96; **E3/139** *Revolutionary Flag*, November 1976, at ENG 00455312; **E1/98.1** Transcript, 30 July 2012, Phy Phoun, 10.21.20 to 10.27.21; **E3/522** Notes of 18 January 1977 Ministry of Foreign Affairs Cell Congress, at ENG 00003331, KHM 00427941; **E3/807** Minutes of Meeting of Secretaries and Deputy Secretaries of Divisions and Independent Regiments, 1 March 1977, at ENG 00183954-55, KHM 00052310, FR 00323928.

E1/14.1 Transcript, 22 November 2011, Nuon Chea, 14.06.39; **E1/25.1** Transcript, 11 January 2012, Nuon Chea, 11.08.56 to 11.13.30; **E3/147** Nuon Chea Speech, 16 January 1977, at ENG 00168467, KHM 00679796, FR 00698446 [1960 decision that “political action and armed violence must be used to overthrow and crush the enemy”]; **E3/25** *Revolutionary Flag*, December 1976 - January 1977, at ENG 00491412, KHM 00063023, FR 00504033-34; **E3/10** *Revolutionary Flag*, September - October 1976, at ENG 00450507 [“1960 revolutionary line” that “[o]nly the use of revolutionary violence would enable us to defeat the enemy”]; **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486236 [1st Party Congress resolved to use “revolutionary violence” and “armed struggle” to “resist the enemy and strike the enemy”]; **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401491 [“[T]he Party must lead the people in the use of violence”]; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498231-32; **E3/707** Ieng Sary Interview, April 1978, at ENG S 00049323; **E3/2072** Pol Pot Press Conference, 3 October 1977, at ENG S 00080547 [“We attached special importance to violent struggle”].

E1/14.1 Transcript, 22 November 2011, Nuon Chea, 14.06.39; **E3/2072** Pol Pot Press Conference, 3 October 1977, at ENG S 00080547; **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486237; **E1/25.1** Transcript, 11 January 2012, Nuon Chea, 11.28.25 to 11.39.06 [refusing to respond to questions on this issue].

E1/24.1 Transcript, 10 January 2012, Nuon Chea, 11.45.01 to 11.49.43; **E1/14.1** Transcript, 22

November 2011, Nuon Chea, 14.06.39 to 14.08.25 [“The process of struggle is to start from the outskirts area”]; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184666 [Party to be built “using the countryside as a support base, and the city as the fuse”]; **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486238; **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757507, KHM 00858280-81, FR 00849395-96.

- 67 **E1/24.1** Transcript, 10 January 2012, Nuon Chea, 11.49.43 to 11.51.47.
- 68 **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486238; **E3/9** Philip Short, *Pol Pot: History of a Nightmare*, at ENG 00396337 [“cities are...the nerve-centre of the ruling class and the imperialists, the places where the enemies of the revolution can concentrate great power to suppress [us]”]; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498231-32.
- 69 **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486230, KHM 00063141, FR 00492816; **E1/23.1** Transcript, 15 December 2011, Nuon Chea, 14.21.58 to 14.34.54 [refusing to respond to questions on this issue]; **E3/144** Pol Pot Speech, 27 September 1977, at FR S 00012491, ENG S 00012677.
- 70 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 14.08.25 to 14.09.20; **E1/25.1** Transcript, 11 January 2012, Nuon Chea, 11.41.53 to 11.45.42; **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 11.11.53 to 11.16.07; **E1/36.1** Transcript, 31 January 2012, Nuon Chea, 10.56.18; **E1/51.1** Transcript, 20 March 2012, Kaing Guek Eav *alias* Duch, 13.43.50 to 13.46.04; **E1/17.1** Transcript, 6 December 2011, Klan Fit, 16.00.41 to 16.03.29; **E3/10** *Revolutionary Flag*, September - October 1976, at ENG 00450506 [Party Statutes were “foundation documents” that defined “what we stood for”].
- 71 **E1/23.1** Transcript, 15 December 2011, Nuon Chea, 14.18.58 to 14.21.58; **E1/24.1** Transcript, 10 January 2012, Nuon Chea, 09.33.32 to 09.41.27; **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 11.29.39; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184663; **E1/51.1** Transcript, 20 March 2012, Kaing Guek Eav *alias* Duch, 13.46.04 to 13.47.50; **E3/783** *Revolutionary Flag*, September - October 1972.
- 72 **E1/23.1** Transcript, 15 December 2011, Nuon Chea, 14.20.03 to 14.21.58.
- 73 **E1/220.1** Transcript, 9 July 2013, Nuon Chea, 09.57.42 to 09.59.14.
- 74 **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 11.56.19 to 11.59.10; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184662; **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757507-08, KHM 00858282-83, FR 00849397.
- 75 **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 11.56.19 to 11.59.10; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396336; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498230; **E3/707** Ieng Sary Interview, April 1978, at ENG S 00049322; **E3/2072** Pol Pot Press Conference, 3 October 1977, at ENG S 00080547 [rejection of “parliamentary road” to socialism].
- 76 **E1/22.1** Transcript, 14 December 2011, Nuon Chea, 11.14.13 to 11.22.00.
- 77 **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757506, KHM 00858279, FR 00849394; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396258-59.
- 78 **E1/25.1** Transcript, 11 January 2012, Nuon Chea, 10.24.36 to 10.26.49; **E1/26.1** Transcript, 12 January 2012, Nuon Chea, 09.28.48 to 09.31.32; **E169/4/1.1.2** *Revolutionary Flag*, December 1975 - January 1976, at ENG 00865699, KHM 00809835 [noting that Party was able to “screen out” those who were “reluctant and confessing to the enemy” in 1960-67 period].
- 79 **E1/21.1** Transcript, 13 December 2011, Nuon Chea, 09.18.35 to 09.29.24; **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401491-92; **E169/4/1.1.2** *Revolutionary Flag*, December 1975 - January 1976, at ENG 00865697, KHM 00809833; **E3/25** *Revolutionary Flag*, December 1976 - January 1977, at ENG 00491412-13, KHM 00063023-24, FR 00504034 [mission of Covert Guards included “attacking and smashing government intelligence agents and the vicious enemies that were wrecking the revolution”]; **E3/147** Nuon Chea Speech, 16 January 1977, at ENG 00168467, KHM 00679796-97, FR 00698446.
- 80 **E1/21.1** Transcript, 13 December 2011, Nuon Chea, 09.21.34 to 09.25.20; **E1/25.1** Transcript, 11 January 2012, Nuon Chea, 11.45.42 to 11.49.40; **E3/25** *Revolutionary Flag*, December 1976 - January 1977, at ENG 00491413, KHM 00063024, FR 00504034.
- 81 **E1/26.1** Transcript, 12 January 2012, Nuon Chea, 09.28.48 to 09.33.38.
- 82 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 14.09.20 to 14.11.01; **E1/16.1** Transcript, 5 December 2011, Nuon Chea, 14.33.24 to 14.37.14; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184665-66; **E1/93.1** Transcript, 20 July 2012, David Chandler, 11.28.00 to 11.31.02; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396341.
- 83 **E1/26.1** Transcript, 12 January 2012, Nuon Chea, 09.35.02 to 09.37.55; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184667; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417621; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396341-42; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498235-36; **E169/4/1.1.2** *Revolutionary Flag*, December 1975 - January 1976, at ENG 00865696, KHM 00809831-32.

- 84 **E1/16.1** Transcript, 5 December 2011, Nuon Chea, 14.29.42 to 14.31.16; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184666-67, KHM 00078195, FR 00596189; **E3/26** Nuon Chea Interview, October 2006, at ENG 00329509; **E3/4001R** Video titled “Additional footage: Nuon Chea interview,” V00800935, at 09:31 to 11:03; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417632; **E3/17** David Chandler, *Brother Number One*, at ENG 00392978; **E1/93.1** Transcript, 20 July 2012, David Chandler, 11.31.02 to 11.32.21.
- 85 **E3/3** Nuon Chea Interview, May 1998, at ENG 00184661, 00184666-67; **E1/26.1** Transcript, 12 January 2012, Nuon Chea, 09.40.23 to 09.43.45; **E3/26** Nuon Chea Interview, October 2006, at ENG 00329509; **E3/4001R** Video titled “Additional footage: Nuon Chea interview,” at 11:03 to 11:33; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393746-47.
- 86 **E3/4001R** Video titled “Additional footage: Nuon Chea interview,” at 09:26 to 12:52; **E1/214.1** Transcript, 27 June 2013, 10.12.20 to 10.15.46 (presentation of above clip from video **E3/4001R**); **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757546, KHM 00858381-82, FR 00849463-64 [“Before any new initiatives were presented, Pol Pot and Nuon Chea always discussed them together to hammer out the ideas and make sure they agreed on every point.”]; **E3/26** Nuon Chea Interview, October 2006, at ENG 00329511, KHM 00000899, FR 00636871.
- 87 **E1/26.1** Transcript, 12 January 2012, Nuon Chea, 09.48.23 to 09.54.05; **E1/24.1** Transcript, 10 January 2012, Nuon Chea, 10.10.08 to 10.11.57; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184667; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396342; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498236; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393747.
- 88 **E1/25.1** Transcript, 11 January 2012, Nuon Chea, 11.42.47 to 11.45.42; **E1/26.1** Transcript, 12 January 2012, Nuon Chea, 09.54.05; **E169/4/1.1.2** *Revolutionary Flag*, December 1975 - January 1976, at ENG 00865697, KHM 00809832-33 [2nd Congress affirmed use of revolutionary violence and armed struggle].
- 89 **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498236-37; **E3/18** Khieu Samphan, *Cambodia’s Recent History & the Reasons Behind the Decisions I Made*, at ENG 00103729; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396342-43; **E1/93.1** Transcript, 20 July 2012, David Chandler, 11.36.01 to 11.36.58; **E3/17** David Chandler, *Brother Number One*, at ENG 00392977-78, 00393105; **E1/22.1** Transcript, 14 December 2011, Nuon Chea, 09.31.01.
- 90 **E1/17.1** Transcript, 6 December 2011, Nuon Chea, 09.26.07; **E1/26.1** Transcript, 12 January 2012, Nuon Chea, 09.54.05 to 09.57.32; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184667-68; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417620-21; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498237-38; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396191, 00396343-46; **E1/93.1** Transcript, 20 July 2012, David Chandler, 11.36.58; **E3/17** David Chandler, *Brother Number One*, at ENG 00392978; **E3/1583** Pol Pot Interview, 17 March 1978, at ENG S 00011322; **E3/452** Kaing Guek Eav alias Duch OCIJ Statement, at ENG 00147566.
- 91 **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498237-38; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396345-46; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393753.
- 92 **E3/3** Nuon Chea Interview, May 1998, at ENG 00184668, FR 00596190, KHM 00078197; **E1/17.1** Transcript, 6 December 2011, Nuon Chea, 09.26.07; **E1/93.1** Transcript, 20 July 2012, David Chandler, 11.36.58 to 11.38.29; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498237; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393751.
- 93 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 14.42.18 to 14.50.14; **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486226, FR 00492811, KHM 00063135; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396333-34, FR 00639613; **E3/107** Kaing Guek Eav alias Duch OCIJ Statement, at ENG 00198223-24; **E3/708** Indochina Chronicle, *Underdevelopment in Cambodia*, November 1976, at ENG 00505227; **E3/713** Khieu Samphan Interview, January 2004, at ENG 00177968-72 [describing incident in which he was attacked by rickshaw drivers]; **E3/1683** David Chandler, *The Tragedy of Cambodian History*, 1991, at ENG 00193196; **E3/111** & **E3/645** Le Courier du Vietnam, *Cambodia 1972*, at ENG 00418642, KHM 00711435-36, FR 00738627; **E3/1815** Ben Kiernan, *How Pol Pot Came to Power*, at ENG 00487305; **E3/123** Laura Summers, *Cambodia’s Economy and Industrial Development*, at ENG 00750543; **E3/17** & **E3/2816** David Chandler, *Brother Number One*, at ENG 00392930; **E3/20** Elizabeth Becker, *When the War was Over*, at ENG 00237795.
- 94 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 15.25.28 to 15.27.29; **E3/18** Khieu Samphan, *Cambodia’s Recent History & the Reasons Behind the Decisions I Made*, at ENG 00103726; **E3/713** Khieu Samphan Interview, January 2004, at ENG 00177964-65, 00177970; **E3/20** Elizabeth Becker, *When the War was Over*, at ENG 00237801; **E3/111** & **E3/645**, Le Courier du Vietnam, *Cambodia 1972*, at ENG 00762420, KHM 00711435-36, FR 00738627; **E3/9**, Philip Short, *Pol Pot: The History of*

a *Nightmare*, at ENG 00396340-41, FR 00639621; **E3/1815**, Ben/ Kiernan, *How Pol Pot Came to Power*, at ENG 00487313; **E1/221.1**, Transcript, 10 July 2013, David Chandler, 13.39.43 to 13.43.42; **E3/88**, William Shawcross, *Sideshow*, at ENG 00429930-31; **E3/3169**, Stephen Heder, *Pol Pot and Khieu Samphan*, at ENG 00002748; **E3/2** & **E3/2114**, Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393765, 3883.

95 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 15.33.14 to 15.36.29; **E3/18** Khieu Samphan, *Cambodia's Recent History & the Reasons Behind the Decisions I Made*, at ENG 00103726-30; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396351, FR 00639652; **E3/20** Elizabeth Becker, *When the War was Over*, at ENG 00237802, 06, KHM 00232127-28, FR 00638370-72; **E3/708** Indochina Chronicle, *Underdevelopment in Cambodia*, November 1976, at ENG 00505227. .

96 **E3/3** Nuon Chea Interview, May 1998, at ENG 00184667, KHM 00078196, FR 00596190 [as of 1963, Khieu Samphan had "not yet joined the Center, but he had joined the Party"]; **E1/25.1** Transcript, 11 January 2012, Nuon Chea, 09.45.09 to 09.49.10 [claiming not to know when Khieu Samphan joined the Party].

97 **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498238, KHM 00380380, FR 00643842; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396191, 00396346; **E3/17** David Chandler, *Brother Number One*, at ENG 00392981-82; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417620-21 [stating that Office 100 was in Vietnamese territory]; **E1/17.1** Transcript, 6 December 2011, Nuon Chea, 09.36.17 to 09.39.31 [stating that Office 100 was on the border but in Cambodian territory].

98 **E3/3** Nuon Chea Interview, May 1998, at ENG 00184671, FR 00596193-94, KHM 00078199; **E3/659** Ieng Thirith Interview, 1980, at ENG 00182314; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417621-22; **E3/17** David Chandler, *Brother Number One*, at ENG 00392981-82, 00393115-16.

99 **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417620-21; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184668, FR 00596190, KHM 00078197; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498238; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396345-46; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393751-53.

100 **E3/17** David Chandler, *Brother Number One*, at ENG 00392982, 00393115-16.

101 **E1/17.1** Transcript, 6 December 2011, Nuon Chea, 09.26.07 to 09.32.31, 09.36.17; **E1/26.1** Transcript, 12 January 2012, Nuon Chea, 10.04.34; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184668, FR 00596190, KHM 00078197; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393751.

102 **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393754-55; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498238-40; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396346-47; **E1/190.1** Transcript, 7 May 2013, Philip Short, 10.08.14 to 10.11.35.

103 **E1/26.1** Transcript, 12 January 2012, Nuon Chea, 10.06.04 to 10.09.11; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184668; **E3/23** DK Ministry of Foreign Affairs Publication, *Black Paper*, September 1978, at ENG 00082525-26; **E3/564** Ieng Sary Interview, 20 September 1978, at ENG S 00011553; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393755-56; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396356-61.

104 **E3/23** DK Ministry of Foreign Affairs Publication, *Black Paper*, September 1978, at ENG 00082526; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393758-59; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184670-71; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396357.

105 **E1/36.1** Transcript, 31 January 2012, Nuon Chea, 09.43.11 to 09.44.28; **E1/189.1** Transcript, 6 May 2013, Philip Short, 15.33.16 to 15.38.16; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393756, 00393879; **E3/17** David Chandler, *Brother Number One*, at ENG 00392985.

106 **E1/191.1** Transcript, 8 May 2013, Philip Short, 15.41.24 to 15.44.29; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396359-60; **E3/17** David Chandler, *Brother Number One*, at ENG 00392987; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393761-62.

107 **E3/564** Ieng Sary Interview, 20 September 1978, at ENG S 00011553 [confirming meeting held in 1966 after Pol Pot returned from Hanoi]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396361-62; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393767.

108 **E1/189.1** Transcript, 6 May 2013, Philip Short, 14.19.25 to 14.21.03; **E3/22** Stephen Heder, *Cambodian*

- 109 *Communism and the Vietnamese Model*, at ENG 00393768, 00393885.
E3/16 Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498242-43, FR 00643847, KHM 00380389-90; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396361-62; **E1/26.1** Transcript, 12 January 2012, Nuon Chea, 10.11.20 to 10.19.23; **E3/25** *Revolutionary Flag*, December 1976 - January 1977, at ENG 00491413-14, KHM 00063025-26, FR 00504035-36; **E1/92.1** Transcript, 19 July 2012, David Chandler, 10.00.34 to 10.05.37; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393767-68.
- 110 **E1/26.1** Transcript, 12 January 2012, Nuon Chea, 10.06.04 to 10.09.11.
- 111 **E1/16.1** Transcript, 5 December 2011, Nuon Chea, 14.10.32 to 14.14.24.
- 112 **E3/25** *Revolutionary Flag*, December 1976 - January 1977, at ENG 00491413, KHM 00063025-26, FR 00504035; **E1/26.1** Transcript, 12 January 2012, Nuon Chea, 10.11.20 to 10.19.23 [stating that the Party leaders decided to prepare for armed struggle when the “movement became intense” in 1966]. See also **E1/190.1** Transcript, 7 May 2013, Philip Short, 10.28.23 [after 1966, the CPK leaders “increasingly took the view ‘All who are not with [us] are against us’”].
- 113 **E3/25** *Revolutionary Flag*, December 1976 - January 1977, at ENG 00491413-14, KHM 00063026, FR 00504035-36; **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401493, KHM 00063330, FR 00538967-68.
- 114 **E169/4/1.1.2** *Revolutionary Flag*, December 1975 - January 1976, at ENG 00865697, KHM 00809833.
- 115 **E169/4/1.1.2** *Revolutionary Flag*, December 1975 - January 1976, at ENG 00865698, KHM 00809834.
- 116 **E3/3** Nuon Chea Interview, May 1998, at ENG 00184668-69; **E1/41.1** Transcript, 9 February 2012, Nuon Chea, 11.21.43; **E3/713** Khieu Samphan Interview, January 2004, at ENG 00177980; **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401493, KHM 00063330, FR 00538967; **E3/23** DK Ministry of Foreign Affairs Publication, *Black Paper*, September 1978, at ENG 00082526; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396365-66; **E3/1795** Ben Kiernan, *The Smlaut Rebellion and its Aftermath, 1967-70*, at ENG 00327694-96; **E3/707** Ieng Sary Interview, April 1978, at ENG S 00049324.
- 117 **E3/25** *Revolutionary Flag*, December 1976 - January 1977, at ENG 00491414, KHM 00063026, FR 00504036; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184668-69; **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486239, KHM 00063152; **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401493, KHM 00063330, FR 00538967.
- 118 **E3/4017** Khieu Samphan Interview, at ENG 00793527, KHM 00784339, FR 00823006 [transcript of video **E3/4017R**]; **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486239; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396366.
- 119 **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486239-40, KHM 00063152-53; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396369-70 [describing meeting of Standing Committee held at Office 100 in late spring or June 1967, attended by Pol Pot, Nuon Chea, Ieng Sary and Sao Phim]; **E3/707** Ieng Sary Interview, April 1978, at ENG S 00049324 [Party began to organize an army in June 1967].
- 120 **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486231, 00486239.
- 121 **E3/713** Khieu Samphan Interview, January 2004, at ENG 00177964; **E3/4602** In Sopheap, *Khieu Samphan*, at FR 00906808-09; **E1/221.1** Transcript, 10 July 2013, Stephen Heder, 13.39.43 to 13.42.08; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393765, 00393883; **E3/20** Elizabeth Becker, *When the War was Over*, at ENG 00237806-07.
- 122 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396362; **E3/579** Khieu Samphan Interview, 6 December 2007, at ENG 00659093; **E3/205** Khieu Samphan Statement, 16 August 2001, at ENG 00149525 [“right wing” assembly was formed after the 1966 election]; **E3/4602** In Sopheap, *Khieu Samphan*, at FR 00906809; **E3/3328** Wilfred Deac, *Road to the Killing Fields*, at ENG 00430828.
- 123 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 15.39.19 to 15.42.36; **E3/713** Khieu Samphan Interview, January 2004, at ENG 00177966, 00177981; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498248-50, FR 00643852-54, KHM 00380400-04; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396367-68; **E3/111** Ieng Sary Interview, January 1972, at ENG 00762420; **E1/96.1** Transcript, 25 July 2011, David Chandler, 10.27.00 to 10.27.32; **E3/1795** Ben Kiernan, *The Smlaut Rebellion and its Aftermath, 1967-70*, at ENG 00327695-96; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393777.
- 124 **E1/189.1** Transcript, 6 May 2013, Philip Short, 11.21.57 to 11.23.34.
- 125 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156743; **E3/713** Khieu Samphan Interview, January 2004, at ENG 00177977-79 [describing receipt of letter urging their flight and carefully-planned trip in which they were taken by the Party to meet Ta Mok in Cheung Tong village, Samrong Tong district, Kampong Speu]; **E3/18** Khieu Samphan, *Cambodia's Recent History & the Reasons Behind the Decisions I Made*, at ENG 00103733-34, KHM 00103820-21, FR 00595394-95; **E3/3** Nuon Chea

Interview, May 1998, at ENG 00184670; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396368; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393777; **E3/4602** In Sopheap, *Khieu Samphan*, at FR 00906823-24.

126 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396368-69; **E3/1795** Ben Kiernan, *The Smlaut Rebellion and its Aftermath, 1967-70*, at ENG 00327696-97.

127 **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393771; **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486241 [referencing “the Centre’s office in Ratanakiri”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396191 [map showing Office 100 location in Ratanakiri], 00396371-72.

128 **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417622-23 [stating that he left the old Office 100 in early 1967]; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393771-72; **E1/96.1** Transcript, 25 July 2012, Phy Phoun, 14.25.02 [Ieng Sary came to teach study sessions in 1967 in Bar Keo District]; **E1/17.1** Transcript, 6 December 2011, Klan Fit, 11.53.30 to 11.55.23, 13.46.56 to 13.49.37 [attended meetings where Ieng Sary instructed on the Party statute].

129 **E1/96.1** Transcript, 25 July 2012, Phy Phoun, 14.38.15 to 14.41.29, 15.14.47 to 15.17.28; **E3/24** Phy Phoun OCIJ Statement, at ENG 00223579-80; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396372; **E9/21.3** Ieng Sary List of Uncontested Facts, at ENG 00656970-71 (para. 23 & note 9).

130 **E1/96.1** Transcript, 25 July 2012, Phy Phoun, 14.38.15 to 15.05.45; **E3/24** Phy Phoun OCIJ Statement, at ENG 00223579-80; **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 15.10.36 to 15.14.11; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184669; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396372; **E3/2470** Personal Biography of Bou Phat *alias* Hang, 5 January 1978, at ENG 00768223 [Pol Pot left the former location of Office 100 in July or August 1967 to travel to Ratanakiri].

131 **E3/3** Nuon Chea Interview, May 1998, at ENG 00184669; **E1/26.1** Transcript, 12 January 2012, Nuon Chea, 10.25.41; **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 14.11.42 to 14.14.19; **E1/96.1** Transcript, 25 July 2012, Phy Phoun, 15.10.48 to 15.17.28; **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486241, KHM 00063154; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393772-73; **E3/23** DK Ministry of Foreign Affairs Publication, *Black Paper*, September 1978, at ENG 00082540.

132 **E1/96.1** Transcript, 25 July 2012, Phy Phoun, 15.29.00 to 15.31.47; **E1/72.1** Transcript, 3 May 2012, Pean Khean, 09.59.12; **E1/69.1** Transcript, 26 April 2012, Saloth Ban *alias* So Hong, 09.31.52 to 09.34.53; **E3/37** Khieu Samphan OCIJ Statement, at ENG 00156753; **E1/226.1** Transcript, 18 July 2013, Stephen Heder, 10.00.18 to 10.03.06; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396372.

133 **E1/96.1** Transcript, 25 July 2012, Rochoem Ton *alias* Phy Phoun, 15.21.50 to 15.26.30; **E3/2470** Personal Biography of Bou Phat *alias* Hang, 5 January 1978, at ENG 00768223-24.

134 **E1/17.1** Transcript, 6 December 2011, Klan Fit, 15.23.26 to 15.32.50; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396376.

135 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396373.

136 **E1/189.1** Transcript, 6 May 2013, Philip Short, 14.34.21 to 14.40.47; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396375, 00396446; **E3/2470** Personal Biography of Bou Phat *alias* Hang, 5 January 1978, at ENG 00768223 [stating that he was assigned by Pol Pot to Leu village to “evacuate the villagers into the jungle”].

137 **E1/96.1** Transcript, 25 July 2012, Rochoem Ton *alias* Phy Phoun, 15.05.45 to 15.09.02, 15.17.28 [messenger for Pol Pot and Ieng Sary]; **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 09.34.33 to 09.35.45, 10.13.51 to 10.15.54 [messenger in Ratanakiri from 1968 to 1970]; **E1/71.1** Transcript, 2 May 2012, Pean Khean, 13.56.34 to 13.59.56 [messenger of Koy Thuon]; **E1/17.1** Transcript, 6 December 2011, Klan Fit, 13.46.56 to 13.49.37 [assigned to protect Pol Pot and Ieng Sary from enemies, including local police and commune chiefs]; **E1/18.1** Transcript, 7 December 2011, Romam Yun, 09.46.51 to 09.50.44 [messenger who delivered letters to Ieng Sary *alias* Van]; **E1/66.1** Transcript, 23 April 2012, Saloth Ban *alias* So Hong, 09.40.54 to 09.42.23; **E1/92.1** Transcript, 19 July 2012, David Chandler, 10.04.44; **E3/17** David Chandler, *Brother Number One*, at ENG 00392990; **E1/100.1** Transcript, 1 August 2012, Rochoem Ton *alias* Phy Phoun, 15.45.55 to 15.47.3 [80 bodyguards from Ratanakiri assigned to S-71]; **E3/858** DK Report titled “K-1,” at ENG 00391725-27.

138 **E1/99.1** Transcript, 31 July 2012, Rochoem Ton *alias* Phy Phoun, 09.13.14 to 09.16.18; **E3/5815** Rochoem Ton *alias* Phy Phoun Statement, at ENG 00660622, FR 00754246, KHM 00660823 [“We implemented the growing rice movement in between 1968 and 1969”].

139 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 14.11.42 to 14.14.19 [describing his area of responsibility as including Phnom Penh and the Northwest, Southwest, East and North]; **E1/21.1** Transcript, 13 December 2011, Nuon Chea, 09.54.38; **E1/26.1** Transcript, 12 January 2012, Nuon Chea,

10.25.41, 10.52.42 to 10.54.37; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184669, FR 00596191-92, KHM 00078197-98; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417622-23 [Nuon Chea remained based in Phnom Penh until after the coup in 1970]; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393772-73, 00393887; **E3/2782** (**E3/2783**) Ke Pauk Statement, at ENG 00089709.

140 **E1/26.1** Transcript, 12 January 2012, Nuon Chea, 10.54.37 to 10.57.38.

141 **E1/26.1** Transcript, 12 January 2012, Nuon Chea, 10.09.11 to 10.11.05; **E1/96.1** Transcript, 25 July 2012, Rochoem Ton *alias* Phy Phuon, 15.26.30 to 15.29.00; **E1/66.1** Transcript, 23 April 2012, Saloth Ban *alias* So Hong, 09.42.23 to 09.43.35.

142 **E1/26.1** Transcript, 12 January 2012, Nuon Chea, 10.09.11 to 10.11.05; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184669, FR 00596192, KHM 00078198; **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486241, KHM 00063154.

143 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 14.11.42 to 14.14.19; **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 10.59.41 to 11.04.35 [1 January 1968 meeting deciding to initiate the armed struggle]; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184669, FR 00596192, KHM 00078198; **E148** Nuon Chea notes, December 2011, at FR 00943619, KHM 00757831 [reference to 1 January 1968 meeting with Zone Secretaries]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396373; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393792.

144 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 14.11.42 to 14.14.19; **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 10.59.41 to 11.04.35; **E1/36.1** Transcript, 31 January 2012, Nuon Chea, 11.09.35 [armed struggle initiated in 1968 because of “oppression by the authority like Kou Roun or the Lon Nol clique, the Sirik Matak”]; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184669, FR 00596192, KHM 00078198; **E3/196** Nuon Chea Speech, 30 - 31 July 1978, at ENG 00762394 [January 1968 decision that “we could no longer continue the legal struggle” and “had to start the uprising”].

145 **E3/3** Nuon Chea Interview, May 1998, at ENG 00184669; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393791-93.

146 **E3/3** Nuon Chea Interview, May 1998, at ENG 00184669-70; **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 14.14.19 to 14.14.53; **E1/21.1** Transcript, 13 December 2011, Nuon Chea, 09.29.24 to 09.36.28, 09.51.00 to 09.51.44; **E3/707** Ieng Sary Interview, April 1978, at ENG S 00049324; **E3/25** *Revolutionary Flag*, December 1976 - January 1977, at ENG 00491411, KHM 00063022, FR 00504033; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396374; **E1/92.1** Transcript, 19 July 2012, David Chandler, 10.05.37 to 10.09.15; **E1/130.1** Transcript, 4 October 2012, Meas Voeun, 15.40.22 to 15.43.31.

147 **E3/12** Decision of the Central Committee Regarding a Number of Matters, 30 March 1976, at ENG 00182810; **E3/25** *Revolutionary Flag*, December 1976 - January 1977, at ENG 00491411, KHM 00063022-23, FR 00504033.

148 **E3/707** Ieng Sary Interview, April 1978, at ENG S 00049324; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393794. See also **E1/81.1** Transcript, 5 June 2012, Sao Sarun, 15.46.59 to 15.52.15 [witness participated in pre-1970 meeting in Ratanakiri with Koy Thuon *alias* Thuch, Ya and Mondulkiri Secretary Laing, at which instructions were given to “fight against the American imperialists, the feudalists and the capitalists”].

149 **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486240-41, KHM 00063153-54; **E3/25** *Revolutionary Flag*, December 1976 - January 1977, at ENG 00491411, KHM 00063022, FR 00504033; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396374-75; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498251; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393796-97; **E169/4/1.1.2** *Revolutionary Flag*, December 1975 - January 1976, at ENG 00865700-01, KHM 00809837-38 [“in 1968 we incited the people to rebel and seize the village-commune authority from the enemy and to confiscate weapons from them to continue our guerrilla warfare”].

150 **E3/25** *Revolutionary Flag*, December 1976 - January 1977, at ENG 00491414, KHM 00063027, FR 00504037 [Nuon Chea speech]; **E3/147** Nuon Chea Speech, 16 January 1977, at ENG 00168468, KHM 00679798, FR 00698447; **E1/21.1** Transcript, 13 December 2011, Nuon Chea, 09.36.28; **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401494, KHM 00063332, FR 00538969 [Pol Pot speech].

151 **E3/25** *Revolutionary Flag*, December 1976 - January 1977, at ENG 00491412, KHM 00063023, FR 00504033; **E3/147** Nuon Chea Speech, 16 January 1977, at ENG 00168467, KHM 00679796, FR 00698446. See also **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401494, KHM 00063332, FR 00538969 [Pol Pot speech attributing the growth of the revolutionary war movement to the “correct lines of the Party, meaning the line of revolutionary violence and the line of independence/mastery and self-reliance”].

152 **E3/3** Nuon Chea Interview, May 1998, at ENG 00184670; **E1/21.1** Transcript, 13 December 2011, Nuon Chea, 09.46.28 to 09.48.39; **E3/23** DK Ministry of Foreign Affairs Publication, *Black Paper*, September 1978, at ENG 00082534; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393798. See also **E1/36.1** Transcript, 31 January 2012, Nuon Chea, 10.45.49 to 10.49.15 [describing his relationship with Nguyen Van Linh].

153 **E3/3** Nuon Chea Interview, May 1998, at ENG 00184670; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393798.

154 **E3/3** Nuon Chea Interview, May 1998, at ENG 00184670-71, FR 00596193, KHM 00078199; **E1/21.1** Transcript, 13 December 2011, Nuon Chea, 09.46.28 to 09.48.39.

155 **E3/88** William Shawcross, *Sideshow*, at ENG 00429706-16; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498253; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396382.

156 **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 11.04.35 to 11.07.04; **E1/26.1** Transcript, 12 January 2012, Nuon Chea, 10.09.11 to 10.11.05; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184671, FR 00596193, KHM 00078199; **E148** Nuon Chea notes, December 2011, at FR 00943619, KHM 00757831; **E1/96.1** Transcript, 25 July 2012, Rochoem Ton *alias* Phy Phoun, 15.26.30 to 15.29.00 [stating that Nuon Chea came to Ratanakiri once in late 1969 for a few days and met with Pol Pot, Ieng Sary and Koy Thuon]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396386.

157 **E3/707** Ieng Sary Interview, April 1978, at ENG S 00049323-24; **E3/23** DK Ministry of Foreign Affairs Publication, *Black Paper*, September 1978, at ENG 00082528 [1969 Central Committee decision that Party should attack “the U.S. imperialists and the traitor Lon Nol,” not Sihanouk, and mobilize “all forces capable to be mobilized to fight and isolate the enemy”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396383-84, 00396386; **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401495, KHM 00063333, FR 00538970 [in 1969, “we fought the Lon Nol traitors”].

158 **E3/707** Ieng Sary Interview, April 1978, at ENG S 00049324.

159 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 14.15.52 to 14.17.29; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184671; **E1/96.1** Transcript, 25 July 2012, Rochoem Ton *alias* Phy Phoun, 15.33.14; **E3/24** Rochoem Ton *alias* Phy Phoun OCIJ Statement, at ENG 00223580; **E3/23** DK Ministry of Foreign Affairs Publication, *Black Paper*, September 1978, at ENG 00082529; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396388.

160 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 14.15.52 to 14.17.29; **E3/23** DK Ministry of Foreign Affairs Publication, *Black Paper*, September 1978, at ENG 00082529; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396388.

161 **E3/23** DK Ministry of Foreign Affairs Publication, *Black Paper*, September 1978, at ENG 00082534.

162 **E1/96.1** Transcript, 25 July 2012, Rochoem Ton *alias* Phy Phoun, 15.20.04 to 15.21.50, 15.33.14 to 15.35.13; **E3/23** DK Ministry of Foreign Affairs Publication, *Black Paper*, September 1978, at ENG 00082530; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396388.

163 **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498250-51, FR 00643855, KHM 00380404; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396369; **E3/20** Elizabeth Becker, *When the War was Over*, at ENG 00237810.

164 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156743-44, KHM 00156614-15, FR 00156666-67; **E3/18** Khieu Samphan, *Cambodia’s Recent History & the Reasons Behind the Decisions I Made*, at ENG 00103736, 00103739-41; **E3/713** Khieu Samphan Interview, January 2004, at ENG 00177983; **E1/129.1** Transcript, 3 October 2012, Meas Voeun, 15.31.51 to 15.38.35, 15.43.59 to 15.46.43.

165 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156744, KHM 00156614, FR 00156667; **E3/713** Khieu Samphan Interview, January 2004, at ENG 00177983-84; **E3/18** Khieu Samphan, *Cambodia’s Recent History & the Reasons Behind the Decisions I Made*, at ENG 00103735-36, 00103739-40.

166 **E1/189.1** Transcript, 6 May 2013, Philip Short, 11.28.45 to 11.30.13; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396378-79; **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 15.45.05; **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156744, KHM 00156615, FR 00156667; **E3/18** Khieu Samphan, *Cambodia’s Recent History & the Reasons Behind the Decisions I Made*, at ENG 00103741; **E1/129.1** Transcript, 3 October 2012, Meas Voeun, 15.34.14 [stating that he provided protection for Khieu Samphan and Vorn Vet at Aoral Mountain]; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393804 [Vorn Vet left Phnom Penh for Mount Aoral in November 1968]; **E3/1714** Stephen Heder & Masato Matsushita, *Interviews with Kampuchean Refugees at Thai-Cambodia Border*, February - March 1980, at ENG 00170742-44 [Hou Youn prepared CPK propaganda at Mount Aoral]; **E3/4602** In Sopheap, *Khieu Samphan*, at FR 00906826-27.

167 **E1/21.1** Transcript, 13 December 2011, Nuon Chea, 09.56.23; **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 11.38.43 to 11.39.34 [stating that he first met Khieu Samphan “somewhere around Aoral

Mountain”]; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393804, 00393814.

168 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 15.53.17 to 15.54.52.

169 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396396-97; **E3/12** Decision of the Central Committee Regarding a Number of Matters, 30 March 1976, at ENG 00182811 [listing 18 March 1970 as “Commemoration Day of the Reactionary Coup”]; **E1/22.1** Transcript, 14 December 2011, Nuon Chea, 09.48.32 to 09.50.29; **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 11.07.04.

170 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 14.18.51; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396396-97; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498258; **E3/20** Elizabeth Becker, *When the War was Over*, at ENG 00237819-21.

171 **E3/23** DK Ministry of Foreign Affairs Publication, *Black Paper*, September 1978, at ENG 00082530; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498258; **E1/109.1** Transcript, 16 August 2012, Suong Sikoeun, 09.24.32 to 09.26.32.

172 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 15.45.05; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498259; **E1/92.1** Transcript, 19 July 2012, David Chandler, 10.13.42; **E3/23** DK Ministry of Foreign Affairs Publication, *Black Paper*, September 1978, at ENG 00082530.

173 **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498258; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396398; **E1/92.1** Transcript, 19 July 2012, David Chandler, 10.13.42; **E3/23** DK Ministry of Foreign Affairs Publication, *Black Paper*, September 1978, at ENG 00082530.

174 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396398; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498258-59.

175 **E3/23** DK Ministry of Foreign Affairs Publication, *Black Paper*, September 1978, at ENG 00082530; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396399-400; **E1/92.1** Transcript, 19 July 2012, David Chandler, 10.13.42 [Zhou Enlai encouraged Sihanouk to “fight against the Lon Nol regime”]; **E3/17** David Chandler, *Brother Number One*, at ENG 00392999.

176 **E3/23** DK Ministry of Foreign Affairs Publication, *Black Paper*, September 1978, at ENG 00082532 [describing the Vietnamese position after the coup as a “sudden change [of] 180°”]; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498259; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184672 [“Immediately after the coup, everyone said we had been right”].

177 **E3/1756** Norodom Sihanouk Statement, 23 March 1970, at FR 00535853-55, ENG 00852374-75, KHM 00851605-07; **E1/132.1** Transcript, 9 October 2012, Meas Voeun, 11.38.03 to 11.40.35, 11.44.54 to 11.52.21; **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 15.42.36 to 15.47.49; **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 14.21.14; **E1/101.1** Transcript, 2 August 2012, Suong Sikoeun, 14.05.36 to 14.07.42; **E1/108.1** Transcript, 15 August 2012, Suong Sikoeun, 11.46.34 to 11.48.5; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393823; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396399; **E3/28** GRUNK report entitled “Cambodia’s Seat in the United Nations,” 19 June 1973, at ENG 00068116, FR 00068109; **E3/12** Decision of the Central Committee Regarding a Number of Matters, 30 March 1976, at ENG 00182811 [recognizing 23 March 1970 as “The Day of the Organization of our National Democratic Front”].

178 **E3/1756** Norodom Sihanouk Statement, 23 March 1970, at FR 00535854-55, ENG 00852375, KHM 00851607; **E1/132.1** Transcript, 9 October 2012, Meas Voeun, 11.44.54 to 11.52.21; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396399; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393823.

179 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 15.42.36 to 15.45.05; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498259; **E3/23** DK Ministry of Foreign Affairs Publication, *Black Paper*, September 1978, at ENG 00082530-32; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396400.

180 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 15.45.05 to 15.47.49.

181 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 15.42.36 to 15.45.05; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498259; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396400.

182 **E3/1391** FUNK publication entitled “Political Programme of the National United Front of Kampuchea,” 3 May 1970, at ENG S 00012635 [aim of fighting against “American imperialists, overthrowing the dictatorship of their flunkies headed by Lon Nol-Sirik Matak”].

183 **E3/1391** FUNK publication entitled “Political Programme of the National United Front of Kampuchea,” 3 May 1970, at ENG S 00012638 [“Buddhism is and will remain to be the State religion,”], S 00012639 [“Protecting and guaranteeing the rights of ownership of land and property”]; **E3/9** Philip Short, *Pol Pot:*

- The History of a Nightmare*, at ENG 00396401 [describing document as a “moderate, nationalist document which, even more than Sihanouk’s appeal in March, eschewed communist goals, and was deliberately designed to win the widest possible support”].
- 184 **E3/28** GRUNK report entitled “Cambodia’s Seat in the United Nations,” 19 June 1973, at ENG 00068116 & 00068119, FR 00068109 & 00068118; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396402.
- 185 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 15.47.49; **E1/104.1** Transcript, 8 August 2012, Suong Sikoeun, 09.26.27 to 09.29.01; **E1/107.1** Transcript, 14 August 2012, Ong Thong Hoeung, 09.35.20; **E3/3422** Vietnam Courier, *Seven More Vice-Ministers for Cambodian Resistance Government*, 28 September 1970, at ENG S 00021041 [“Samdech Norodom Sihanouk, Head of State and President of the FUNK”]; **E3/1717** U.S. Embassy report entitled “New FUNK/GRUNK Personalities,” 30 September 1971, at ENG 00419033; **E3/3169** Stephen Heder, *Pol Pot and Khieu Samphan*, at ENG 00002749.
- 186 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 15.45.05; **E3/28** GRUNK report entitled “Cambodia’s Seat in the United Nations,” 19 June 1973, at FR 00068118, ENG 00068119; **E3/3705** New York Times, *Composition of Norodom Sihanouk’s Govt in Exile*, 9 May 1970; **E3/3422** Vietnam Courier, *Seven More Vice-Ministers for Cambodian Resistance Government*, 28 September 1970, at ENG S 00021041 [Khieu Samphan identified as “Vice-Premier and Minister of National Defence”]; **E3/1717** U.S. Embassy report entitled “New FUNK/GRUNK Personalities,” 30 September 1971, at ENG 00419033-34; **E3/30** FBIS, *Cabinet Ministers Listed*, 16 January 1975, at ENG 00166708; **E3/1239** FUNK News Bulletin No. 938, *Members of the G.R.U.N.K.*, 19 - 20 January 1975, at ENG 00280597 [composition of GRUNK as of 15 November 1974]; **E3/32** Statement of Norodom Sihanouk, 5 October 1974, at ENG 00282395; **E3/3169** Stephen Heder, *Pol Pot and Khieu Samphan*, at ENG 00002750; **E1/22.1** Transcript, 14 December 2011, Long Norin, 15.29.22; **E1/104.1** Transcript, 8 August 2012, Suong Sikoeun, 09.26.27 to 09.29.01.
- 187 **E3/3422** Vietnam Courier, *Seven More Vice-Ministers for Cambodian Resistance Government*, 28 September 1970, at ENG S 00021041; **E3/1717** U.S. Embassy report entitled “New FUNK/GRUNK Personalities,” 30 September 1971, at ENG 00419035-36. See also **E3/28** GRUNK report entitled “Cambodia’s Seat in the United Nations,” 19 June 1973, at FR 00068118-19, ENG 00068119-20 [composition of GRUNK as of June 1973]; **E3/30** FBIS, *Sihanouk’s 15 Nov 74 Decree Relieving RGNUC Ministers*, 16 January 1975, at ENG 00166706-07; **E3/30** FBIS, *Sihanouk Names New RGNUC Ministers*, 16 January 1975, at ENG 00166707-08 [Koy Thuon, Chou Chet and Ieng Thirith promoted to Minister positions, and Men San *alias* Ya appointed Minister of Armaments, on 15 November 1974]; **E3/1239** FUNK News Bulletin No. 938, *Members of the G.R.U.N.K.*, 19 - 20 January 1975, at ENG 00280597; **E3/659** Ieng Thirith Interview, 1980, at ENG 00182320.
- 188 **E3/3422** Vietnam Courier, *Seven More Vice-Ministers for Cambodian Resistance Government*, 28 September 1970, at ENG S 00021041; **E3/1717** U.S. Embassy report entitled “New FUNK/GRUNK Personalities,” 30 September 1971, at ENG 00419039; **E3/30** FBIS, *Talks Concluded, Communique Signed*, 2 January 1975, at ENG 00166670; **E3/3169** Stephen Heder, *Pol Pot and Khieu Samphan*, at ENG 00002750.
- 189 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156745, KHM 00156615, FR 00156668; **E1/21.1** Transcript, 13 December 2011, 15.47.49 to 15.49.35 (Khieu Samphan) [“I was tasked to be a bridge between the CPK and the King”]; **E3/18** Khieu Samphan, *Cambodia’s Recent History & the Reasons Behind the Decisions I Made*, at ENG 00103744; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396413.
- 190 **E1/108.1** Transcript, 15 August 2012, Suong Sikoeun, 11.53.08 to 11.55.41.
- 191 **E1/101.1** Transcript, 2 August 2012, Suong Sikoeun, 14.18.15 to 14.27.58 [witness represented AKI in China, whose role was to “broadcast information of the Movement”]; **E1/109.1** Transcript, 16 August 2012, Suong Sikoeun, 09.22.01 to 09.24.32 [stating that the domestic or “internal resistance” controlled the AKI agency], 09.29.01 [describing how messages received from Sihanouk were published by AKI]; **E1/104.1** Transcript, 8 August 2012, Ong Thong Hoeung, 13.39.06 to 13.44.06 [authenticating **E3/113**, a FUNK bulletin titled “Nouvelles du Cambodge” published and distributed by AKI in France].
- 192 **E3/3292** U.S. Embassy *Cambodian Situation Report*, 1 October 1970, at ENG 00418909 [FUNK radio broadcast of statement “warning Cambodian elites to break with” the Lon Nol government]; **E3/3294** U.S. Embassy *Khmer Report*, 8 November 1971, at ENG 00418938 [Khieu Samphan statement calling on people to “rise up and harass communications systems”]; **E3/116** Statement of Khieu Samphan, Hou Youn and Hu Nim, 9 September 1972, at ERN 00485282-83 [appeal to raid rice and food warehouses and “kill the traitors”]; **E3/30** FBIS, *Cambodians Urged to Unite in New Year’s Offensive*, 31 December 1974, at ENG 00166661 [appeal to people in “areas temporarily controlled by the enemy” to “join the ranks of the NUFC and support and cooperate with our CPNLA to launch the offensive against the

enemy and overturn the regime of the traitorous Phnom Penh clique”]; **E3/30** FBIS, *Khieu Samphan Issues Appeal to Compatriots, Monks*, 22 January 1975, at ENG 00166721-22 [appeal to “rise up and wage a struggle...to overthrow the traitorous...clique and the neocolonialist U.S. imperialist regime”]; **E3/120** FBIS, *Khieu Samphan Appeals for Intensified Struggle*, 15 March 1975, at ENG 00166826-28 [appeal to “intensify your struggle against the traitors” to “put an end to [their] existence,” by riots, raids of rice and supply depots and seizure of weapons]; **E3/118** FBIS, *Khieu Samphan Issues Statement on Current Situation*, 1 April 1975, at ENG 00166897-98 [appealing to Lon Nol officers and soldiers to “lay down their weapons immediately and join the NUFC at once”]; **E3/118** FBIS, *NUFC Radio Asks Khieu Samphan Appeal Disseminated to Phnom Penh Troops*, 2 April 1975, at ENG 00166900 [requesting “all CPNLA units” to publish Khieu Samphan’s appeal to Khmer Republic officers and soldiers]; **E3/118** FBIS, *Khieu Samphan Appeals to Phnom Penh Citizens to Join NUFC*, 13 April 1975, at ENG 00166948-49.

- 193 **E3/116** Statement of Khieu Samphan, Hou Youn and Hu Nim, 9 September 1972, at ERN 00485282-83.
- 194 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156745, KHM 00156615, FR 00156668; **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 15.58.35; **E1/100.1** Transcript, 1 August 2012, Rochoem Ton *alias* Phy Phuon, 15.41.20 [stating that Khieu Samphan “controlled the work of the Front”]; **E3/3169** Stephen Heder, *Pol Pot and Khieu Samphan*, at ENG 00002750; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396197.
- 195 **E3/488** (D262.3), FBIS, *AKI hails DRV-RGNUM relations, friendship associations*, 14 February 1975, at ENG 00166754, KHM 00663976, FR 00700195 [Trip of Khieu Samphan and Ieng Sary to DRV in March 1973]; **E3/1238** FUNK News Bulletin No. 691, 2 April 1974, at ENG 00278739-43, KHM, 00702017-25, FRE S 00000021-26; **E3/1242** FUNK News Bulletin No. 692, 3 April 1974, at ENG 00322962-67, KHM 00607955-62, FR S 00000042, 49-51; **E3/113** FUNK News Bulletin No. 693, 4 April 1974, at ENG 00280539-46, KHM S 00704555-68, FR S 00000063-78; **E3/1254** FUNK News Bulletin No. 695, 6 April 1974, at ENG 00280547-49, KHM S 00633740-44, FRE S 00000080-82; **E3/114** FUNK News Bulletin No. 696, 7-8 April 1974, at ENG 00280550-52, KHM S 00662247-56, FR S 00000088-90; **E3/482**, Léon Trivière (France-Asia Exchange), *China and Cambodia*, November 1975, at FRE 00385707, ENG 00524005, KHM 00538859 [reports of 2 - 5 April 1974 visit of Khieu Samphan and Ieng Sary to China]; **E1/195.1** Transcript, 22 May 2013, Chau Sok Kon, 14.01.53 to 14.07.16; **E3/167** FUNK News Bulletin No. 698, 11 April 1974, at ENG 00280586-87, 91-92; **E3/1255** FUNK News Bulletin No. 697, 10 April 1974, at ENG 00280564-70, KHM 00593608-18, FRE S 00000100-06 [reports of 5 - 8 April 1974 visit to North Korea by GRUNK delegation led by Khieu Samphan and Ieng Sary]; **E3/115** FUNK News Bulletin No. 708, 23 April 1974, at ENG at 00280594, KHM 00597966, FRE S 00000148; **E3/3328** Wilfred Deac, *Road to the Killing Fields*, at ENG 00430834; **E3/88** William Shawcross, *Sideshow*, at ENG 00430039, KHM 00751915-16 [reports of 8 - 19 April 1974 stay of Kheu Samphan and Ieng Sary in Peking for 10 days before departing to Europe and Africa]; **E1/101.1** Transcript, 2 August 2012, Suong Sikoeun, 15.20.29 to 15.24.48 [accompanied Khieu Samphan and Ieng Sary on 1974 trip to Yugoslavia, Romania, Albania, Algeria, Mauritania and Egypt to inform friendly countries about Cambodian resistance movement]; **E3/40** Suong Sikoeun, book manuscript, at ENG 00813078, KHM 00583605, FRE 00078987; **E3/482** Léon Trivière (France-Asia Exchange), *China and Cambodia*, November 1975, at FRE 00385708, ENG 00524007, KHM 00538862; **E3/2740** Telegram from Manac’h to French MFA entitled “United States - Cambodia,” 19 April 1974, at ENG 00495794-95, KHM 00491985-86, FRE 00385603; **E3/3312** Communication by U.S. State Department to embassies entitled “April 30 EA Press Summary,” 30 April 1974, at ENG 00412747-48, KHM 00740848-50, FRE 00763789-90; **E3/3315** Communication by the U.S. embassy in Bucharest to U.S. State Department entitled “Khieu Samphan’s Visit,” 2 May 1974 at ENG 00412754-57, KHM 00790010-13, FRE 00802337-39; Sections not translated into FRE; **E3/3318** Communication by the U.S. Embassy in Paris to the U.S. State Department, entitled “French Reports Concerning Cambodia,” 8 May 1974, at ENG 00412775-76, KHM 00790018-19, FRE 00802340-41; **E3/43** Noem Sem OCIJ Statement, 18 July 2009, at ENG 00365662 (reports of 19 April - 20 May 1974 Khieu Samphan and Ieng Sary’s visits to several European and African countries, including Albania, Yugoslavia, Romania, Algeria, Mauritania, Cameroon, Egypt and Syria); **E3/40** Suong Sikoeun, book manuscript, at FR 00078987-89, ENG 00813078-79, KHM 00583605-07; **E3/2939** Telegram from U.S. Embassy in Phnom Penh to U.S. Department of State entitled “Khieu Samphan visit to the PRC,” 28 May 1974, at ENG 00377049-51 [reports of 27 May - 2 June 1974 visit of Khieu Samphan and Ieng Sary to Hanoi, Vietnam]; **E3/40** Suong Sikoeun, book manuscript, at FRE 00078987-92, ENG 00813078-81, KHM 00583605-09; **E1/101.1** Transcript, 2 August 2012, Suong Sikoeun, 15.26.19 to 15.29.12, 15.30.39 [Reports of 2 June - 13 June 1974 visits of Khieu Samphan and Ieng Sary to Lao and South Vietnam liberated zones]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396197.

- 196 **E1/112.1** Transcript, 22 August 2012, Kim Vun, 15.42.19 to 15.46.31; **E1/205.1** Transcript, 11 June 2013, So Socheat, 09.47.17; **E1/22.1** Transcript, 14 December 2011, Nuon Chea, 10.33.34 - 10.46.00; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396443-4, FRE 00639769-70; **E3/482** Léon Trivière (France-Asia Exchange), *China and Cambodia*, November 1975, at FRE 00385703-04, ENG 00523997, 99, KHM 00538851-53; **E3/3904R** Video excerpt entitled "Justice Delayed, Justice Denied" (Skunk Works Film, by Stéphane Victor), 2005, V00172605, 00:09:59 - 00:10:01; **E3/3902R** Video excerpt entitled "Justice Delayed, Justice Denied" (Skunk Works Film, by Stéphane Victor), 2005, V00172605, 00:09:18 - 00:09:21; **E3/2332R** Video entitled "Cambodia Year Zero Part 13 (Pol Pot - Secret Killer)," 1993, V00172635, 00:21:15 - 00:22:05; **E3/2347R** Video entitled "The Cambodian Error" (L'erreur Cambodgienne), 2000, V00172479, 00:21:44 - 00:21:49; **E3/2343R** Video entitled "Cambodge 1ère Partie" by Rithy Panh, 1998, V00172478, 00:36:11 - 00:37:12; **E3/2348R** Video entitled "Khmer Rouge History of Genocide (part 2)" by Pierre-André Boutang, 2001, V00172506, 00:16:50 - 00:20:25; **E3/2350R**, Video entitled "Les Khmers Rouges: Pouvoir et Terreur," ARTE, V00172512, 00:16:10 - 00:18:30; **E3/4201R** Video entitled "Facing Genocide - Khieu Samphan and Pol Pot," David Aronowitsch and Staffan Lindberg, V00720414, 00.20.25 - 00.21.07.
- 197 **E3/30** FBIS, *PRGSRV-NFLSV Delegation Visits 25-29 Dec & Speeches at 28 Dec...*, and *Khieu Samphan Addresses 28 Dec Meeting for Phat Delegation*, 6-7 January 1975, at ENG 00166668-75 & 00166688-90, 97-99, FR 00725102-10, KHM 00701456-72 & 00786903-12; **E3/3141R** Video entitled "Vietnamese Disc 4," 00.01.45 to 00.02.15, 00.02.55 to 00.03.25, 00.09.40 to 00.10.16, 00.12.55 to 00.14.00, 00.16.55 to 00.19.00, 00.20.35 to 00.21.12.
- 198 **E3/32** Statement of Norodom Sihanouk, 5 October 1974, at ENG 00282394-95, FR S 00000470, 80-81 & 503, KHM S 00631171-74; **E3/1399** GRUNK Statement entitled "GRUNK Cabinet Sihanouk October 5 1974," 8 October 1975, at ENG S 00022522-24, 27, FR 00612276, 78, 80, KHM S 00630455, 58-60.
- 199 [**E3/23** DK Ministry of Foreign Affairs Publication, *Black Paper*, September 1978, at ENG 00082538-40
- 200 **E3/18** Khieu Samphan, *Cambodia's Recent History*, at ENG 00103746.
- E1/104.1** Transcript, 8 August 2012, Suong Sikoeun, 11.08.15 to 11.11.14; **E3/167** Khieu Samphan Speech, 5 April 1974, at ENG 00280586, FR S 00000122, KHM 00596141 [reference to "the 'Vietnamisation of the war' in early 1971"]; **E3/20** Elizabeth Becker, *When the War was Over*, at ENG 00237823; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396403-04 [stating that 40,000 Vietnamese troops began an offensive into Cambodia on 29 March 1970 and were within 15 miles of Phnom Penh by 20 April 1970]; **E3/3328** Wilfred Deac, *Road to the Killing Fields*, at ENG 00430830 [29 March 1970 PAVN offensive "quickly occupies most of eastern Cambodia"].
- 201 **E3/3293** U.S. Embassy *Cambodian Situation Report*, 3 November 1970, at ENG 00420857 [referencing Khieu Samphan report that FUNK Committees had been established from the village to provincial levels in liberated areas]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396403 ["The Vietnamese began by offering 5,000 rifles to equip Khmer Rouge units, which the Cambodians accepted. But then Le Duan proposed setting up mixed commands"]; **E3/23** DK Ministry of Foreign Affairs Publication, *Black Paper*, September 1978, at ENG 00082540, FR 00284621-22 ["Vo Chi Cong ...proposed cooperation between Kampuchea and Vietnam in the State power organs. Vietnam would supply cadres at the level of district, communes and villages as well as cadres and technicians for setting up the State power organs."]; ENG 00082542, FR 00284625["In November 1970... the Vietnamese once again put forward the same problems: mixed organs of State power, military and technical training schools etc."]
- 202 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396437; **E3/3328** Wilfred Deac, *Road to the Killing Fields*, at ENG 00430726-27, 00430832 [stating that the Khmer Rouge military was "able to take over fighting from PAVN" by 31 December 1972]; **E3/20** Elizabeth Becker, *When the War was Over*, at ENG 00237860 ["By their own admission, 1973 was the first year the Khmer Rouge 'fought alone on the Cambodian front'"]; **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401497 ["the Party determined that in late 1973 we had to go on a general offensive. That was fighting alone on the Kampuchean battlefield"].
- 203 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396403-05, 00396420-21; **E3/3328** Wilfred Deac, *Road to the Killing Fields*, at ENG 00430652-53, 00430679-81, 00430696-97, 00430830-32; **E3/88** William Shawcross, *Sideshow*, at ENG 00430102.
- 204 **E3/747** *Revolutionary Flag*, August 1978, at ENG 00499785 ["In 1973, the Paris Agreements and the Vientiane Agreements put an end to the war in Vietnam and Laos. Kampuchea continued making war on our own"]; **E3/4038** Khieu Samphan Interview, at ENG 00790140 [transcript of video **E3/4038R**] ["1973 was the year that Mr. Pol Pot refused to implement the agreement that Vietnam had signed with America: Cambodia did not join in...We just became independent by ourselves"]; **E3/4202** Thet Sambath, *Behind*

- the Killing Fields, at ENG 00757512.
- 205 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396404, 00396415; **E3/88** William Shawcross, *Sideshow*, at ENG 00430101-02; **E3/3328** Wilfred Deac, *Road to the Killing Fields*, at ENG 00430657-58, 00430666, 00430830.
- 206 **E3/3328** Wilfred Deac, *Road to the Killing Fields*, at ENG 00430659; **E3/88** William Shawcross, *Sideshow*, at ENG 00430102.
- 207 **E3/3328** Wilfred Deac, *Road to the Killing Fields*, at ENG 00430750, 00430833; **E3/88** William Shawcross, *Sideshow*, at ENG 00430103; **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 09.10.27; **E1/222.1** Transcript, 11 July 2013, Stephen Heder, 13.53.31 to 13.55.11 [testifying that on 15 August 1973, "the U.S. Air Force bombing completely ended. There was no more"]; **E1/165.1** Transcript, 28 January 2013, 09.39.45 to 09.43.53 ["the American bombing campaign did not stop until August 15th, '73... it stopped. So I have a very clear recollection of 15 August"]; **E3/23** DK Ministry of Foreign Affairs Publication, *Black Paper*, September 1978, at ENG 00082543, FR 00284627 ["...from February to 15 August 1973, the U.S. imperialists were launching a savage air war against Kampuchea's revolution carrying out intensive bombings, days and nights, against Kampuchea."].
- 208 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396409, 00396414; **E3/3328** Wilfred Deac, *Road to the Killing Fields*, at ENG 00430830.
- 209 **E3/783** *Revolutionary Flag*, September - October 1972, at ENG 00720205; **E1/71.1** Transcript, 2 May 2012, Pean Khean, 14.27.29 to 14.32.17, 15.34.36 to 15.36.55 [Lon Nol soldiers were considered "life and death enemies" and "if they were arrested, they were to be smashed"]; **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 09.20.26 to 09.23.29 ["Between the period of the coup d'état of 18 March 1970 through the 75, in the battlefields, the measure was between the Lon Nol group and the resistance forces"]; **E1/192.1** Transcript, 9 May 2013, Philip Short, 09.04.26 to 09.07.33; **E1/191.1** Transcript, 8 May 2013, Philip Short, 14.25.19 to 14.31.36; **E1/159.1** Transcript, 11 January 2013, Chhaom Se, 13.33.34 to 13.37.07 ["the enemy was those people who worked under the Lon Nol regime and those soldiers"].
- 210 **E3/116** Statement of Khieu Samphan, Hou Youn and Hu Nim, 9 September 1972, at ERN 00485282-83; **E3/1603**, Peking Review, *Viet Nam-Cambodia Joint Communique*, 3 November 1972, at ENG S 00024903, KHM S 00635918-19, FRE S 00632829; **E3/637** Khieu Samphan Statement, January 1973, at ENG 00740932 [referring to Lon Nol, Sirik Matak and Son Ngoc Thanh as a "treacherous clique" and "regime of traitors"]; **E3/30** FBIS, *Khieu Samphan Addresses 28 Dec Meeting for PHAT Delegation*, 7 January 1975, at ENG 00166698 [referring to the "Lon Nol-Sirik Matak-Son Ngoc Thanh-Cheng Heng-In Tam-Long Boret-Sosthene Fernandez reactionary clique" as a "group of bandits in the midst of our liberated zone"]; **E3/30** FBIS, *Khieu Samphan 14 Jan Message to CPNLAF Fighters*, 15 January 1975, at ENG 00166709-10 [stating that the CPNLAF had "annihilated close to 20 battalions of enemy troops and liberated tens of thousands of our people from the demonic claws of the traitor Lon Nol and his clique"]; **E3/30** FBIS, *Khieu Samphan Issues Appeal to Compatriots, Monks*, 22 January 1975, at ENG 00166721-22; **E3/120** FBIS, *Khieu Samphan Appeals for Intensified Struggle 15 March*, 17 March 1975, at ENG 00166826-28, KHM 00700233-38, FRE 00700225-27 [Khieu Samphan calls the monks, national and foreigner population of PhnomPenh and provincial capitals to "intensify struggle against the traitors"... "the traitors are well aware that their fate has come to its end"... calls to "put an end to [the Lon Nol clique's] existence."]; **E3/334** Telegram from the U.S. Embassy in Phnom Penh to the U.S. Secretary of State entitled "Khmer Report", 18 March 1975, at ENG 00413194; **E3/120** FBIS, *RGNUC Cabinet Issues 25 March Communique-Appeal*, 25 March 1975, at ENG 00166874-76, KHM 00700253-55, FRE 00700229-30 [Khieu Samphan reaffirming in a radio communiqué the necessity to put an end at all costs to the "existence of the fascist, rotten [seven] traitors" for their monstrous crimes.]; **E3/118** FBIS, *Khieu Samphan Issues Statement on Current Situation*, 1 April 1975, at ENG 00166897-98, KHM 00700267-69, FRE 00700256-57; **E3/3169** Stephen Heder, *Pol Pot and Khieu Samphan*, 1991, at ENG 00002750; **E3/118** FBIS, *Khieu Samphan Denial*, 9 April 1975, at ENG 00166927, KHM 00700274-75, FRE 00700260-61; **E3/118** FBIS, *Khieu Samphan Appeals to Phnom Penh Citizens to Join NUFC 14 Apr*, 14 April 1975, at ENG 00166948-49, KHM 00700275-79, FRE 00700260-62.
- 211 **E3/637** Khieu Samphan Statement, January 1973, at ENG 00740934.
- 212 **E3/783** *Revolutionary Flag*, September-October 1972, at ENG 00720205 ["imperialist America and traitors Lon Nol, Sirik Matak and Son Ngoc Thanh are failing...They are desperately trying to fight back with poisonous politics to disrupt our movement. We, however, must absolutely crush them"].
- 213 **E1/52.1** Transcript, 21 March 2012, Kaing Guek Eav, 10.02.23.
- 214 **E1/192.1** Transcript, 9 May 2013, Philip Short, 09.04.26 to 09.07.33; **E1/191.1** Transcript, 8 May 2013, Philip Short, 14.25.19 to 14.31.36; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG

00396391, FR 00639702 [quoting Rochoem Ton *alias* Phy Phuon: “You’re asking me if we took prisoners? No...if we caught a government soldier, we killed him. There wasn’t any explicit guideline to that effect, but everyone understood it was what we should do”]; **E1/71.1** Transcript, 2 May 2012, Pean Khean, 14.27.29 to 14.32.17; see also **E3/3959** Kung Kim OCIJ Statement, at ENG 00278681, KHM 00270163, FR 00486096; **E1/138.1** Transcript, 24 October 2012, Kung Kinn 13.57.54 to 14.02.18.

215 **E1/96.1** Transcript, 25 July 2012, Rochoem Ton *alias* Phy Phuon, 15.33.14 to 15.37.39; **E3/24** Rochoem Ton *alias* Phy Phuon OCIJ Statement, at ENG 00223580; **E1/66.1** Transcript, 23 April 2012, Saloth Ban *alias* So Hong, 10.00.25 to 10.01.52; **E3/91** Saloth Ban *alias* So Hong OCIJ Statement, at ENG 00223591; **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 10.13.51 to 10.15.54, 10.17.31 to 10.23.51 [guard who travelled with Pol Pot and Pang from Ratanakiri to Kampong Cham in 1970]; **E3/23** DK Ministry of Foreign Affairs Publication, *Black Paper*, September 1978, at ENG 00082541 [stating that Pol Pot returned to Ratanakiri in June 1970, and arrived in Boeng Lvea commune, Santuk district, Kampong Thom in mid-September 1970]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396412-13.

216 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396191 [map showing location of K-1], 00396422; **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 15.16.12 to 15.19.52 [Pol Pot held meetings with Zone and Sector leaders at Dang Kdar location].

217 **E1/96.1** Transcript, 25 July 2012, Rochoem Ton *alias* Phy Phuon, 15.35.13 to 15.39.08 [stating that S-71 was located near “Trapeang Tuem village”]; **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 10.13.51 to 10.15.54, 10.17.31 to 10.23.51 [travelled with Pol Pot and Pang from Ratanakiri to Trapeang Thum village in 1970]; **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 11.10.28 [confirming there was CPK office in Boeng Lvea, Santuk district]; **E1/204.1** Transcript, 10 June 2013, So Socheat, 13.53.25 to 13.57.36 [moved to leaders’ location near Trapeang Thum village and Steung Chinit in 1971]; **E1/205.1** Transcript, 11 June 2013, So Socheat, 14.35.55 to 14.38.25; **E3/2782**, (**E3/2783**) [REDACTED] Statement, at ENG 00089710 [stating that in July 1970, he was in charge of preparing settlements in Boeng Lvea commune for Party leaders who were arriving from throughout the country]; **E3/4602** In Sopheap, *Khieu Samphan*, at FR 00906828 [new Party office on Steung Chinit near Trapeang Tim, Boeng Lvea]; **E3/23** DK Ministry of Foreign Affairs Publication, *Black Paper*, September 1978, at ENG 00082541; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396191 [map showing location of S-71], 00396423.

218 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156744-45; **E3/18** Khieu Samphan, *Cambodia’s Recent History & the Reasons Behind the Decisions I Made*, at ENG 00103742; **E3/713** Khieu Samphan Interview, January 2004, at ENG 00177980; **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 10.13.51 to 10.15.54, 10.17.31 to 10.23.51; **E3/33** Oeun Tan OCIJ Statement, at ENG 00235126-27; **E1/96.1** Transcript, 25 July 2012, Rochoem Ton *alias* Phy Phuon, 15.39.08 to 15.41.07 [stating that he first met Khieu Samphan at S-71]; **E3/23** DK Ministry of Foreign Affairs Publication, *Black Paper*, September 1978, at ENG 00082541.

219 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156745, KHM 00156615, FR 00156667-68 [admitting he stayed permanently with the other CPK leaders between 1970 and 1975]; **E1/205.1** Transcript, 11 June 2013, So Socheat, 14.35.55 [admitting that her husband Khieu Samphan and the other leaders stayed “close to one another constantly” during the 1970-75 war period]; **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 10.17.31 to 10.21.41; **E3/33** Oeun Tan OCIJ Statement, at ENG 00235126; **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 09.09.47 [stating that Pol Pot, Nuon Chea and Khieu Samphan remained at S-71 “rather permanently”]; **E3/24** Rochoem Ton *alias* Phy Phuon OCIJ Statement, at ENG 00223580, KHM 00204068, FR 00503919; **E1/17.1** Transcript, 6 December 2011, Nuon Chea, 09.22.45 [stating that he stayed at “Boeng Lvea, along Chinit River”]; **E3/5263** [REDACTED] Statement, at ERN 00282224; **E3/58.1-correction TCW-307** Statement, at ERN 00250088; **E3/5152** [REDACTED] Statement, at ERN 00205081; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417622-23 [Nuon Chea left his base in Phnom Penh for the jungle in late 1970].

220 **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 10.54.22.

221 **E1/98.1** Transcript, 30 July 2012, Rochoem Ton *alias* Phy Phuon, 14.04.37.

222 **E1/98.1** Transcript, 30 July 2012, Rochoem Ton *alias* Phy Phuon, 14.04.37 to 14.06.37. See also **E1/204.1** Transcript, 10 June 2013, So Socheat, 13.57.36 to 13.59.49 [confirming Pol Pot, Nuon Chea and Khieu Samphan had meals together at the Steung Chinit site].

223 **E1/96.1** Transcript, 25 July 2012, Rochoem Ton *alias* Phy Phuon, 15.39.08 [stating that S-71 was a “very important office” and that “all the commands were combined into that one very office” and “all the Centre’s members were gathered there”]; **E3/24** Rochoem Ton *alias* Phy Phuon OCIJ Statement, at ENG 00223580, KHM 00204068, FR 00503919 [S-71 was “a residence, a site where study sessions were convened, as well as a command headquarters of all kinds”]; **E3/9** Philip Short, *Pol Pot: The History of a*

Nightmare, at ENG 00396423-25.

224 **E3/24** Rochoem Ton *alias* Phy Phuon OCIJ Statement, at ENG 00223587, KHM 00204074, FR 00503929; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396424 [referring to office as “S-31”]; **E3/36** [REDACTED] OCIJ Statement, at ENG 00403081 [Hu Nim stationed in Stung Trang district as of 1973].

225 **E1/111.1** Transcript, 21 August 2012, Kim Vun, 11.21.03 to 11.32.04, 11.52.17 to 11.54.03, 13.52.09 to 13.56.14 [witness who worked at printing house on the Chinit River in Santuk district located a few kilometres from Pol Pot’s place, but later moved to B-20], 11.37.14 to 11.39.43 [confirming that content of **E3/637** was “broadcast” on radio and “printed in magazines” at the time]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396423.

226 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396424.

227 **E3/24** Rochoem Ton *alias* Phy Phuon OCIJ Statement, at ENG 00223587, KHM 00204074, FR 00503929; **E3/35** OCIJ Statement, at ENG 00346147-48 [stayed with Khieu Ponnary at Office Khâ-30 from 1970 to 1973, where he saw Khieu Samphan, Koy Thuon, Ieng Sary and Pol Pot come for meetings]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396451.

228 **E3/34** Long Norin OCIJ Statement, at ENG 00223555 [assigned in 1973 to B-20, a Center office in Stung Trang used as a “site for visitors from the various zones to study”]; **E3/57** Kham Phan *alias* Phan Van OCIJ Statement, at ENG 00290504-05 [studied at Centre office B-20, where Pol Pot, Nuon Chea, Khieu Samphan and other leaders came and meetings with Zone and Sector leaders were held]; **E1/111.1** Transcript, 21 August 2012, Kim Vun, 11.54.03 to 11.57.16, 13.37.00 to 13.40.12.

229 **E1/111.1** Transcript, 21 August 2012, Kim Vun, 11.54.03 to 11.57.16, 13.48.36 to 13.52.09.

230 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 11.08.31 to 11.12.14, 11.22.43; **E3/57** Kham Phan *alias* Phan Van OCIJ Statement, at ENG 00290504-05; **E1/104.1** Transcript, 8 August 2012, Ong Thong Hoeung, 15.21.47.

231 **E1/101.1** Transcript, 2 August 2012, Rochoem Ton *alias* Phy Phuon, 09.30.07 to 09.35.07; **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 10.29.38 to 10.31.33; **E1/204.1**, Transcript, 10 June 2013, So Socheat, 14.28.10 [“...we stayed at K-17 and then we moved to B-20. A few months after that, we had to move to Meak’s office. I don’t know where it was situated, but it was a new office and I went there during my early days after giving birth to my first child.”], 15.14.50 to 15.16.23 [“...he stayed with me in Office 17 and B-20; we remained together and we went to Meak Office...”]; **E1/205.1** Transcript, 11 June 2013, So Socheat, 09.53.12 to 09.56.39 [“After the birth of my first child, I stayed in Office 24, K-30, and then to B-17”].]. See also **E1/111.1** Transcript, 21 August 2012, Kim Vun, 11.52.17 to 11.54.03 [witness stayed for a period at Office 24].

232 **E1/96.1** Transcript, 25 July 2012, Rochoem Ton *alias* Phy Phuon, 15.35.13.

233 **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401496, KHM 00063334-35, FR 00538971.

234 See **E1/26.1** Transcript, 12 January 2012, Nuon Chea, 11.20.01 to 11.20.53 [Central Committee meetings “were held when the office moved to Stung Chinit”].

235 **E1/17.1** Transcript, 6 December 2011, Nuon Chea, 09.42.14 [stating that in 1970 Pol Pot convened a Central Committee meeting in Boeng Lvea village, Santuk district, Kampong Thom]; **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 11.08.25 to 11.16.07; **E148** Nuon Chea notes, December 2011, at FR 00943619, KHM 00757832; **E3/25** *Revolutionary Flag*, December 1976 - January 1977, at ENG 00491411, KHM 00063021, FR 00504032 [“In October 1970, the Party Central Committee held a plenary assembly for the first time”]; **E3/23** DK Ministry of Foreign Affairs Publication, *Black Paper*, September 1978, at ENG 00082541-42 [discussing October 1970 Central Committee meeting in Boeng Lvea commune, Santuk district]; **E3/760** *Revolutionary Flag*, June 1976, at ENG 00509623 [“In October 1970, the Party decided that it was imperative to fight by ourselves with independence and mastery”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396413 [describing event as “an enlarged meeting of the CPK Standing Committee”].

236 **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 11.10.28 to 11.11.53.

237 **E3/23** DK Ministry of Foreign Affairs Publication, *Black Paper*, September 1978, at ENG 00082542; **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 11.10.28 to 11.11.53; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396423.

238 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396425-27; **E3/146** Revolutionary Youth, August - September 1974, at ENG 00538738 [“[I]n January 1971, the Party changed the name of this Kampuchea revolutionary youth organization to ‘the Kampuchea Communist Youth League’”].

239 **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 10.15.54 to 10.21.41; **E3/57** Kham Phan *alias* Phan Van OCIJ Statement, at ENG 00290504-05 [witnessed Pol Pot, Nuon Chea, Khieu Samphan attend meetings with Zone and Sector leaders at B-20]; **E3/35** OCIJ Statement, at ENG 00346148 [witnessed Khieu Samphan, Koy Thuon, Ieng Sary and Pol Pot come for meetings at Khâ-30]; **E1/97.1**

Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuong, 09.26.03 to 09.28.38 [stating that in addition to the big meetings, there were “regular small meetings”].

240 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuong, 09.20.26 to 09.26.03 [stating that he received education on enemies from Pol Pot, Khieu Samphan, Son Sen and the other “senior leaders in the Party,” who identified enemies both “on” and “off the battlefield”]; **E1/111.1** Transcript, 21 August 2012, Kim Vun, 13.37.00 to 13.41.15 [describing political education sessions at B-20 conducted by Yun Yat which discussed the war and the importance of being “vigilant” and maintaining secrecy]; **E1/81.1** Transcript, 5 June 2012, Sao Sarun, 15.53.43 to 15.59.21; **E1/82.1** Transcript, 6 June 2012, Sao Sarun, 09.08.41 to 09.18.13; **E3/367** Sao Sarun OCII Statement, at ENG 00278694, KHM 00251437, FRE 00486009-10.

241 **E3/783** *Revolutionary Flag*, September - October 1972, at ENG 00720213, 00720229-30.

242 **E1/96.1** Transcript, 25 July 2012, Rochoem Ton *alias* Phy Phuong, 15.53.46 to 15.58.18; **E1/111.1** Transcript, 21 August 2012, Kim Vun, 11.39.43 to 11.41.34.

243 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuong, 09.12.03 [“[W]hen Om Nuon Chea was at the office and Om Pol Pot was at the front battlefield, then I would be used as a messenger to deliver the letter between them”], 10.29.38 [witness delivered letter from Pol Pot to Nuon Chea after the capture of Oudong].

244 **E1/96.1** Transcript, 25 July 2012, Rochoem Ton *alias* Phy Phuong, 15.58.18 to 16.00.49.

245 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 11.12.14 to 11.19.48 [stating that he “learned to translate the telegrams on the job” at B-17 in mid-1973, at which time other people in the group “already were trained” and telegrams were sent “to Angkar” after translation]; **E1/151.1** Transcript, 11 December 2012, Kham Kham Phan *alias* Phan Van, 11.32.38 [At B-20, “...I was made to study the decoding of telegrams”], 11.41.40 [“I was assisting [my father] in decoding telegrams” in Mondulkiri], 15.24.14 to 15.27.00 [“Q. Did your father receive telegrams from the [Khmer Rouge leaders] before 1975? A. Prior **E1/111.1** Transcript, 21 August 2012, Kim Vun, 11.28.03 to 11.32.04 [“we also had the telegram...by which telegrams could be sent to brothers of the North, for example.”], 11.54.03 to 11.57.16 [“The radio station of the FUNK was based in China, because at that time we could send news articles and we telegram it for broadcast”].]

246 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 14.18.18 to 14.20.51 [prior to 1975, “[a]t each base, zone and sector, and every unit of a division, there must be a communication section and telegrams for each zone and division”].

247 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 11.19.48 to 11.22.43, 11.39.30 to 11.47.58; **E1/111.1** Transcript, 21 August 2012, Kim Vun, 13.44.06 to 13.48.36.

248 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 14.33.45 to 14.38.25.

249 **E1/111.1** Transcript, 21 August 2012, Kim Vun, 11.54.03 to 11.57.16.

250 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 11.12.14 to 11.19.48 [in mid-1973, taught to “translate the telegrams” by Pon].

251 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 11.27.00 to 11.29.10, 11.32.25 to 11.34.30 [assigned to work at B-20 in 1974, where he was appointed the chairperson of the Telegram Translation Unit].

252 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 11.34.30, 11.42.00 to 11.43.50.

253 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 14.38.25 to 14.42.11.

254 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuong, 09.12.03 to 09.17.06 [also stating that Nuon Chea “made as many trips as Pol Pot”]; **E3/410** Yun Kim OCII Statement, at ENG 00412192 [stating that Nuon Chea “often came to Kratie” and was responsible for the province].

255 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 14.54.35 to 14.56.09; **E1/82.1** Transcript, 6 June 2012, Sao Sarun, 09.08.41 to 09.18.13; **E3/367** Sao Sarun OCII Statement, at ENG 00278694, KHM 00251437, FRE 00486009-10.

256 **E1/82.1** Transcript, 6 June 2012, Sao Sarun, 09.08.41 to 09.18.13 [1972 meeting in Kampong Thom lasting 10 days at which Nuon Chea was the “organiser” and a presenter]; **E3/367** Sao Sarun OCII Statement, at ENG 00278694, KHM 00251437, FRE 00486009-10 [“In 1972, the district chiefs ... went to attend the meeting in Kampong Thom with Pol Pot, Hou Nim, Hou Yun and Nuon Chea...The attendees in that meeting were also from other provinces”].

257 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 11.22.43 to 11.25.13 [Pol Pot and Nuon Chea came to B-17 to “inspect the production work to see its progress”].

258 **E1/99.1** Transcript, 31 July 2012, Rochoem Ton *alias* Phy Phuong, 09.05.20 to 09.10.07.

259 **E3/18** Khieu Samphan, *Cambodia’s Recent History & the Reasons Behind the Decisions I Made*, at ENG 00103747.

260 **E1/96.1** Transcript, 25 July 2012, Rochoem Ton *alias* Phy Phuong, 15.41.07 to 15.45.55.

261 **E3/637** FUNK Publication, January 1973, at ENG 00740939-43 [report describing rice production and
village militia in liberated territories].

262 **E1/18.1** Transcript, 7 December 2011, Long Norin, 15.26.40 to 15.34.11 [instructed by Khieu Samphan
and Nuon Chea in 1974 to go to Preah Vihear to study the needs of the people, and remain there until
further instructions sent by telegram]; **E3/34** Long Norin *alias* Rit Statement, at ERN 00223555.

263 **E1/96.1** Transcript, 25 July 2012, Rochoem Ton *alias* Phy Phuon, 15.41.07 to 15.43.10 [“I observed he
did a lot of writing. He had a small house by himself and he wrote a lot...He just kept writing and
writing”]; **E1/111.1** Transcript, 21 August 2012, Kim Vun, 11.46.52 to 11.50.21 [stating that he
occasionally saw Brother Hem come to visit the printing house].

264 **E1/111.1** Transcript, 21 August 2012, Kim Vun, 13.52.09 to 14.02.24.

265 **E1/96.1** Transcript, 25 July 2012, Rochoem Ton *alias* Phy Phuon, 15.33.14 to 15.37.39.

266 **E1/96.1** Transcript, 25 July 2012, Rochoem Ton *alias* Phy Phuon, 15.50.57 to 15.53.46; **E1/99.1**
Transcript, 31 July 2012, Rochoem Ton *alias* Phy Phuon, 11.10.26 to 11.13.13.

267 **E1/96.1** Transcript, 25 July 2012, Rochoem Ton *alias* Phy Phuon, 15.50.57 to 15.53.46; **E3/38** Ieng
Thirith OCIJ Statement, at ENG 00418011; **E3/39** Ieng Thirith Statement, PTC Appeal Hearing, 24
February 2009, at ENG 00293071, lines 11-12; **E3/40** Suong Sikoeun Autobiographical Manuscript, at
FR 00078990-93, ENG 00813079-81 ; **E3/34** Long Norin *alias* Rit Statement, at ERN 00223555; **E3/41**
[REDACTED] Statement, at ERN 00388604; **E3/42** Suong Sikoeun *alias* Statement, at ERN
00327214-15; **E3/43** Noem Sem *alias* Neum Yeuon Statement, at ERN 00365658; **E3/44 TCW-679**
Statement, at ERN 00295161; **E3/20** Elizabeth Becker, *When the War Was Over*, at ERN 00237876;
E3/45 Kaing Guek Eav *alias* Duch Statement, at ERN 00205157.

268 **E1/96.1** Transcript, 25 July 2012, Rochoem Ton *alias* Phy Phuon, 15.50.57 to 15.53.46; **E3/24** Rochoem
Ton *alias* Phy Phuon OCIJ Statement, at ENG 00223581; **E1/101.1** Transcript, 2 August 2012, Suong
Sikoeun, 14.07.42, 14.16.02 to 14.18.15; **E3/44 TCW-679** Statement, at ERN 00295161 [witness
travelled with **Ieng Sary** and **Ieng Thirith** to Hanoi in 1970]; **E3/46**, **E3/46/Corr-1 TCW-82**
Statement, at ERN 00410254; **E3/47** [REDACTED] Statement, at ERN 00412143-44;
E3/41 [REDACTED] Statement, at ERN 00388604; **E3/43** Noem Sem Statement, at ERN 00365658; **E3/34**
Long Norin *alias* Rit Statement, at ERN 00223555; **E3/42** Suong Sikoeun Statement, at ERN 00327214-
15 [indicating that **Ieng Thirith** left Hanoi on 12 May 1975]; **E3/3707** New York Times, *Communist
Chinese Premier Chou Holds US is Losing its Imperialist Position*, 29 August 1971 [“Ieng Sary, special
envoy of Cambodian govt in exile, visits Peking”]; **E3/3708** Vietnam Courier, *Delegation of the National
United Front of Kampuchea and the Royal Government of National Union of Cambodia in DRVN*, 15
November 1971, at ENG S 00022971 [“Ieng Sary, special envoy of the home branch of the NUFK and
the RGNUK”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396414, 00396440-41;
E3/20 Elizabeth Becker, *When the War Was Over*, at ERN 00237844-45; **E3/48**, **E3/2115** Stephen Heder
and Brian Tittmore, *Seven Candidates for Prosecution*, at ERN 00393563.

269 **E1/101.1** Transcript, 2 August 2012, Suong Sikoeun, 15.03.45 to 15.06.47.

270 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396441.

271 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 09.28.38 to 09.30.50; **E1/97.1**
Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 14.16.44 to 14.28.20 [“[B]ecame a member of
the Party” in 1971], 14.32.17 to 14.36.42; **E3/24** Rochoem Ton *alias* Phy Phuon OCIJ Statement, at ENG
00223580, KHM 00204068, FR 00503919 [describing political instruction provided by Pol Pot and Nuon
Chea when he was introduced to the Party at study session attended by “100 persons from the zone, sector
and district levels”]; **E1/81.1** Transcript, 5 June 2012, Sao Sarun, 15.53.43 to 15.59.21 [1971 meeting in
Kampong Thom with “large number of participants” lasting 10 days at which Pol Pot made presentation
on “fighting against the American imperialists”]; **E3/367** Sao Sarun OCIJ Statement, at ENG 00278694,
KHM 00251437, FRE 00486009 [“In 1971 I went to attend the meeting in Kampong Thom province ...
Pol Pot was the one who declared the opening and closing of those sessions and Thuch...gave
the...presentation on policies”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG
00396427 [stating that 200 cadres attended these training courses]; **E3/49** Timothy Carney, *The
Organization of Power*, at ERN 00105143.

272 **E169/4/1.1.2** *Revolutionary Flag*, December 1975 - January 1976, at ENG 00865704, KHM 00809841
[“In 1971, the Party held the Party’s 3rd Great Congress”]; **E3/27** Khieu Samphan OCIJ Statement, at
ENG 00156750 [1971 Party Congress held “near Steung Chinit”]; **E1/97.1** Transcript, 26 July 2012,
Rochoem Ton *alias* Phy Phuon, 09.28.38 to 09.30.50 [describing a 1971 “meeting for the centre level”
with “quite a number of participants” selected from the Zone level throughout the country], 11.05.36 to
11.07.13, 11.24.28 [stating that the meeting was held in the “rainy season” in “July or August” 1971];
E1/98.1 Transcript, 30 July 2012, Rochoem Ton *alias* Phy Phuon, 14.02.30 to 14.04.37 [identifying the
site of the 1971 meeting as “between Trapeang Prei and Trapeang Tuem villages”]; **E3/9** Philip Short,

Pol Pot: The History of a Nightmare, at ENG 00396427; **E3/49** Timothy Carney, *The Organization of Power*, at ERN 00105143.

273 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 09.30.50; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396427.

274 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 11.09.40 to 11.16.40 [identifying **E3/136**, **E3/137** and **E3/1595** as photographs taken by Pang at the 1971 meeting].

275 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 11.07.13 to 11.24.28 [identifying Pol Pot, Nuon Chea, Koy Thuon, Ta Mok, Ya, Sao Phim, Khieu Ponnary and probably Khieu Samphan in the photographs, and testifying by recollection as to the presence of the others]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396427 [Congress attended by “all the Regional and Zone Secretaries, military commanders such as Ke Pauk and Kong Sophal, representatives of the ‘intellectuals’ like Hou Youn, Hu Nim and Khieu Samphan”]; **E3/4034** Khieu Samphan Interview, at ENG 00793149 [confirming he attended “the 1971 Congress”]; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia From the Early Stage to the Period of Democratic Kampuchea*, at ENG 00498295, KHM 00380487.

276 **E1/21.1**, Transcript, 13 December 2011, Khieu Samphan, 15.55.23 to 15.58.35 [“I became a candidate member of the Central Committee in 1971”]; **E3/27** Khieu Samphan OCII Statement, at ENG 00156751 [“I was also a member of this central committee, first as an intern member in 1971”]; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417632-33; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396427; **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757511 [“In July 1971, top leaders of the Cambodian communist party gathered in the Northern Zone to expand the Central Committee”]; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393828; **E3/48**, **E3/2115** Stephen Heder and Brian Tittermore, *Seven Candidates for Prosecution*, at ENG 00393580; **E3/49** Timothy Carney, *The Organization of Power*, at ENG 00105140-41.

277 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 000396342, 427; **E3/49** Timothy Carney, *The Organization of Power*, at ENG 00105143; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184673.

278 **E3/4034** Khieu Samphan Interview, at ENG 00793149 [“During the 1971 Congress, which I also attended, it was determined that Vietnam was a comrade with contradictions”]; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia From the Early Stage to the Period of Democratic Kampuchea*, at ENG 00498295, KHM 00380487 [“The 1971 Congress (I attended) determined that ‘Vietnam is a friend with whom there is a contradiction’”].

279 **E1/25.1** Transcript, 11 January 2012, Nuon Chea, 11.42.47 to 11.45.42; **E1/53.1** Transcript, 26 March 2013, Kaing Guek Eav, 09.27.24 to 09.29.53 [difference between 1971 Party Statute and earlier versions was “slight” and “very minimal”]; **E169/4/1.1.2** *Revolutionary Flag*, December 1975 - January 1976, at ENG 00865704, KHM 00809841 [3rd Congress “unanimously agreed the Party’s 1st and 2nd Congresses was a great victory for us because we had correctly decided on the implementation of the strategic line of the Democratic National Revolution”].

280 **E169/4/1.1.2** *Revolutionary Flag*, December 1975-January 1976, at ENG 00865704, KHM 00809841.

281 **E1/209.1** Transcript, 19 June 2013, Nou Mao, 11.20.40 to 11.23.28 [“Hou Youn came to hold an assembly in Taing Pho... And he was talking against the evacuation of the people, and he was very determined not to allow people to be evacuated from Phnom Penh.”]; **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 11.49.44 to 11.52.45; **E1/112.1** Transcript, 22 August 2012, Kim Vun, 13.58.57 [witness used to see Hou Yuon at B-20 “prior to 1975, but not after that”]; **E3/1815** Ben Kiernan, *How Pol Pot Came to Power*, at ENG 00487537 & note 30 at 00487542; **E3/1683** David Chandler, *The Tragedy of Cambodian History*, 1991, at 00193333.

282 **E1/126.1** Transcript, 25 September 2012, Noem Sem, 13.35.25 to 13.40.55; **E3/43** Noem Sem OCII Statement, at ENG 00365660, KHM 00357221, FR 00402992; **E1/127.1** Transcript, 1 October 2012, Khiev En, 10.16.42 to 10.24.32; - **E3/1550** Letter of Hu Nim to Pol Pot, Nuon Chea, IENG Sary, Vorn Vet, Son Sen and Khieu Samphan in S-21 Confession of Hu Nim *alias* Phoas, 10 April 1977, at KHM 00008923, ENG 00249844-45, FR 00766902 & 00766888; **E3/2267** S-21 Prisoner List entitled “Office of Propaganda”, 1977, No.1].

283 **E169/4/1.1.2** *Revolutionary Flag*, December 1975 - January 1976, at ENG 00865708, KHM 00809847 [referencing “congress of the Party Centre in May 1972”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396427-28; **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401482, FR 00538957, KHM 00063317 [“in terms of the measures from mid-70 until mid-73, we imagined that the revolution was well-off, but in fact, it had only reformed a little bit” and the “people were not warm toward us”].

284 **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401478-80, FR 00538954-56, KHM 00063313-16.

- 285 **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401478-79, FR 00538954-55, KHM 00063314-15 [“the business and the enemy were acting as masters to the point that at times the businessmen handed out paddy as a favor to make merit from the people when our people experienced shortages”], at ENG 00401480, FR 00538956, KHM 00063316 [private persons “still played the leading role” in commerce and “still acted as the masters: rice was up to them, salt was up to them, gasoline was up to them”], at ENG 00401481, FR 00538957, KHM 00063317 [“if we continued in this fashion there was a danger that the businessmen would become our bosses”]; **E3/10** *Revolutionary Flag*, September - October 1976, at ENG 00450510 [in 1971, “the capitalists, the landowners, controlled the entire economy...They bought some of our cadres and militia units that were no-good elements...The people became the satellites of the capitalists”]; **E1/36.1** Transcript, 31 January 2012, Nuon Chea, 09.50.54 to 09.52.56, 09.57.15 to 09.58.41 [asserting that “U.S. spies or the Vietnamese spies used money in order to buy or to lure our cadres” and “the Vietnamese would collect all the produce made by the people”].
- 286 **E1/88.1** Transcript, 19 June 2012, Yun Kim, 10.19.41 to 10.21.34 [“after the coup-d’etat of the 18 April 1970, about two months after the coup d’etat, the Kratie province was liberated”]; **E3/410** Yun Kim OCJ Statement, at ENG 00412189, KHM 00402519, FRE 00434564 [“Kratie province was different from other areas. The Khmer Rouge took power in 1970, a few months after the Coup d’etat”].
- 287 **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401480-81, FR 00538956, KHM 00063316; *see also* **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396456-57 [quoting colleague of Pol Pot who visited Kratie in March 1971 that “the town market was even more crowded than before liberation” and “there were drinking shops, brothels and gambling dens”].
- 288 **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401481, FR 00538957, KHM 00063317 [“We had military state power and political state power, but we were entirely economically and financially subjugated by the businessmen”], at ENG 00401482, FR 00538957-58, KHM 00063317-18 [“Another bad point was there was not very much conflict with the capitalists”].
- 289 **E169/4/1.1.2** *Revolutionary Flag*, December 1975 - January 1976, at ENG 00865708-09, KHM 00809847 [“In the congress of the Party Centre in May 1972...the Party started the process of organizing the cooperative”]; **E3/10** *Revolutionary Flag*, September - October 1976, at ENG 00450510, KHM 00063072, FR 00491878 [“The Party made an assessment...and decided to close the markets in the liberated zones in 1972”]; **E3/166** *Revolutionary Flag*, February - March 1976, at ENG 00517819, 00517844 [“[W]e 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”]; **E3/753** *Revolutionary Youth*, June 1976, at ENG 00583797; **E3/50** CPK Circular titled *Third Year Anniversary of the Organization of Peasant Cooperatives*, 20 May 1976, at ENG 00636009, FR 00623783, KHM 00442209 [1972-73 Party measures to “[thwart] 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”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396428 [“The participants also approved plans for the collectivisation of agriculture and the suppression of private trade as soon as the situation permitted”].
- 290 **E169/4/1.1.2** *Revolutionary Flag*, December 1975 - January 1976, at ENG 00865708-09, KHM 00809847; **E3/166** *Revolutionary Flag*, February - March 1976, at ENG 00517844, FR 00492790, KHM 00063228 [“[I]n mid 1972 the Party announced an emergency regarding petty bourgeoisie class stances and capitalism class stances inside the Party” that was the “opening stage” of a struggle and “profound offensive”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396428 [“the Committee issued an ‘urgent directive’ calling on the Party to strengthen its ‘proletarian stance’ and to intensify the struggle against the ‘various oppressive classes’”].
- 291 **E3/783** *Revolutionary Flag*, September - October 1972, at ENG 00720210.
- 292 **E3/783** *Revolutionary Flag*, September - October 1972, at ENG 00720207-08 [“no guarantee of enforcing the Party’s revolutionary dictatorship” because “the working class stance is still not absolute” and the Party’s appointments were mainly “petty bourgeois and middle-class farmers”].
- 293 **E3/783** *Revolutionary Flag*, September - October 1972, at ENG 00720207-08.
- 294 **E3/783** *Revolutionary Flag*, September - October 1972, at ENG 00720213 [list of five instructions for implementing circulars, including: [“1. For vital circulars, the zone, sector and district committees must organize a study meeting to retain the original meaning of the collective”].
- 295 **E3/783** *Revolutionary Flag*, September - October 1972, at ENG 00720226 [“We must report on a clear and regular basis”], at ENG 00720229-30 [“Reports have two forms: simple and special. In order for us and the senior levels to take hold of a situation clearly and to provide practical instructions, we must report in clear terms and cite short and concrete examples”].
- 296 **E3/783** *Revolutionary Flag*, September - October 1972, at ENG 00720226 [“Most of the reports are about military activities, and are short of other work”], at ENG 00720229 [requiring “clear and regular reports”]

on “the enemy, people, all working activities [and] resolutions and directions”].

297 **E169/4/1.1.2** *Revolutionary Flag*, December 1975 - January 1976, at ENG 00865709, KHM 00809848.

298 **E3/10** *Revolutionary Flag*, September - October 1976, at ENG 00450510-11, KHM 00063072, FR 00491878-79.

299 **E3/50** CPK Circular titled *Third Year Anniversary of the Organization of Peasant Cooperatives*, 20 May 1976, at ENG 00636008 [“On 20 May 1973, the Party decided to organize peasant cooperatives”]; **E3/12** Decision of the Central Committee Regarding a Number of Matters, 30 March 1976, at ENG 00182811 [stating that 20 May 1973 was the “Birth of the Peasant Cooperative Organization”]; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498284 [“High-level cooperatives” were organized in 1973” in which “land was declared to belong to the cooperatives” and the harvest “ceased to be distributed to houses as it had been previously”]; **E3/10** *Revolutionary Flag*, September-October 1976, at ENG 00450511, KHM 00063072, FR 00491879 [“in mid-1973 the Party decided to organize cooperatives throughout the country”]; **E169/4/1.1.2** *Revolutionary Flag*, December 1975-January 1976, at ENG 00865704, KHM 00809842 [“At the same time in that year of 1973, the cooperativization in the countryside was expanded extensively, making the rear line forces to become basically strong and large for supporting the frontline”]; **E3/747** *Revolutionary Flag*, August 1978, at ENG 00499785 [“Also in 1973, the Party decided to organize cooperatives throughout the country”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396447; **E1/51.1** Transcript, 20 March 2012, Kaing Guek Eav, 11.18.14 [“In 1972, a cooperative was set up as an experiment. In 1973, higher level of cooperatives were created in the liberated zone”].

300 **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401482, FR 00538958, KHM 00063318; **E169/4/1.1.2** *Revolutionary Flag*, December 1975 - January 1976, at ENG 00865711-12, KHM 00809851 [“The high-low levels new relevant means of production were set up in the 1st category liberated zone and the 2nd one based on the practical situation”], at ENG 00865716, KHM 00809856 [“[O]rganizing of the low-high level cooperatives in the 1st and 2nd category liberated zones”]; **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 09.12.54 to 09.16.29 [stating that cooperatives were “gradually formed” starting with “low-level cooperatives”]; **E3/592** Khieu Samphan Statement, 29 December 2003, at ENG 00002805 [“low-level cooperatives” were “assigned in late 1971 and throughout 1972 in its controlled territories” and changed to “high-level cooperatives” in 1973].

301 **E1/88.1** Transcript, 19 June 2012, Yun Kim, 10.53.56 to 10.57.16; **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 09.12.54 to 09.14.39 [Party started with “associations for rice production” and “gradually” formed “low-level cooperatives”]; **E1/82.1** Transcript, 6 June 2012, Sao Sarun, 13.37.04 to 13.40.28; **E1/194.1** Transcript, 21 May 2013, Prum Sou, 09.23.45; **E1/52.1** Transcript, 21 March 2012, Kaing Guek Eav, 09.36.29 to 09.40.59 [at high-level cooperatives, the Party Committee “was in full control of all production means” and determined the “working hours of the farmers” and distribution of rice among the people]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396429-31 [“[S]mall-scale credit co-operatives and mutual aid teams at harvest time” encouraged in some areas in 1970 to mid-1972, when “richer peasants were divested of part of their land-holdings”], at ENG 00396446-47 [“[C]ollectivization was imposed by force throughout the liberated zones” beginning May 1973]; **E3/1593** Ben Kiernan, *The Pol Pot Regime*, at ENG 00104261.

302 **E169/4/1.1.2** *Revolutionary Flag*, December 1975 - January 1976, at ENG 00865704-05, KHM 00809842 [in 1973, “canal, dam and pond construction movements” and “strategic crop movements were blooming everywhere to serve the popular war”], at ENG 00865712, KHM 00809852; **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401483, FR 00538958, KHM 00063318 [starting in mid-1973, “[p]roduction was well whipped up: dams, feeder canals, dry season rice, rainy season rice, and various other crops”]; **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 09.16.29 [“The Party decided to form cooperatives...in order to gather the people to work collectively”]; **E3/30** FBIS, *Cambodians Urged to Unite in New Year’s Offensive*, 31 December 1974, at ENG 00166660 [Khieu Samphan statement congratulating people in liberated zones for “offensive to build dams, dig canals and ponds to solve the water problem and vigorously push the great movement of production forward”].

303 **E3/50** CPK Circular titled *Third Year Anniversary of the Organization of Peasant Cooperatives*, 20 May 1976, at ENG 00636009, FR 00623783, KHM 00442209 [the organization of cooperatives “consisted of attacking the power of the classes of the feudalists, land owners and capitalists”], at ENG 00636011, FR 00623784, KHM 00442210-11 [“[c]o-operatives accelerated the movement to politically attack the enemies”], at ENG 00636015, FR 00623789, KHM 00442216 [“[t]hrough 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”]; **E3/747** *Revolutionary Flag*, August 1978, at ENG 00499785 [“The cooperative movement was at a mighty boil in class struggle and in going on offensives against the enemy”]; **E169/4/1.1.2** *Revolutionary Flag*, December 1975 - January 1976, at ENG 00865716, KHM

00809856 [“This cooperative organization was the attack on the imperialist, feudalist-landowner, capitalist”].

E3/5 *Revolutionary Flag*, August 1975, at ENG 00401482, FR 00538957-58, KHM 00063317-18.

E169/4/1.1.2 *Revolutionary Flag*, December 1975 - January 1976, at ENG 00865704, KHM 00809842.

E169/4/1.1.2 *Revolutionary Flag*, December 1975 - January 1976, at ENG 00865712, KHM 00809852.

E169/4/1.1.2 *Revolutionary Flag*, December 1975 - January 1976, at ENG 00865709, KHM 00809848.

E3/146 *Revolutionary Youth*, August-September 1974, at ENG 00538748, KHM 00283412, FRE 00611812.

E1/34.1 Transcript, 26 January 2012, Prak Yut, 10.12.34 to 10.15.47 [“I]nformed that cooperatives would be created in our district and we had to follow”, 16.00.49 to 16.02.13 [stating that “small cooperatives” were organized in 1973 in Kampot].

E1/194.1 Transcript, 21 May 2013, Prum Sou, 09.22.12 to 09.25.50 [community groups in which rice farmers “worked together” but “ate individually” started in 1971 or 1972, and in 1973 were “transformed into cooperatives”].

E1/143.1 Transcript, 12 November 2012, Pe Chuy Chip Se, 14.16.28 to 14.18.18 [cooperatives established by CPK in Chi Kraeng district in 1972].

E1/52.1 Transcript, 21 March 2012, Kaing Guek Eav, 09.33.14 to 09.35.35 [stating that cooperatives were implemented in both Peam commune and Amleang commune in 1973].

E1/52.1 Transcript, 21 March 2012, Kaing Guek Eav, 09.35.35 to 09.36.29.

E3/3219 Henri Locard Report entitled “Northeast: Eisan Region,” at ENG 00403253, 00403255, 00403261; **E1/82.1** Transcript, 6 June 2012, Sao Sarun, 09.20.09 to 09.24.33 [“Sector Committee moved the people from other parts of the province to do rice farming in Kaoh Nheak district,” starting in 1966-67], 09.24.33 to 09.27.16 [solidarity groups were established before 1975 in Mondulkiri, pursuant to orders that “came from the sector”].

E1/88.1 Transcript, 19 June 2012, Yun Kim, 09.25.01 to 09.30.34 [meeting held by Nuon Chea in Dar commune in 1973 “giving instructions regarding the cooperatives”], 10.53.56 to 10.56.12; **E3/410** Yun Kim OCIJ Statement, at ENG 00412193, KHM 00402524, FRE 00434568 [“More than 50 participants attended the gathering. They were all from provincial and district committees and commune chiefs.”]

E3/410 Yun Kim OCIJ Statement, at ENG 00412193, KHM 00402524, FRE 00434568; **E1/88.1** Transcript, 19 June 2012, Yun Kim, 11.03.01 to 11.04.46 [instructed that “establishment should be based on the real situation at each base”].

E3/410 Yun Kim OCIJ Statement, at ENG 00412193, KHM 00402524, FRE 00434568; **E1/88.1** Transcript, 19 June 2012, Yun Kim, 11.03.01 to 11.04.46.

E1/88.1 Transcript, 19 June 2012, Yun Kim, 11.04.46 to 11.06.45. *See also* **E1/89.1** Transcript, 20 June 2012, Yun Kim, 14.06.51 to 14.07.54 [“enemy situation was discussed and we were told that there were American enemies and the Vietnamese and the internal enemies”].

E169/4/1.1.2 *Revolutionary Flag*, December 1975 - January 1976, at ENG 00865712, KHM 00809851 [specific “organisational measures” noted include that the “market was eliminated,” “cooperatives were organized,” “new relevant means of production” set up and old ones “eliminated”]. *See also* **E1/36.1** Transcript, 31 January 2012, Nuon Chea, 09.50.54 to 09.52.56 [stating that if Party “stopped the use of money” in a liberated zone, they could “control that situation” and “expand out liberated zone”].

E3/592 Khieu Samphan Statement, 29 December 2003, at ENG 00002805; *See also* **E3/108** Khieu Samphan Interview, 9 - 11 June 2006, at ENG 00000928 [stating that “there were cooperatives since 1971”].

E1/36.1 Transcript, 31 January 2012, Nuon Chea, 10.05.37 [in response to question as to whether people “had the choice to leave the cooperatives and settle elsewhere,” Nuon Chea responded: “If they were to live in the cooperatives they could not go anywhere else”].

E1/191.1 Transcript, 8 May 2013, Philip Short, 11.29.50 to 11.33.44; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396553.

E3/27 Khieu Samphan OCIJ Statement, at ENG 00156745, KHM 00156615, FR 00156668; **E1/100.1** Transcript, 1 August 2012, Rochoem Ton *alias* Phy Phuon, 15.38.28 to 15.41.20; **E3/1717** U.S. Embassy report entitled “New FUNK/GRUNK Personalities,” 30 September 1971, at ENG 00419034; **E3/3709** Vietnam Courier, *NUFK and RGNUC Reinforced*, 3 April 1972; **E3/3169** Stephen Heder, *Pol Pot and Khieu Samphan*, at ENG 00002750; **E3/3328** Wilfred Deac, *Road to the Killing Fields*, at ENG 00430831 [“Khieu Samphan selection as PNLA FK commander announced” on 6 June 1971]; **E3/28** GRUNK report entitled “Cambodia’s Seat in the United Nations,” 19 June 1973, at FR/ENG 00068126 [photo of GRUNK Council of Ministers meeting in “liberated area” including Saloth Sar, Ieng Sary, Hu Nim, Hou Youn and Khieu Samphan, identified as “Commander-in-Chief”]; **E3/32** Statement of Norodom Sihanouk, 5 October 1974, at ENG 00282395; **E3/1239** FUNK News Bulletin No. 938, *Members of the*

324 *G.R.U.N.K.*, 19 - 20 January 1975, at ENG 00280597; **E3/1238** FUNK National Media Report, *Nouvelles du Cambodge, Agence Kampuchea d'Information*, Newsletter No. 691, 2 April 1974,

325 **E3/3709** Vietnam Courier, *NUFK and RGNUC Reinforced*, 3 April 1972.

E3/637 Khieu Samphan Statement, January 1973, at ENG 00740931-38 [detailed description of areas captured by CPK forces, as well as numbers of enemy combatants “smashed, injured, killed, deserted and made prisoners of war” as of mid-January 1973]; **E3/167** Khieu Samphan Speech, 5 April 1974, at ENG 00280586-87, FR S 00000122, KHM 00596141 [reference to 18 March 1974 CPNLAF attack on Udong]; **E3/30** FBIS, *Cambodians Urged to Unite in New Year's Offensive*, 31 December 1974, at ENG 00166659-61; **E3/30** FBIS, *Khieu Samphan 14 Jan Message to CPNLAF Fighters*, 15 January 1975, at ENG 00166709-10 [congratulating CPNLAF combatants on Mekong and Route 1 front who seized control of “70 km stretch of the Mekong”]; **E3/118** FBIS, *Khieu Samphan Congratulates CPNLAF on Neak Luong Victories*, 3 April 1975, at ENG 00166923-25 [identifying the Khmer Republic brigades that were defeated, and the number of soldiers, “field-grade officers” and “general officers” who were “killed, wounded (or) captured”].

326 **E3/30** FBIS, *Khieu Samphan Addresses 28 Dec Meeting for PHAT Delegation*, 7 January 1975, at ENG 00166699 [“[D]etermined to continue to hit the enemy more vigorously and not to compromise or negotiate with him or make concessions to him”]; **E3/120** FBIS, *RGNUC Cabinet Issues 25 March Communique-Appeal*, 25 March 1975, at ENG 00166874 [statement by Khieu Samphan that “the NUFC and RGNUC categorically reject all negotiation manoeuvres of U.S. imperialism and its lackeys”]; **E3/118** FBIS, *Khieu Samphan Issues Statement on Current Situation*, 1 April 1975, at ENG 00166898, KHM 00700267, FR 00700256 [referring to proposals for negotiations as “tricks”: “3. Even after they fled abroad...to hold so-called negotiations...RGUNC are firmly determined to destroy all these maneuvers...reject these tricks in advance.”]; **E3/118** FBIS, *Khieu Samphan Congratulates CPNLAF on Neak Luong Victories*, 3 April 1975, at ENG 00166925 [although the U.S. had “resorted to maneuvers” by “cooking up the scheme of negotiation,” “[w]e will continue to launch offensives on Phnom Penh”]; **E3/118** FBIS, *Khieu Samphan Denial*, 9 April 1975, at ENG 00166927 [“[T]he NUFC and RGNUC would like to make it clear again to national and international opinion that they have absolutely never negotiated with nor will they ever accept negotiations with the traitorous clique”]; See also **E3/118** FBIS *Long Boret on Plans to Return Home, Renewed Talks Offer*, 3 April 1975, at ENG 00166909-10 [“The prime minister emphasised that his government was prepared to meet any representative mandated by the other side...no response...he would renew once again the peace offer.”]; **E3/118** FBIS *Long Boret Stops in Bangkok en route to Phnom Penh*, 7 April 1975, at ENG 00166921 [“He said there will be no military victories, only negotiations, and stressed that if the other side does not agree to negotiate, it will be held responsible for any consequences...also called for democratic elections...leaders.”]; **E3/118** FBIS *Long Boret Addresses Nation After Saukam Khoy Flight*, 12 April 1975, at ENG 00166940 [“Our foreign policy also remains unchanged, and the primary goal of this Supreme Commission...terminating the bloodshed among Cambodians and proposing a peaceful solution to the Cambodian problem.”]; **E3/118** FBIS *Suk Sutsakhan Announces Supreme Committee Leadership Appointments*, 13 April 1975, at ENG 00166943 [“3...To mobilize more manpower to pursue the struggle to strengthen the position of the Khmer Republic in its efforts to end the war through negotiations among Cambodians.”]; **E3/118** FBIS *Leaders Prepare Proposal to Sihanouk*, 16 April 1975, at ENG 00166960-61; **E3/118** FBIS *Phnom Penh Leaders Request Cease-Fire, Transfer of Power*, 16 April 1975, at ENG 00166970; **E3/3715** New York Times, *Peace in Cambodia Seen Distant*, 27 August 1974 [“Insurgents, led by Prince Norodom Sihanouk from Peking exile and in field by Khieu Samphan, have never shown interest in negotiations offered by Govt of Pres Lon Nol”]; **E3/488** FBIS *Khieu Samphan Chairs NUFC Congress Session: Communique Issued*, 26 February 1975, at ENG 00166773 [“2. Regarding the U.S. imperialists...the Cambodian nation...are waging a struggle led by...RGUNC to make the U.S. imperialists...withdraw all their...pacification advisers and aid agencies...clique.”];

327 **E3/783** *Revolutionary Flag*, September - October 1972, at ENG 00720222 [“when imperialist America and its followers employ a ceasefire and negotiation tricks, we must survey and strengthen the thought of absolute fighting against the enemy without reconciliation”]; **E3/488** FBIS, *Minister Long Boret Appeals to Kurt Waldheim*, 8 February 1975, at ENG 00166745 [letter to UN Secretary-General that Khmer Republic “incessantly tried through peaceful means to secure negotiations,” noting “9 July 1974 proposals for peace negotiations without preconditions” that “still stand”]; **E3/3444** Minutes of U.S. National Security Council Meeting, 28 March 1975, at ENG 00443401 [Kissinger told by French that “Sihanouk wanted to negotiate but was unable due to the Khmer Rouge”], ENG 00443402 [Kissinger: “The Khmer Rouge will negotiate only unconditional surrender. They could get a negotiated settlement anytime but they refuse it”]; **E3/118** FBIS, *CPNLAF Representative Tells Government Troops to Surrender*, 17 April 1975, at ENG 00166974, KHM 00905195-96 [“I hereby inform the contemptible,

traitorous Lon Nol clique and all its commanders that we are not coming here for negotiations. We are entering the capital through force of arms of the CPNLF.”]. **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary* 1975, at ENG00898274-75.]

- 328 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396426-27 [“The meeting ... approved the setting-up of three distinct sets of military forces ... The ‘chlop’, or village patrols...; regional troops, operating at district level as a territorial defence; and main-force units, organized in the zones...”]; **E1/190.1** Transcript, 7 May 2103, Philip Short, 11.06.13 to 11.07.40; See also **E3/3328** Wilfred Deac, *Road to the Killing Fields*, at ENG 00430726; **E3/30** FBIS, *Cambodians Urged to Unite in New Year’s Offensive*, 31 December 1974, at ENG 00166661 [Khieu Samphan statement addressed to “combatants and cadres of the three categories of the CPNLF”]; **E3/146** Revolutionary Youth, August - September 1974, at ENG 00538756, KHM 00283423, FRE 00611823 [bandits and spies “who had infiltrated in our liberated zones” were “surrounded and destroyed by our Chhlop (militia)”].
- 329 **E3/783** *Revolutionary Flag*, September - October 1972, at ENG 00720227; **E3/2782** (& **E3/2783**) Ke Pauk Statement, at ENG 0089710 [assigned in 1972 to “prepare three kinds of military forces” in Kampong Cham: “District military forces” (1 company), “Regional military forces” (1-2 battalions) and “Zone mobile units” (13 battalions)].
- 330 **E169/4/1.1.2** *Revolutionary Flag*, December 1975 - January 1976, at ENG 00865704, KHM 00809842 [Party “attack[ed] the enemy continuously” in 1973, and “had to attack and smash the traitors’ forces in pieces militarily, politically and economically” because the U.S. “depended” on them for its base].
- 331 **E1/192.1** Transcript, 9 May 2013, Philip Short, 15.45.52 to 15.47.49.
- 332 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 14.54.35 to 14.56.09 [stating that Pol Pot moved to Peam commune base to “ensure an effective and ultimate success with the attack to liberate Phnom Penh”]; **E1/101.1** Transcript, 2 August 2012, Rochoem Ton *alias* Phy Phuon, 09.15.55 [purpose of B-5 office was “to issue commands for the attack on Phnom Penh”]; **E3/91** Saloth Ban *alias* So Hong OCIJ Statement, at ENG 00223591 [Center Office relocated to Peam commune near Oudong to “facilitate command of the attack on Phnom Penh”].
- 333 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 14.54.35 to 14.56.09; **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 09.56.01; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396451-52; **E3/1398** DK Ministry of Education textbook titled “Political Geography of Democratic Kampuchea,” 1977, at ENG 00814517-18 [identifying Chrak Sdech village in Peam commune as one of the main “Revolutionary Support Bases” in Kampong Chhnang province during the armed struggle period].
- 334 **E1/23.1** Transcript, 15 December 2011, Nuon Chea, 11.55.23 to 11.59.13; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184658-59, 00184662, 00184667; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417631; **E3/5615 TCW-677** OCIJ Statement, at ENG 00508562-63; **E3/5611** OCIJ Statement, at ENG 00498416 [children of Ma Mang included two daughters who became CPK district secretaries and Sou Met, who became the commander of RAK Division 502]; **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 09.57.10.
- 335 **E1/50.1** Transcript, 19 March 2012, Kaing Guek Eav, 15.42.43 to 15.45.30 [Vorn Vet’s office in Krang Beng village, Peam commune]; **E1/51.1** Transcript, 20 March 2012, Kaing Guek Eav, 09.20.02; **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 09.57.10 to 10.02.49.
- 336 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 09.57.10 to 10.01.08; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396452.
- 337 **E1/190.1** Transcript, 7 May 2013, Philip Short, 11.48.27 to 11.51.17 [stating that the establishment of security offices and a hospital were “early signs of an administration”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396454, FR 00639782-83.
- 338 **E1/51.1** Transcript, 20 March 2012, Kaing Guek Eav, 09.15.54 to 09.17.39, 09.20.02 to 09.23.36 [M-13 located in Amleang commune, Thpong district, Kampong Speu province].
- 339 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 09.59.06; **E1/50.1** Transcript, 19 March 2012, Kaing Guek Eav, 15.42.43 to 15.45.30; **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156743, KHM 00156614, FR 00156666 [stating that Pol Pot’s headquarters were west of Udong and that Son Sen “had his own headquarters which was located nearby”]; **E1/157.1** Transcript, 9 January 2013, Ung Ren, 13.59.00 [“during the preparation for the attack on Phnom Penh, I saw Son Sen staying to the south of the Damnak Smach Railway Station”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396452.
- 340 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 09.53.16 to 09.57.10; **E3/24** Rochoem Ton *alias* Phy Phuon OCIJ Statement, at ENG 00223581 [referencing “the Office of Pol Pot, Office B5, at Taing Pôn Village, Kampong Tralach Subdistrict and District”]; **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 14.54.35 to 14.56.09; **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 10.18.46 to

10.20.28 [B-5 office in Peam commune established “during the time they prepared to attack Phnom Penh”], 11.16.07 to 11.18.21; **E148** Nuon Chea notes, December 2011, at FR 00943620, KHM 00757833; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396470; **E3/18** Khieu Samphan, *Cambodia’s Recent History & the Reasons Behind the Decisions I Made*, at ENG 00103750; **E3/1398** DK Ministry of Education textbook titled “Political Geography of Democratic Kampuchea,” 1977, at ENG 00814517-18 [identifying Kraing Daung village in Peam commune as one of the main “Revolutionary Support Bases” in Kampong Chhnang province during the armed struggle period].

341 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 10.02.49 to 10.04.23; **E1/101.1** Transcript, 2 August 2012, Rochoem Ton *alias* Phy Phuon, 09.15.55 to 09.22.02; **E3/91** Saloth Ban *alias* So Hong OCIJ Statement, at ENG 00223591.

342 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 11.57.06 to 11.59.22 [Sdok Taol office was 10 kilometres from B-5, “closer to the front battlefield” and “more adjacent to the Ra Smach location”]; **E1/101.1** Transcript, 2 August 2012, Rochoem Ton *alias* Phy Phuon, 09.35.07 to 09.38.37, 10.02.05 to 10.06.35; **E3/24** Rochoem Ton *alias* Phy Phuon OCIJ Statement, at ENG 00223581 [stating that during April 1975 before liberation, he was with Pol Pot at “Dok Taol Village, Ponhea Leu District, Kandal Province,” and that Son Sen was nearby at Smäch]; **E1/205.1** Transcript, 11 June 2013, So Socheat, 09.56.39 to 09.58.14; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396471.

343 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 10.04.23 to 10.07.21.

344 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 10.04.23 to 10.07.21; **E1/68.1** Transcript, 25 April 2012, Saloth Ban, 11.23.53 to 11.28.03 [stating that he saw Nuon Chea at Pol Pot’s Peam commune office “once or twice”]; **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 10.18.46 to 10.23.20 [admitting that “once in a while” he went to B-5 for meetings with Pol Pot].

345 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 11.29.10 to 11.32.25 [in 1974 the telegram group was “divided into two; I was at the rear, and Pon was sent to work at the front line with Pol Pot, west of Phnom Penh”], 14.44.44 to 14.48.19 “[W]herever Pol Pot went, he would bring Pon along with him”].

346 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 14.44.44 to 14.53.11.

347 **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 11.16.07 to 11.18.21; **E148** Nuon Chea notes, December 2011, at FR 00943620, KHM 00757833 [stating that Pol Pot was at the B-5 office as of late March or early April 1975 “in order to command for the control of the liberation of Phnom Penh”]; **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156743, KHM 00156614, FR 00156666 [for about 10 days prior to the capture of Phnom Penh, Khieu Samphan was located “at the headquarters of Pol Pot to the west of Udong,” possibly with Nuon Chea], at ENG 00156745, KHM 00156615, FR 00156668 [stating that “Nuon Chea and Pol Pot brought me from Udong to Phnom Penh” after 17 April 1975]; **E3/18** Khieu Samphan, *Cambodia’s Recent History & the Reasons Behind the Decisions I Made*, at ENG 00103750 [“By the end of March 1975, I was invited to the general headquarters of the [CPK] in Phoum Dong, west of Oudong, to follow the last offensive against the capital more closely”]; **E1/205.1** Transcript, 11 June 2013, So Socheat, 09.56.39 to 09.58.14 [stating that she joined her husband Khieu Samphan at Sdok Taol “about a week after the fall of Phnom Penh”]; **E1/68.1** Transcript, 25 April 2012, Saloth Ban, 11.23.53 to 11.28.03 [stating that he witnessed Khieu Samphan and Nuon Chea meeting with Pol Pot at his office west of Oudong]; **E1/100.1** Transcript, 1 August 2012, Rochoem Ton *alias* Phy Phuon, 10.54.58 [in weeks before 17 April 1975, witness was with Pol Pot, first at B-5 and then at the Sdok Taol office]; **E1/98.1** Transcript, 30 July 2012, Rochoem Ton *alias* Phy Phuon, 13.39.57 to 13.45.30; **E3/2346R** Video Entitled “Cambodia Year Zero Part,” at 01:40:21 to 01:40:34 [video clip identified by Rochoem Ton *alias* Phy Phuon as showing Pol Pot, Nuon Chea and Khieu Samphan at B-5].

348 **E1/101.1** Transcript, 2 August 2012, Rochoem Ton *alias* Phy Phuon, 09.12.04 to 09.15.55 [stating that he continued to work as a messenger at B-5, “carrying the message between Hem and the battlefields or the Southwest Zone or to the rear battlefields - that is, to Office 74”].

349 **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 10.18.46 to 10.23.20; **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757482, KHM 00858214 [stating that before travelling to Phnom Penh with Pol Pot after its liberation, “Nuon Chea had been living for the last few weeks” in Peam commune]; **E1/68.1** Transcript, 25 April 2012, Saloth Ban, 11.23.53 to 11.28.03; **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156743-45, KHM 00156614-15, FR 00156666-68; **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 09.40.28 to 09.45.02, 09.48.52 to 09.51.32 [confirming Nuon Chea’s presence at meeting held at B-5 in early April 1975]; **E1/98.1** Transcript, 30 July 2012, Rochoem Ton *alias* Phy Phuon, 13.39.57 to 13.45.30; **E3/2346R** Video Entitled “Cambodia Year Zero Part,” at 01:40:21 to 01:40:34 [video clip identified by Rochoem Ton *alias* Phy Phuon as showing Pol Pot, Nuon Chea and Khieu Samphan at B-5].

350 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 09.38.15 to 09.40.28.

- 351 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 13.46.12 to 13.51.34.
- 352 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 13.46.12 to 13.49.18.
- 353 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 13.46.12 to 13.49.18.
- 354 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 13.49.18 to 13.51.34. According to the specifications at www.milspec.ca/radspec/radspec.html, the PRC-25 radio had a RF power output of 1 to 1.5 watts and a range of 8 kilometres, while the VRC-46 had a high power output of 35 watts and range of 41 kilometres. The VRC-46 could receive and transmit on one channel.
- 355 **E1/157.1** Transcript, 9 January 2013, Ung Ren, 11.18.52 [messages to and from the Brigade Commander were relayed by a “radio operator attached to the brigade”]; **E1/130.1** Transcript, 4 October 2012, Meas Voeun, 09.08.33 to 09.12.39 [“Q... how that information was communicated from the battlefield,...to ... Mr. Khieu Samphan? A. Regarding the transmission of this information, it was done through ... radio communication... via mobile communication.”], 09.12.39 [“I relayed the information via radio communication up to the division.”], 10.06.41 to 10.09.29 [“Q. How did you report to the division? ... A. ... via the mobile radio communication and telegram. Q. So, ... you communicated with Ta Soeung by telegram and radio from Koh Kong? ... A. Yes, that is correct.”]; **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 11.19.48 [“Actually, there were telegrams that were sent to me from the zones, or the bases, or the battlefields. These messages were sent through radio communication or through telegrams.”]
- 356 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156743,45, KHM 00156614-15, FR 00156666,68 [“I saw different zone secretaries coming to Pol Pot’s headquarters often”]; **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 10.18.46 to 10.20.28 [“[P]eople from the zone” came to B-5 to report to Pol Pot]; **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 11.57.06 to 12.01.14[“Q. ... other than... Pol Pot, who else was at the Sdok Taol Office on the morning of 17 April 1975? A. ... other people, including the commanders of the battlefields... Son Sen, Koy Thuon, Ta Mok, and Vorn...”]; **E1/66.1** Transcript, 23 April 2012, Saloth Ban *alias* So Hong, 11.52.32 to 11.56.12 [Speaking of the office of the Central Committee near Udong: “Q.Did any leaders from ... zones come to visit PolPot in that office? A. ... once in a while one or two zone leaders were invited to meet him in that place.”].
- 357 **E1/157.1** Transcript, 9 January 2013, Ung Ren, 11.16.51 to 11.23.52 [describing meeting between Son Sen and Brigade 14 held “south of Damnak Smach Station”]; **E1/71.1** Transcript, 2 May 2012, Pean Khean, 15.31.15 to 15.36.55.
- 358 **E1/157.1** Transcript, 9 January 2013, Ung Ren, 11.13.36 to 11.16.51.
- 359 **E1/157.1** Transcript, 9 January 2013, Ung Ren, 13.56.25 to 13.59.00; **E1/158.1** Transcript, 10 January 2013, Ung Ren, 11.21.14 to 11.26.30, 11.31.26 to 11.33.45 [“Since before the liberation of Phnom Penh, the reports had to be filed to Son Sen,” who “was in charge of military affairs”].
- 360 **E1/71.1** Transcript, 2 May 2012, Pean Khean, 15.31.15 to 15.36.55.
- 361 **E1/98.1** Transcript, 30 July 2012, Rochoem Ton *alias* Phy Phuon, 14.09.32 to 14.14.37 [“as far as the soldiers and armies were concerned, once they liberated any zone, then they would evacuate people and then relocated the people”]; **E1/209.1** Transcript, 19 June 2013, Nou Mao, 11.40.20 to 11.41.52 [in all battlefields, “wherever the soldiers arrived, people were evacuated. When they evacuated people...they were not prepared...People had nothing to eat”]; **E1/92.1** Transcript, 19 July 2012, David Chandler, 11.18.34 to 11.23.29 [testifying there was a “consistent pattern” of CPK evacuations of cities and towns before Phnom Penh, including Udong, Kratie and Stung Treng]; **E1/178.1** Transcript, 9 April 2013, Francois Ponchaud, 13.44.46 to 13.50.18; **E3/370** Francois Ponchaud OCIJ Statement, at ENG 00333952, FR 00282827; **E243.1** Francois Ponchaud, *Cambodia: Year Zero*, at ENG 00862037, FR 00862151, KHM 00862308-09 [“ever since 1972 the guerrilla fighters had been sending all the inhabitants of the villages and towns they occupied into the forest to live, often burning their homes so they would have nothing to come back for.”]; **E1/51.1** Transcript, 20 March 2012, Kaing Guek Eav *alias* Duch, 09.45.21 [“whenever there were fightings, then we evacuated people ... we took those people so that the enemies did not have – or we undermined the enemies’ strength”]; **E3/87** OCIJ Statement, at ENG 00283112, FR 00238510 [Ieng Sary explained at training seminars that “[e]ach time a city was captured, its inhabitants were evacuated to the countryside in order to be cleansed and purged of their town habits”]; **E3/5178** OCIJ Statement, at ENG 00274097[“In 1974, all people living on this mountain, at Pich Chenda, Q’raing, Ch’bar were evacuated to Koh Nbek district.”]; **E3/72** [REDACTED] OCIJ Statement, at ENG 00490542[“A54. I worked as the chief of Kus commune till 1972 and I was assigned to work with the monks in charge of people evacuation till 1974. When I was in the people evacuation unit, the chief of Kus commune was another person...”]; **E3/5522** [REDACTED] OCIJ Statement, at ENG 00426287 [assigned to “take people to set up a village and build residences”]; **E3/17** David Chandler, *Brother Number One*, at ENG 00393010 [stating that the CPK began forced movements in 1973]; **E3/785** *Revolutionary Flag*, July 1973, ENG 00713996, KHM 00442031, FRE 00741965.

362 **E1/178.1** Transcript, 9 April 2013, Francois Ponchaud, 13.44.46 to 13.50.18; **E1/179.1** Transcript, 10 April 2013, Francois Ponchaud, 09.09.07 to 09.12.27 [referencing forced evacuations in Bos Khnor, Kampong Cham, Damnak Chang'eur near Kep and Kampong Thom], 09.21.17 to 09.25.01; **E1/180.1** Transcript, 11 April 2013, Francois Ponchaud, 09.31.20 to 09.35.14; **E3/370** Francois Ponchaud OCII Statement, at ENG 00333952, FR 00282827 ["the decision to evacuate was part of a systematic policy by the Khmer Rouge, who had already evacuated all the towns or villages they had previously occupied"]; **E243.1** Francois Ponchaud, *Cambodia: Year Zero*, ENG 00862037, FR 00862151, KHM 00862308-09 [“ever since 1972 the guerrilla fighters had been sending all the inhabitants of the villages and towns they occupied into the forest to live, often burning their homes so they would have nothing to come back for”].

363 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396456, 65; **E1/179.1** Transcript, 10 April 2013, Francois Ponchaud, 09.25.01 to 09.29.54 [ideology of Khmer Rouge that “city dwellers were corrupt”].

364 **E1/189.1** Transcript, 6 May 2013, Philip Short, 14.31.14 to 14.34.21; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396456, 00396465; **E1/92.1** Transcript, 19 July 2012, David Chandler, 11.18.34 to 11.23.29.

365 **E3/25** *Revolutionary Flag*, December 1976 - January 1977, at ENG 00491424, FR 00504049, KHM 00063040.

366 **E3/785** *Revolutionary Flag*, July 1973, ENG 00713996, KHM 00442031, FRE 00741965.

367 **E1/221.1** Transcript, 10 July 2013, Stephen Heder, 15.14.12 to 15.16.36, 15.21.59 to 15.26.43 [interviews describing evacuation of people and “on the spot” executions “after the partial occupation by Khmer Rouge forces of Kampong Cham provincial town”]; **E1/222.1** Transcript, 11 July 2013, Stephen Heder, 09.08.47 to 09.12.05 [stating that the evacuation of Kampong Cham was “primarily” by “compulsion”]; **E1/92.1** Transcript, 19 July 2012, David Chandler, 11.18.34 to 11.23.29; **E3/17** David Chandler, *Brother Number One*, at ENG 00393014, KHM 00821765 [when CPK troops withdrew from Kampong Cham, “they rounded up several thousand people to take with them”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396465; **E1/178.1** Transcript, 9 April 2013, Francois Ponchaud, 09.44.59 [“people were evacuated in 1973 when I was in Kampong Cham”], 13.44.46 to 13.50.18; **E3/370** Francois Ponchaud OCII Statement, at ENG 00333952, FR 00282827; **E3/3328** Wilfred Deac, *Road to the Killing Fields*, at ENG 00430757-58 [“The K.R. took with them as they retreated a half dozen captured howitzers and more than fifteen thousand people, what an official report called the ‘single greatest increase in population for the Khmer Rouge in 1973’”].

368 **E3/2782 (E3/2783)** [REDACTED] Statement, at ENG 0089710 [“[The Central Committee then] told me to organize zone military forces to take over Kampong Cham”]; **E1/99.1** Transcript, 31 July 2012, Rochoem Ton *alias* Phy Phuon, 11.27.17 to 11.29.40 [stating that the troops that attacked Kampong Cham “belonged to the Centre and the 304,” that Son Sen was based at Bos Khnaor at the time and Pol Pot and Nuon Chea at S-71].

369 **E3/2782 (E3/2783)** [REDACTED] Statement, at ENG 0089710 [“In February 1972, the Central Committee ordered me to cooperate with central unit, called Unit 39, led by Brother Khieu, to sweep and clean enemies around Kampong Thom”], at ENG 0089710-11 [“In September 1973, the Central Committee pledged to attack all over the country” and “organized many plans”]; **E3/3328** Wilfred Deac, *Road to the Killing Fields*, at ENG 00430775-76 [describing 1974 CPK attack on Kampot town in which “[h]alf of Kampot’s fifty thousand civilians fled into the countryside as rockets and shells peppered the city”], at ENG 00430784-85 [describing May 1974 CPNLF attack on Kampong Seila in which “[s]hells from mortars and two captured howitzers showered the approximately one thousand soldiers and six thousand civilians”]; **E3/3336** US Embassy *Khmer Report*, 11 March 1975, 00413136 [“city of Kampot is getting steady enemy pressure and mounting civilian casualties”]; **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898244.

370 **E3/25** *Revolutionary Flag*, December 1976 - January 1977, at ENG 00491424, FR 00504050, KHM 00063040 [“We liberated Oudong in 1974. We pulled out all the people”]; **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 10.20.22 to 10.26.50; **E1/51.1** Transcript, 20 March 2012, Kaing Guek Eav, 09.45.21 to 09.46.56 [“when we took over Oudong, then they evacuated people to Pursat province”]; **E1/221.1** Transcript, 10 July 2013, Stephen Heder, 14.33.53 to 14.40.25, 15.12.38 to 15.14.12; **E1/222.1** Transcript, 11 July 2013, Stephen Heder, 09.12.05 to 09.13.49; **E1/209.1** Transcript, 19 June 2013, Nou Mao, 09.20.21 [“Udong was attacked and soldiers, prisoners of war were evacuated to the west direction, all way to the Thpong area, and a lot of people had been evacuated to that place”], 11.31.03 to 11.33.11 [“They captured some soldiers, and then they evacuated some people all the way through Amleang. ... There was nothing over there. The land was barren. People did not grow any crops”], 11.33.11 to 11.40.20 [told at commune committee meeting that “our soldiers had defeated Lon Nol soldiers, and people had been evacuated out of Udong up to the west”]; **E1/189.1** Transcript, 6 May

2013, Philip Short, 14.31.14 to 14.34.21; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396455, 00396465; **E1/179.1** Transcript, 10 April 2013, Francois Ponchaud, 09.23.00; **E1/92.1** Transcript, 19 July 2012, David Chandler, 11.18.34 to 11.23.29; **E3/1683** David Chandler, *The Tragedy of Cambodian History*, at ENG 00193314 [“twenty thousand people were led off into the countryside, where the ‘class enemies’ among them were executed and the others put to work”]; **E3/3328** Wilfred Deac, *Road to the Killing Fields*, at ENG 00430777 [“More than 20,000 civilians were herded into the countryside to be killed or forced to live and work in communes”].

371 **E3/2782 (E3/2783)** [REDACTED] Statement, at ENG 0089711 [“the higher level [Brothers] decided to launch offensives on Udong” and that Ke Pauk “discussed with Brother Khieu on attacking Road No. 4 by cooperating with the Southwest Zone”]; **E1/129.1** Transcript, 3 October 2012, Meas Voeng, 15.51.47 to 15.56.41 [“During the fighting along National Road Number 5, ... there were the Southwest soldiers to the east of Krakor up to Kampong Chhnang and Udong. We were under the overall charge of Ta Mok, then Ta Soeung, so we fought along the road up to Udong.”]; **E1/157.1** Transcript, 9 January 2013, Ung Ren, 10.05.17 to 10.08.02 [“In Brigade 14, did it involve in the attack at Udong in around 1974? A. Yes, Brigade 14 did engage in the fight in that area in 1974... My regiment did not engage in that battlefield, but the force was from the Southwest.”], 11.09.40 [“A. Allow me to say that the plan to attack Udong was formed only by my commander and Cheng An.”], 11.11.46 [“However, there was an overall plan for the brigade: the Southwest force were to attack Udong, and our regiment was to prepare for the attack on the South of Udong.”], 11.16.51 [“...for example, a battlefield that needs to be attacked, and that would be considered a special task. And the upper echelon did not only call a brigade, but they would call the brigades, as well as the regiments, in order to meet, to relay the orders in order to succeed in the attack.”].

372 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phoun, 10.20.22 to 10.26.50.

373 **E1/221.1** Transcript, 10 July 2013, Stephen Heder, 14.33.53 to 14.40.25, 15.12.38 to 15.14.12; **E1/222.1** Transcript, 11 July 2013, Stephen Heder, 09.12.05 to 09.13.49.

374 **E1/221.1** Transcript, 10 July 2013, Stephen Heder, 14.33.53 to 14.40.25 [persons he interviewed in the town said CPK troops had “entered Udong, killed certain people, and taken most, if not all, of the rest of the population out to the countryside” to the west], 15.12.38 to 15.14.12 [“there was talk about executions of [Khmer Republic] military personnel, civil servants”]; **E1/222.1** Transcript, 11 July 2013, Stephen Heder, 09.12.05 to 09.13.49.

375 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396455, 00396465, FR 00639784-85; **E1/190.1** Transcript, 7 May 2013, Philip Short, 13.34.38 to 13.38.54. See also **E1/209.1** Transcript, 19 June 2013, Nou Mao, 09.20.21 [“Udong was attacked and soldiers, prisoners of war were evacuated to the west direction, all way to the Thpong area”], 11.31.03 to 11.40.20 [“They captured some soldiers, and then they evacuated some people all the way through Amleang. ... those who were evacuated included the war captives”].

376 **E1/190.1** Transcript, 7 May 2013, Philip Short, 13.34.38 to 13.38.54.

377 **E3/167** FUNK Publication *Nouvelles du Cambodge No.698*, 11 April 1974., at ENG 00280586, FR S 00000122, KHM 00596141. See also **E3/2782 (E3/2783)** [REDACTED] Statement, at ENG 0089711 [stating that after recapturing Oudong from Khmer Republic Division 80, CPK forces “annihilated the enemies and confiscated tanks, artilleries and thousands of tons of ammunition”]

378 **E3/25** *Revolutionary Flag*, December 1976 - January 1977, at ENG 00491424, FR 00504049, KHM 00063039-40.

379 **E3/25** *Revolutionary Flag*, December 1976 - January 1977, at ENG 00491424, FR 00504049-50, KHM 00063040. See also **E1/190.1** Transcript, 7 May 2013, Philip Short, 13.50.07 to 13.52.04 [“seizing the people” “means, simply, controlling the population” and was a “Chinese Communist tactic” used throughout the Chinese Revolution].

380 **E3/17** David Chandler, *Brother Number One*, at ENG 00393014, KHM 00821765; See also **E1/92.1** Transcript, 19 July 2012, David Chandler, 11.24.52 to 11.27.28 [providing historical example of 1833 Thai invasion of Cambodia, in which the Thai Army “cleaned out Phnom Penh” so “there’d be nothing to support any kind of military action in response”].

381 **E1/92.1** Transcript, 19 July 2012, David Chandler, 11.24.52 to 11.27.28. See also **E3/10** *Revolutionary Flag*, September - October 1976, at ENG 00450531, FR 00491897, KHM 00063095 [“When we evacuated the people from the cities, we carried out class struggle”].

382 **E1/222.1** Transcript, 11 July 2013, Stephen Heder, 09.04.02 to 09.08.47; **E1/223.1** Transcript, 15 July 2013, Stephen Heder, 09.57.30 to 10.04.01.

383 **E1/223.1** Transcript, 15 July 2013, Stephen Heder, 09.57.30 to 10.04.01; **E1/221.1** Transcript, 10 July 2013, Stephen Heder, 15.50.05 to 15.52.56; **E1/222.1** Transcript, 11 July 2013, Stephen Heder, 09.04.02 to 09.08.47.

384 **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486246.

385 **E3/25** *Revolutionary Flag*, December 1976 - January 1977, at ENG 00491428, KHM 00063045-46, FR 00504055.

386 **E3/3549** U.S. Secretary of State Telegram, 19 February 1974, at ENG 00412659 [discussing CPK “shelling of Kompong Thom refugee movement”]; **E3/88** William Shawcross, *Sideshow*, at ENG 00430022 [“In March 1974, a government offensive into the province of Kompong Thom opened an escape route for the people living there. Around 35,000 stumbled with their bundles and their oxcarts over to the Lon Nol side.”]; **E1/178.1** Transcript, 9 April 2013, Francois Ponchaud, 13.44.46 to 13.50.18; **E1/189.1** Transcript, 6 May 2013, Philip Short, 09.47.43 to 09.52.13 [discussing movement of 40,000 refugees from Kampong Thom].

387 **E3/146** Revolutionary Youth, August - September 1974, at ENG 00538756, KHM 00283422, FRE 00611823 [“we still keep our positions firmly around Phnom Penh, and are able to fire rockets at will into Phnom Penh from any direction, even into the Po Chen Tong Airport”]; **E3/3305** US Embassy *Khmer Report*, 8 January 1974, at ENG 00412628, 00412636 [CPK forces “increased pressure around Phnom Penh during the week...firing scattered rockets on the city”], 00412632 [FUNK broadcasts lauding rocket attacks that “crashed on the den of the U.S. imperialists and their Phnom Penh running dogs”]; **E3/3549** U.S. Secretary of State Telegram, 19 February 1974, at ENG 00412657 [report that CPK forces placed a “105mm howitzer outside Phnom Penh” and fired “55 shells into the bustling city, killing some 500 Cambodian civilians and burning out perhaps 1,000 homes”], ENG 00412660 [report that on 12 February 1974, “gunners poured 73 rounds of high explosive shells and 122mm Soviet-made rockets into a densely populated market and slum area, killing “over 150 people” and leaving “10 acres of burned-out housing”]; **E1/222.1** Transcript, 11 July 2013, Stephen Heder, 13.58.13 to 14.00.50, 14.07.21, 14.09.35 to 14.11.22 [stating that the first phase of CPK rocket and artillery shelling was in the “dry season of ‘73/74’”]; **E1/190.1** Transcript, 7 May 2013, Philip Short, 11.57.10 to 12.00.24 [stating that CPK shelling of Phnom Penh was “indiscriminate,” “fall[ing] very often on the poorer suburbs,” and that “no attempts” were made to avoid civilian casualties]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396454 [describing shelling of city with Chinese-made rockets that began in late December 1973]; **E3/88** William Shawcross, *Sideshow*, at ENG 00430023.

388 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396454; **E1/190.1** Transcript, 7 May 2013, Philip Short, 11.57.10 to 12.00.24.

389 **E3/88** William Shawcross, *Sideshow*, at ENG 00430023. See, e.g., **E3/3549** U.S. Secretary of State Telegram, 19 February 1974, at ENG 00412657, 00412660.

390 **E3/1569** Kaing Guek Eav OCII Statement, at ENG 00185475 [“I was the Chairman of M-13 from 20 July 1971 until 1 January 1975”]; **E3/504** Kaing Guek Eav OCII Statement, at ENG 00147525; **E1/50.1** Transcript, 19 March 2012, Kaing Guek Eav, 15.42.43 to 15.45.30.

391 **E3/72** Phan Chhen OCII Statement, at ENG 00490542; **E3/4626** Pech Chim OCII Statement, at ENG 00380132-33.

392 **E3/5176** Uon Rim OCII Statement, at ENG 00478731.

393 **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757526.

394 **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757526.

395 **E1/52.1** Transcript, 21 March 2012, Kaing Guek Eav, 09.59.52, 10.15.38 [“after 1970, spies were regarded as the key enemies. After 1975, former soldiers and officers of Lon Nol regime were the key enemies”]; **E1/50.1** Transcript, 19 March 2012, Kaing Guek Eav, 15.40.48 [“Party’s policy” was that persons caught in “the liberated zones were considered as spies”].

396 **E1/50.1** Transcript, 19 March 2012, Kaing Guek Eav, 15.37.43 to 15.42.43 [persons arrested by soldiers were accused of being spies and sent “to M-13 for interrogation and smash”]; **E1/58.1** Transcript, 3 April 2012, Kaing Guek Eav, 11.38.46 [no “open door policy” in the liberated zones], 15.31.10 [people who moved from “enemy zones to the liberated zones” arrested and held at M-13]; **E3/146** Revolutionary Youth, August - September 1974, at ENG 00538756, KHM 00283423, FRE 00611823 [“As for the bandit group, the commando, and the spying group, who had infiltrated in our liberated zones ... they were surrounded and destroyed by our Chhlop (militia)”].

397 **E1/50.1** Transcript, 19 March 2012, Kaing Guek Eav, 15.40.48 [“Vorn Vet himself instructed me the way to torture”], 15.52.49 to 15.55.05 [Duch instructed subordinates how to interrogate and torture in training sessions], 15.55.05 to 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”]; **E3/454** Kaing Guek Eav OCII Statement, at ENG 00147603-05; **E3/5791** Case 001 Trial Transcript, 7 April 2009, Kaing Guek Eav, 14.03.10 to 14.06.09; **E3/504** Kaing Guek Eav OCII Statement, at ENG 00147521, 00147525 [“Vorn Vet was the person who trained me”]; **E3/351** Mam Nai OCII Statement, at ENG 00162910.

398 **E3/785** *Revolutionary Flag*, July 1973, ENG 00713998-99, KHM 00442047-48, FRE 00741968 [“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”]
 399 **E1/190.1** Transcript, 7 May 2013, Philip Short, 11.53.23 to 11.57.10.
 400 **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486247, FR 00492836, KHM 00063162 [referring to June 1974 Central Committee conference that “resolved to mount the decisive offensive to liberate Phnom Penh and the entire country”]; **E3/747** *Revolutionary Flag*, August 1978, at ENG 00499785 [“In June 1974, our Party determined to open the decisive strategic attack to liberate Phnom Penh and liberate the entire country”]; **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 11.26.24 to 11.39.12 [meeting was held near Meak village in the “rainy season” in 1974, either June or July, and was “convened to prepare for liberating Phnom Penh”]; **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 15.14.55 [describing “extraordinary session of the Standing Committee in mid-1974...in order to take measures to liberate Phnom Penh”]; **E1/22.1** Transcript, 14 December 2011, Nuon Chea, 09.05.46 to 09.07.44 [“meeting by the Standing Committee and members of the Central Committee in mid-1974 in deciding to evacuate the people from Phnom Penh and from other provincial towns”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396456; **E1/190.1** Transcript, 7 May 2013, 13.38.54 to 13.44.41 (Philip Short); **E1/192.1** Transcript, 9 May 2013, Philip Short, 16.16.16.
 401 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 11.26.24 to 11.29.10.
 402 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 11.39.12 to 11.44.36 [also noting that the 1974 meeting “was not fully attended by members from the zones” and had fewer participants than the 1971 meetings].
 403 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 09.45.02 to 09.48.52 [“We learned from experience. Before we liberated Phnom Penh we had liberated some other provincial towns... if people remained in the cities the Party...difficult to control them...we had to remove them all...”] and [“ in 1974, Udong was liberated, and the experience was obtained from this liberation.”]]; **E1/190.1** Transcript, 7 May 2013, Philip Short, 13.52.04 to 13.53.32 [stating that Rochoem Ton *alias* Phy Phuon was “adamant” that the evacuation of Oudong, which occurred just months before the Meak meeting, “convinced the leadership that this was the way they should go with Phnom Penh”]; **E1/92.1** Transcript, 19 July 2012, David Chandler, 11.18.34 to 11.23.29 [testifying that the evacuation of Phnom Penh was not “unprecedented,” but part of a “consistent pattern” of evacuations of cities and towns by the CPK]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396456, 00396465; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417603-04 [describing 1974 conversation with Pol Pot that Phnom Penh would be evacuated based on past experiences in Kratie and Stung Treng]; **E3/2119** Henry Kamm, *Cambodia: Report from a Stricken Land*, at ENG 00394456 [quoting Ieng Sary that decision to evacuate Phnom Penh was “a collective decision”]; **E3/687** New York Times, 3 *Unlikely Cambodian Allies Map War On Vietnam*, 9 July 1982, at ENG 00122280 [[Khieu Samphan] “acknowledged that millions of Cambodians had been sent out of Phnom Penh...a ‘collective decision’. Had he joined the decision? ...’Yes, evidently.”] that he joined in the “collective decision” to evacuate Phnom Penh]; **E243.1** Francois Ponchaud, *Cambodia: Year Zero*, at at ENG 00862037, FR 00862151, KHM 00862308-09 [“The evacuation of Phnom Penh follows traditional Khmer revolutionary practice: ever since 1972 the guerrilla fighters had been sending all the inhabitants of the villages and towns they occupied into the forest”].
 404 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 11.01.32 to 11.05.36; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396465, KHM 00755582, FR 00639786-67.
 405 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 09.45.02; **E1/98.1** Transcript, 30 July 2012, Rochoem Ton *alias* Phy Phuon, 14.09.32 to 14.14.37 [stating that when people were evacuated it was “easier from the management perspective” because enemies were not “difficult to identify”].
 406 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 11.04.31.
 407 **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417603.
 408 **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417603; **E3/93** Ieng Sary Interview, 28 August 1996, at ENG 00078611 [“[I]n 1974 I talked with Pol Pot that taking people out of Stung Treng and Kratie was easy because there weren’t many people, but evacuating people out of Phnom Penh would not be so easy”].
 409 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 15.12.36 to 15.34.13.
 410 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 15.24.03; **E1/21.1** Transcript, 13 December 2011, Nuon Chea, 10.28.44 to 10.33.55.
 411 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 15.32.12 to 15.34.13.
 412 **E3/747** *Revolutionary Flag*, August 1978, at ENG 00499785; **E3/146** *Revolutionary Youth*, August - September 1974, at ENG 00538756, KHM 00283422, FRE 00611823 [“As for the Mekong water route, which is the only one lifesaving way of the traitors, we can still attack their transportation ship convoy every time”].

- 413 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 15.13.45.
- 414 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 15.21.19; See also **E1/21.1** Transcript, 13 December 2011, Nuon Chea, 10.23.06 [analysis of the CPK leaders was that the U.S. cessation of bombing allowed the CPK to accelerate its final attack to capture Phnom Penh]; **E1/140.1** Transcript, 5 November 2102, Sum Chea, 10.13.54 ["Q...did you hear any Khmer Rouge ... announcing ...that the people had to leave the city because Americans were going to bomb Phnom Penh? A. Yes, I did. And that's part of their deceitful acts to trick the people to leave Phnom Penh."]; **E1/179.1** Transcript, 10 April 2013, François Ponchaud, 09.59.35 ["Q...do you believe that the Khmer Rouge had given false pretext to the population to evacuate ...? A. It was clear; the Khmer Rouge gave the wrong reason... So, the real reason was the ideological reason."]; 11.40.07 ["Angkar used lies to actually lure people to follow them, and it was a tactic they used at the time to control the situation. They deployed this trick in order to evacuate people out of the city."]; **E1/190.1** Transcript, 7 May 2013, Philip Short, 14.016.43 to 14.19.46 ["Q. You then continue ... "Thus the new regime began with a lie, and lying would remain one of its defining characteristics... The lie became an instrument of rule..."A...I stand by it... lies were in the very fabric of everything the regime did."]
- 415 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 15.14.55 to 15.16.34.
- 416 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 15.22.57 to 15.24.03; **E3/550** IENG Sary Statement, 8 September 1975, at ENG 00087603, FR 00698732-33, [As for the second reason of the evacuation: "We discovered ... a secret political military plan.... defeated Lon Nol regime to spread confusion after our victory... (1) ... trouble with agents infiltrated ... (2) ...Lon Nol soldiers ...intended to attack us...(3) planned to corrupt our troops.."]; See also **E1/66.1** Transcript, 23 April 2012, Saloth Ban *alias* So Hong, 11.28.18 to 11.30.37; **E1/68.1** Transcript, 25 April 2012, Saloth Ban *alias* So Hong, 11.31.25 to 11.36.55 [Q." you told the Chamber ... thousands of spies had infiltrated in Phnom Penh and were capable of ... acts of sabotage... A.I only knew that the reason of the evacuation was ... Lon Nol attempted to gain victory, and by doing so they would infiltrate the spies in the city."].
- 417 **E1/21.1** Transcript, 13 December 2011, Nuon Chea, 10.30.16 to 10.33.55 [describing the Lon Nol soldiers in Phnom Penh as "vagabonds who only were the players, womanizers or heavy drinkers"].
- 418 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 15.28.03 to 15.30.10; **E1/21.1** Transcript, 13 December 2011, Nuon Chea, 10.33.55 ["[W]e decided that we had to evacuate the residents in Phnom Penh temporarily and then we would see what the situation unfold, how the liberation in Vietnam was going"]; **E1/22.1** Transcript, 14 December 2011, Nuon Chea, 09.05.46 to 09.07.44 ["meeting by the Standing Committee and members of the Central Committee in mid-1974" decided to "evacuate the people from Phnom Penh and from other provincial towns"]; **E3/4051** Khieu Samphan Interview, at ENG 00788872 [transcript of video **E3/4051R**] ["if there had been a single voice against the evacuations, there could have been no evacuations"].
- 419 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 15.32.12; **E1/21.1** Transcript, 13 December 2011, Nuon Chea, 10.33.55 ["during the meeting at the Zone Committees, we discussed how many zones could take in the number of Phnom Penh residents to be evacuated"].
- 420 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 15.28.03 to 15.30.10.
- 421 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 15.30.10.
- 422 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 15.14.55 to 15.16.34, 15.26.27 to 15.28.03.
- 423 **E3/166** *Revolutionary Flag*, February - March 1976, at ENG 00517844-45, FR 00492790, KHM 00063229. See also **E169/4/1.1.2** *Revolutionary Flag*, December 1975 - January 1976, at ENG 00865709, KHM 00809848 ["In mid-1974, the Party took a measure to suspend the expansion of the Party and the underground organization"]; **E3/25** *Revolutionary Flag*, December 1976 - January 1977, at ENG 00491422, KHM 00063036, FR 00504046 ["When we set up the plan for the decisive attack in mid 1974 to prepare for 1975, we agreed to close the doors to the Party and not expand the Party to prevent the enemy from entering"], 00491427, KHM 00063044, FR 00504054 ["This was because the enemy was attacking us...they attacked and joined the militias and joined the Arts, the hospitals; they joined all units, and they attacked us. So then...we closed the door in mid 1974"].
- 424 **E3/193** *Revolutionary Flag*, August 1977, at ENG 00399226-27, KHM 00062952-53, FR 00611830 [problem of disloyal cadre in Koh Kong had "reached the Party Center," so "in 1974 we sorted out this issue completely and permanently" and "eradicated all the enemies," including the "despicable Chong"]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396467-68 [stating that Prasith's case was "discussed at length during the plenum at Meak"]; **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 11.41.43 to 11.49.44 [stating that Koh Kong leader Ta Chong "failed to show up" at the 1974 Central Committee meeting]; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393747; **E3/360** TCW-326 Statement, at ENG 00268854 [referring to

Prasith as Aon Ev]; **E3/1593** Ben Kiernan, *The Pol Pot Regime*, at ENG 00104212-14; **E3/49** Timothy Carney, *The Organization of Power*, at ENG00105152.

425 **E1/189.1** Transcript, 6 May 2013, Philip Short, 09.52.13 to 09.58.57; **E1/190.1** Transcript, 7 May 2013, Philip Short, 13.44.41 to 13.47.54 [“[O]nce you have accepted that ‘counter-revolutionaries can worm their way into the leadership’...then you’re opening the door to endless purges”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396468, FR 00639790.

426 **E1/22.1** Transcript, 14 December 2011, Nuon Chea, 09.07.44 to 09.09.59.

427 **E1/101.1** Transcript, 2 August 2012, Suong Sikoeun, 15.20.29 to 15.24.48; **E3/482** Léon Trivièr (France-Asia Exchange), *China and Cambodia*, November 1975, at FRE 00385708, ENG 00524007, KHM 00538862; **E3/2939** Telegram from U.S. Embassy in PhnomPenh to U.S. Department of State entitled “Khieu Samphan visit to the PRC,” 28 May 1974, at ENG 00377049-51; **E3/40** Suong Sikoeun book manuscript, at FRE 00078987-89, ENG 00813078-79, KHM 00583605-07.

428 **E3/40** Suong Sikoeun’s book manuscript, at FRE 00078987-92, ENG 00813078-81, KHM 00583605-09; **E1/101.1** Transcript, 2 August 2012, Suong Sikoeun, 15.26.19 to 15.29.12, 15.30.39; Examples of photographs from Lao News Agency Photo Archive: **E3/4546** (P 00513351); **E3/4562** (P 00513354); **E3/4568** (P 00513356).

429 **E1/204.1**, Transcript, 10 June 2013, So Socheat, 14.28.10 [“...we stayed at K-17 and then we moved to B-20. A few months after that, we had to move to Meak’s office. I don’t know where it was situated, but it was a new office and I went there during my early days after giving birth to my first child.”], 15.14.50 to 15.16.23 [“...he stayed with me in Office 17 and B-20; we remained together and we went to Meak Office...”];

430 **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417603-04; **E3/93** Ieng Sary Interview, 28 August 1996, at ENG 00078611; **E9/21.3** Ieng Sary List of Uncontested Facts, at ENG 00656980; See also **E3/43** Noem Sem OCIJ Statement, at ERN 00365658 [“I sang in Kampong Thom until 1974; then they selected three people to go to Vietnam. The person who took me there was Uncle IENG Sary.”].

431 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 09.30.50 to 09.33.36, 11.37.50 to 11.41.43; **E3/24** Rochoem Ton *alias* Phy Phuon OCIJ Statement, at ENG 00223581 [stating that Ieng Sary returned from China in 1974 for “meetings of the Centre”].

432 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 11.26.24 [the 1974 meeting “...lasted more than a fortnight... The 1974 meeting was also held in the rainy season, and it was in July...”], 11.37.50[“Just now, I said it was in July. However, having read the document, it stated that it’s June, and I agree that it was in June, because I cannot fully recollect the exact date. It was indeed happening during the rainy season.”]. See also **E3 /2782**, **E3/2783** [REDACTED] Statement, at ENG 0089711 [“Central Committee conducted a meeting in July 1974”].

433 **E1/21.1** Transcript, 13 December 2011, Nuon Chea, 10.24.59 to 10.26.19.

434 **E1/50.1** Transcript, 19 March 2012, Kaing Guek Eav, 15.45.30 to 15.50.15 [describing meeting held at Vorn Vet’s office in the Special Zone]; **E3/2782** (**E3/2783**) [REDACTED] Statement, at ENG 0089711 [following the Central Committee meeting in July 1974, he was assigned to Siem Reap and prepared the attack on it, and “Koy Thuon was ordered to take charge [of his] troops moving into Phnom Penh”].

435 **E1/71.1** Transcript, 2 May 2012, Pean Khean, 15.31.15 to 15.34.36 [testimony of Koy Thuon’s messenger that he went to Damnak Smach in late 1974 to participate in meetings with other Party leaders to plan the final attack on Phnom Penh]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396470; **E3/1714** Stephen Heder & Masato Matsushita, *Interviews with Kampuchean Refugees at Thai-Cambodia Border*, February - March 1980, at ENG 00170748, KHM 00324762-63, FR 00649010-11 [Kompong Som Committee Member states that “attacks were under the control of the Central Committee Military Committee, Pol Pot and Nuon Chea. Son Sen was responsible for setting up the battlefield”].

436 **E3/30** FBIS, *Cambodians Urged to Unite in New Year’s Offensive*, 31 December 1974, at ENG 00166659-61 [Khieu Samphan statement broadcast at 04:00 GMT on Voice of Funk calling on CPNLAF combatants to “launch the most vigorous and most powerful offensive against the enemy...around Phnom Penh”].

437 **E3/12** Decision of the Central Committee Regarding a Number of Matters, 30 March 1976, at ENG 00182811 [1 January 1975 marked as “The Day of the Opening of the Decisive Attack”]; **E3/747** *Revolutionary Flag*, August 1978, at ENG 00499785 [“At 1 a.m. on 1 January 1975, every military unit including militias and district, sector, Zone and Center military forces at every spearhead had to attack, pound and penetrate following the plans set by the Party”]; **E3/30** FBIS, *Khmer Rouge Launch New Year’s Offensive*, 1 January 1975, at ENG 00166658; **E3/30** FBIS, *Heavy Fighting Continues around Phnom Penh, More Rocket Attacks*, 2 January 1975, at ENG 00166662; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396470 [“assault began at one o’clock in the morning of January 1975,

with a massive artillery bombardment by captured 105-mm howitzers and Chinese-made rocket launchers”].

438 **E1/166.1** Transcript, 29 January 2013, Al Rockoff, 09.19.36 [“the Khmer Rouge were shelling parts of Phnom Penh with 107 millimetre rockets. Many were coming from the eastside of the Mekong”]; **E1/222.1** Transcript, 11 July 2013, Stephen Heder, 13.58.13 to 14.00.50, 14.05.23 to 14.11.22; **E1/144.1** Transcript, 14 November 2012, Meas Saran, 15.02.48 to 15.06.28 [describing hospital that received victims of “rocket shelling” or bombing of Phnom Penh in 1974-75], 15.10.51 to 15.12.29 [people in Phnom Penh were in “constant fear because of the ongoing bombardments and shelling of the city”]; **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 09.28.45 to 09.30.11 [stating that Khmer Rouge fired “Chinese made rockets” that “fell down here, there and everywhere” including outside his hotel, and that the shelling “never stopped”]; **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary* 1975, at ENG 00898210, 00898225, 00898228, 00898230, 00898263, 00898268 [noting on the evening of 16 April 1975 that “rockets have been falling all through dinner, at regular intervals, and they continue to fall on the city through the night”]; **E3/3337** US State Department *EA Press Summary*, 11 March 1975, at ENG 00413141 [reports describing “horror of rocket attacks” and “life in city’s ‘Rocket Belt’”]; **E1/137.1** Transcript, 23 October 2012, Lay Bony, 15.16.50 [“rocket launched over Cambodian hotel”], 15.22.11 [“we heard the firing as well as the shelling”]; **E1/40.1** Transcript, 8 February 2012, Nuon Chea, 09.44.14 to 09.46.49 [admitting that CPK received “some rocket launchers” from China].

439 **E3/30** FBIS, *Khmer Rouge Launch New Year’s Offensive*, 1 January 1975, at ENG 00166658 [“Two rockets slammed into the city center this morning, one hitting the former royal palace and the other landing near the Foreign Ministry”]; **E3/30** FBIS, *Heavy Fighting Continues around Phnom Penh, More Rocket Attacks*, 2 January 1975, at ENG 00166662 [“15 rockets fired into the capital yesterday. The 107-millimetre rockets killed seven persons and wounded 13, according to official figures”]; **E3/30** FBIS, *Khmer Rouge Rockets Hit Phnom Penh*, 10 January 1975, at ENG 00166683 [“Three 107-mm red Khmer Rockets hit Phnom Penh early today killing one man and wounding three other persons, all Cambodian civilians”]; **E3/30** FBIS, *Rockets Land Near Phnom Penh Royal Palace*, 13 January 1975, at ENG 00166696 [“Nine people were injured today when rockets hit a Buddhist monastery near the royal palace...In the last three days, 14 rockets have hit the capital killing seven people and injuring 24. The rockets are being fired from the east bank of the Mekong River about 4 kms (1.6 miles) from the royal palace”]; **E3/30** FBIS, *Major Attack Ordered to Stop Red Khmer Rockets*, 16 January 1975, at ENG 00166711 [“Red Khmers west of the city fired 14 107-mm rockets at Pochentong Airport last night, wounding 22 people”]; **E3/30** FBIS, *AFP Reports Battle Situation For 19, 20 January, 30 Killed at Capital*, 20 January 1975, at ENG 00166712 [“Thirty people were killed and 75 wounded by heavy attacks...Forty rockets streaked in on Phnom Penh and its airport...Another rocket hit the central market place and around the electric power plant”]; **E3/30** FBIS, *AFP Reports Rockets Hit Phnom Penh, Pochentong Airport*, 21 January 1975, at ENG 00166715 [“Four people were killed and 11 injured today by rockets which hit Phnom Penh and Pochentong Airport while fighting continued 10 kms (6 miles) north of the capital”]; **E3/30** FBIS, *Kampot Port Under Siege, Phnom Penh Airport Shelled*, 29 January 1975, at ENG 00166731 [“On the northern fringes of the city, four people were killed and 10 wounded when rockets struck about a dozen houses”].

440 **E3/488** FBIS, *Minister Long Boret Appeals to Kurt Waldheim*, 8 February 1975, at ENG 00166744-45; **E3/488** FBIS, *Phnom Penh Papers on US Aid, Superpower Collusion*, 16 February 1975, at ENG 00166755 [“Three people were killed and another 10 injured during Red Khmer rocket attacks on the capital’s Pochentong Airport during the past 24 hours”]; **E3/488** FBIS, *AFP Interviews Gen Sosthene Fernandez*, 25 February 1975, at ENG 00166769 [“Last night some 30 rockets fell on Phnom Penh and Pochentong, wounding about 25 people according to latest figures”]; **E3/3334** US Embassy *Khmer Report*, 4 March 1975, at ENG 00413057 [“Between February 25 and March 3, 47 rockets exploded in Phnom Penh city proper, killing 19 people and wounding 29...Incoming rounds at both locations have more than doubled since the last count”].

441 **E3/120** FBIS, *Government Troops Begin Drive to Retake Tuol Leap*, 6 March 1975, at ENG 00166787 [“The loss of Tuol Leap brought the airport into range of Chinese 107-mm rockets and captured American 105-mm howitzer ... The rocket ... (five miles) while the howitzer can fire 11 kilometers”]; **E3/120** FBIS, *Information Ministry Denounces Communists Shelling*, 7 March 1975, at ENG 00166791 [statement denouncing “communist attacks of Chinese made 107MM rockets...against various sections of Phnom Penh since 1 March 1975. These shellings have caused many civilian casualties”]; **E3/120** FBIS, *AFP Reports More Embassies Evacuating Personnel*, 9 March 1975, at ENG 00166803 [“fifteen people were killed and 23 others wounded today when Khmer Rouge insurgents blasted Phnom Penh and its Pochentong Airport with rocket fire”]; **E3/3336** US Embassy *Khmer Report*, 11 March 1975, at ENG 00413135; **E3/3338** US State Department *EA Press Summary*, 12 March 1975, at ENG 00413154 [reports

of rockets hitting Cambodiana Hotel “housing thousands of refugees”]; **E3/120** FBIS, *Government Troops Retake Tuol Leap*, 15 March 1975, at ENG 00166828 [“Today, from 07:30 through 18:05 the Khmer Rouge fired 107mm rockets into Pochentong and the southern section of Phnom Penh, killing two and wounding 15 persons”]; **E3/3341** US Embassy *Khmer Report*, 18 March 1975, at ENG 00413195 [government “closed a number of schools in the southeastern section of the capital in response to recent rocketing there”]; **E3/120** FBIS, *Rockets Hit Long Boret’s Home, Just Miss U.S. Embassy*, 20 March 1975, at ENG 00166851 [“total of 20 insurgent rockets slammed into Phnom Penh, killing four people and wounding 15 others”]; **E3/120** FBIS, *Communists Advance Closer to Pochentong Airport*, 24 March 1975, at ENG 00166867 [“thrust put them 2 km (more than 1 mile) closer to the airport...rocket launching sites at Tuol Leap were strongly defended and the area thickly sown with mines”].

442 **E3/118** FBIS, *Lon Nol, Delegation Leave Phnom Penh for Indonesia, U.S.*, 1 April 1975, at ENG 00166888 [“a 107 mm rocket slammed into the civilian area of the airport...One hour before president Lon Nol left, another rocket hit the presidential palace, killing one person and wounding two others”]; **E3/118** FBIS, *Phnom Penh TV Station Hit by Rockets*, 15 April 1975, at ENG 00166950 [“on the morning of Tuesday, 15 April, the enemy fired three rockets into the west side of the Tuol Kork TV station, burning several neighboring houses”]; **E3/118** FBIS, *Takhmau Abandoned*, 15 April 1975, at ENG 00166958 [“The shelling from the far bank of the Bassac River, a tributary of the Mekong, forced thousands of refugees on to the roads again, and killed and wounded large numbers of people”]; **E3/118** FBIS, *Leaders Prepare Proposal to Sihanouk*, 16 April 1975, at ENG 00166961 [“Tuol Kork suburb where a sandal factory was set ablaze yesterday by 105mm...rockets”].

443 **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898221; **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 09.28.45 to 09.30.11; **E3/488** FBIS, *Minister Long Boret Appeals to Kurt Waldheim*, 8 February 1975, at ENG 00166744-45 [letter to UN Secretary-General re “rocket attacks against the capital,” stating that a “107mm rocket exploded inside a primary school, killing about 20 children on the spot and wounding many others”].

444 **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898221.

445 **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898228.

446 **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898230 [entry for 5 March 1975].

447 **E1/222.1** Transcript, 11 July 2013, Stephen Heder, 14.09.35 to 14.11.22 [stating that the CPK had first shelled Phnom Penh in the “dry season of ‘73/’74,” but did so “in a bigger way in the dry season of ‘74-’75”].

448 **E1/222.1** Transcript, 11 July 2013, Stephen Heder, 13.58.13 to 14.00.50 [“a lot of incoming Khmer Rouge 105 shelling...coming from the southwest and the 107 rockets coming from the east”], 14.05.23 to 14.13.17.

449 **E1/222.1** Transcript, 11 July 2013, Stephen Heder, 14.05.23, 14.07.21 to 14.08.41 [also stating that Son Sen “answered to a military command post headed by Pol Pot”], 14.11.22 to 14.16.54 [Heder obtained this information from a “Japanese military attaché, whose source was undoubtedly the Khmer Republic military intelligence,” and from FANK organograms leaked by the U.S. embassy].

450 **E1/222.1** Transcript, 11 July 2013, Stephen Heder, 14.07.21.

451 **E1/111.1** Transcript, 21 August 2012, Kim Vun, 13.44.06 to 13.48.36; **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 12.01.24 to 12.05.23.

452 **E3/30** FBIS, *Cambodians Urged to Unite in New Year’s Offensive*, 31 December 1974, at ENG 00166659 [statement by Khieu Samphan: “Phnom Penh is reduced to a 10 square kilometre enclave under constant siege by our CPNLAF”]; **E3/30** FBIS, *Khieu Samphan Issues Appeal to Compatriots, Monks*, 22 January 1975, at ENG 00166721 [“Phnom Penh is subjected to our forces’ most active artillery attacks. The enemy has no strength to withstand our all-sided offensive”]; **E3/488** FBIS, *Commentary Hails CPNLAF Victories around Phnom Penh*, 19 February 1975, at ENG 00166762 [Voice of FUNK: “Our CPNLAF is launching intensified attacks on and around Phnom Penh. Our artillery gunners hit military targets, including Pochentong Airport and will destroy it”]; **E3/488** FBIS, *NUFC Radio Appeals to Foreigners to Evacuate Phnom Penh*, 24 February 1975, at ENG 00166765 [“Our CPNLAF is intensifying its attacks against Phnom Penh city and surrounding areas. The Pochentong base is being frequently shelled by our artillery and rockets”]; **E3/120** FBIS, *NUFC Radio Praises Recent CPNLAF Military Gains*, 5 March 1975, at ENG 00166794 [“During the last two months, our artillery units have constantly shelled the enemy’s strategic positions inside Phnom Penh and Pochentong base, affecting, to a large extent, enemy transport activities”]; **E3/120** FBIS, *NUFC Radio on ‘Imminent Collapse’ of Phnom Penh*, 12 March 1975, at ENG 00166812 [“At present Pochentong Airport - the traitors last and only outlet is also closed and has been exposed to our CPNLAF’s daily shelling. The rice stock will be completely exhausted very soon”].

453 **E3/488** FBIS, *NUFC Radio Appeals to Foreigners to Evacuate Phnom Penh*, 24 February 1975, at ENG

00166765.

454 **E3/120** FBIS, *Rockets Hit Long Boret's Home, Just Miss U.S. Embassy*, 20 March 1975, at ENG 00166851 ["A total of 20 insurgent rockets slammed into Phnom Penh"].

455 **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 09.15.21 to 09.21.08, 09.22.36 to 09.26.12 [discussing 9 February 1975 article that CPK mines had "sunk 19 supply vessels in the last 10 days"]; **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898214, 00898217-18, 00898220, 00898222 [describing "rocket and shell damage" to ships and stating that the "last supply ships to make it through" arrived 30 January 1975, after which all ships travelling the Mekong were sunk by CPK minefields]; **E3/30** FBIS, *Cambodians Urged to Unite in New Year's Offensive*, 31 December 1974, at ENG 00166660 [Khieu Samphan statement re Mekong River: "Our CPNLAF is now launching heavy attacks on various enemy positions along this waterway"]; **E3/30** FBIS, *Khieu Samphan 14 Jan Message to CPNLAF Fighters*, 15 January 1975, at ENG 00166709-10; **E3/30** FBIS, *Communique Announces River Convoy's Arrival*, 30 January 1975, at ENG 00166732 ["On the trip to Phnom Penh, two other tankers-which were also a part of this river convoy - were hit by enemy fire, however, none of their civilian crew members were killed"]; **E3/488** FBIS, *NUFC Committees Chairman Appeals to Phnom Penh Citizens*, 31 January 1975, at ENG 00166733 ["All transportation arteries to Phnom Penh - whether by land or water - are completely blocked. Our CPNLAF is attacking Phnom Penh from all sides"]; **E3/488** FBIS, *AKI Notes CPNLAF's Increased Control of Mekong River*, 20 February 1975, at ENG 00166763 ["Since 11 February...no ship has arrived at or left Phnom Penh port. There are still 10 ships at Neak Luong base that have been badly damaged by our people's fighters. Some of which will never sail again"]; **E3/488** FBIS, *NUFC Radio Stresses Urgency of Appeals for Mutiny, Defection*, 24 February 1975, at ENG 00166766 ["The Mekong River is completely and permanently blocked. Boat convoys do not dare to venture along the Mekong, for our CPNLAF is prepared to destroy them everywhere"]; **E3/488** FBIS, *NUFC Radio Appeals to Foreigners to Evacuate Phnom Penh*, 24 February 1975, at ENG 00166765 ["Foreign friends, you know that the Mekong River is under the fire control of our CPNLAF. No supply ships can reach Phnom Penh. This city has no rice, no food, no fuel, no water and no electricity"].

456 **E3/30** FBIS, *Khieu Samphan 14 Jan Message to CPNLAF Fighters*, 15 January 1975, at ENG 00166709-10.

457 **E3/488** FBIS, *NUFC Radio Urges Americans to Force End to US Aid*, 25 February 1975, at ENG 00166764 ["Phnom Penh is entirely isolated because all the roads and waterways have been cut by the Cambodian people and CPNLAF. Phnom Penh has shrunk to a 4-square-kilometer area which is being attacked from all sides"].

458 **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 09.31.55 to 09.49.15 [describing how CPK forces got closer to airport and used "more advanced weaponry"]; **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898220, 00898228-29 [noting that on 5 March 1975 the CPK began to use more accurate American howitzers to fire artillery at the airport, damaging one DC-8 jet], at ENG 00898231, 00898234, 00898239 [22 March 1975 entry: "Shelling is heavy at the airport. Two of the American airlift planes are damaged and 14 Cambodian cargo-holders are wounded, some seriously"], at ENG 00898251 [11 April 1975: "At the airport, a rocket hits and destroys one of the few domestic planes still flying"]; **E3/30** FBIS, *Rockets Land Near Phnom Penh Royal Palace*, 13 January 1975, at ENG 00166696 ["Pochentong Airport west of the city has been hit by about 10 rockets per day for the last four days but air traffic is continuing normally"]; **E3/30** FBIS, *Kampot Port Under Siege, Phnom Penh Airport Shelled*, 30 January 1975, at ENG 00166731 ["About 30 rockets struck the capital's airport today, hitting military installations and damaging a fighter bomber and two transport aircraft"]; **E3/30** FBIS, *Communist Rockets Destroy One T-28, Damage Three Airliners*, 31 January 1975, at ENG 00166732 ["A T-28 fighter bomber was set ablaze and three Cambodian civil airliners damaged in a heavy bombardment of Phnom Penh airport early today"]; **E3/3551** US State Department *EA Press Summary*, 28 February 1975, at ENG 00413032-33 ["Rebel rockets hit near airport as rice lift begins"]; **E3/120** FBIS, *Government Troops Begin Drive to Retake Tuol Leap*, 6 March 1975, at ENG 00166787 ["A total of 15 rockets were fired at the airport Thursday morning...The DC-8 aircraft hit yesterday was able to return to Saigon"]; **E3/120** FBIS, *AFP Reports More Embassies Evacuating Personnel*, 09 March 1975, at ENG 00166803 ["a heavy artillery and rocket bombardment by communist backed Red Khmers destroyed a DC-3 transport plane at Phnom Penh's Pochentong Airport today"]; **E3/3336** US Embassy *Khmer Report*, 11 March 1975, at ENG 00413135 ["[B]y far the greatest number of rockets were fired by the KC at Pochentong airfield...one DC-8 was damaged by 105mm shrapnel"]; **E3/3337** US State Department *EA Press Summary*, 11 March 1975, at ENG 00413141 ["Pochentong pummelled by 56 artillery rounds and rockets...US airlift playing 'cat-and-mouse' with enemy to bring in rice, fuel and ammo. Sees PP's only lifeline as enormously fragile and risky operation with field under fire"]; **E3/120** FBIS, *Paris Radio*

Interviews Sihanouk on Cambodian Situation, 12 March 1975, at ENG 00166810 [“The American air bridge which supplies Phnom Penh with food, fuel and ammunition was suspended again yesterday because of the intensity of shelling by the Khmer Rouge, who surround the town”]; **E3/3338** US State Department *EA Press Summary*, 12 March 1975, at ENG 00413154 [“US airlift reduced to high-priority items because of heavy rebel shelling”]; **E3/120** FBIS, *NUFC Radio Details 12-16 March Battle Action*, 18 March 1975, at ENG 00166846 [“On 16 March our artillery units continued to fire rocket and cannon shells into Pochentong Airport”]; **E3/3444** Minutes of U.S. National Security Council Meeting, 28 March 1975, at ENG 00443401 [“The Cambodian airlift is suspended. The Communists could make the airfield unusable”].

E3/120 FBIS, *NUFC Radio Praises Recent CPNLAF Military Gains*, 5 March 1975, at ENG 00166794.

E1/201.1 Transcript, 5 June 2013, Sydney Schanberg, 09.38.51 to 09.40.04, 09.47.16 to 09.49.15; **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898231.

E3/11 *Revolutionary Flag*, September 1977, at ENG 00486245-46, KHM 00063160, FR 00492834-35 [“the Party determined to fight...economically by cutting off all the enemy’s food supplies ... Their food supply became more precarious daily and in the end dried up completely”].

E3/117 FUNK Press Communique, 26 February 1975, at ENG 00166772; **E3/488** FBIS, *Khieu Samphan Chairs NUFC Congress Session; Communique Issued*, 27 February 1975, at ENG 00166772-75, KHM 00663978-79, FRE 00700196-99; **E3/3334** US Embassy *Khmer Report*, 4 March 1975, at ENG 00413053; **E3/3718** Ta Kung Pao, *7 Top Cambodian Traitors Named*, 6 March 1975, at ENG S 00001499, KHM 00236049-52, FRE 00350312-13; **E3/3716** New York Times, *U.S. State Dept officials say that despite apparent willingness of Cambodian...*, 3 March 1975, at ENG 00122102, KHM 00656551, FRE 00662223; **E3/482** Léon Trivière, *China and Cambodia*, November 1975, at ENG 00524009-10, FRE 00385709, KHM 00538865-66; **E3/3169** Stephen Heder, *Pol Pot and Khieu Samphan*, at ENG 00002752; **E1/58.1** Transcript, 3 April 2012, Kaing Guek Eav *alias* DUCH, 11.41.40; **E1.190.1** Transcript, 7 May 2013, Philip Short, 15.05.53 to 15.09.17; **E1/56.1**, Transcript, 29 March 2012, Kaing Guek Eav *alias* Duch, 15.22.52 to 15.27.04, 15.35.41 to 15.41.52; **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 10.4.39 to 10.46.33.

E3/117 FUNK Press Communique, 26 February 1975; **E3/3334** US Embassy *Khmer Report*, 4 March 1975, at ENG 00413053; **E1/56.1** Transcript, 29 March 2013, Kaing Guek Eav, 15.22.52 to 15.27.04, 15.35.41 to 15.41.52; **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 10.40.39 to 10.46.33 [confirming that he heard reports of the statements in **E117** “more than once” and that “there was a lot of talk about it”]; **E1/159.1** Transcript, 11 January 2013, Chhaom Se, 13.33.34 to 13.37.07.

E3/120 FBIS, *NUFC Radio Emphasizes 26 Feb Congress Appeal*, 3 March 1975, at ENG 00166791-92 [“CPNLAF and NUFC cannot forgive these traitors. We must eliminate them”]; **E3/120** FBIS, *NUFC Editorial Hails Decisions of 2D National Congress*, 4 March 1975, at ENG 00166792-93; **E3/120** FBIS, *Further Appeal Urges People to Join CPNLAF Struggle*, 7 March 1975, at ENG 00166795-96 [“As for brother army officers, troops, policemen, militiamen who have weapons in your hands, you must turn your weapons toward traitors Lon Nol, Sirik Matak, ...”]; **E3/3336** US Embassy *Khmer Report*, 11 March 1975, at ENG 00413132 [“theme that only seven ‘traitors’ must die is now being stressed repeatedly in KC broadcasts”]; **E3/120** FBIS, *Cambodians In Peking Laud Second NUFC Congress*, 11 March 1975, at ENG 00168816 [“decision to put an end to the existence of the seven fascist and corrupt traitors...for their unprecedented, monstrous crimes.”]; **E3/120** FBIS, *Civil Disturbances Urged*, 14 March 1975, at ENG 00166838-40 [“Hail to the struggle movement for the annihilation of the seven traitors!”]; **E3/120** FBIS, *17 March ‘Urgent Appeal’*, 17 March 1975, at ENG 00166842-43 [appeal urging “all forms of struggle to attack the traitors” including “seizing the enemy’s weapons to attack him”]; **E3/120** FBIS, *RGNUC’s Hou Nim Issues Appeal to Monks on Current Situation*, 22 March 1975, at ENG 00166870 [“There are only seven traitors...the second national congress most justly decided that the existence of the traitors should be ended”]; **E3/120** FBIS, *RGNUC 22 March Statement of NUFC - CPNLAF Anniversary*, 25 March 1975, at ENG 00166874-76; **E3/120** FBIS, *RGNUC Cabinet Issues 25 March Communique - Appeal*, 26 March 1975, at ENG 00166874; **E3/120** FBIS, *RGNUC’s Hou Youn Issues Appeal to ‘Enemy - Controlled’ Areas*, 29 March 1975, at ENG 00166885-87 [“Conduct more vigorous uprisings against the seven traitors; try by all means to annihilate them”]; **E3/118** FBIS, *AKI: CPNLAF Continuing Offensive ‘Without Compromise’*, 10 April 1975, at ENG 00166937; **E3/118** FBIS, *Penn Nouth Greets Compatriots on Cambodian New Year*, 13 April 1975 at ENG 00166955-56; **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 10.40.39 to 10.46.33 [Khmer Rouge issued statements that the “Seven Traitors...were to be killed and they kept repeating that”].

E3/120 FBIS, *Khieu Samphan Appeals for Intensified Struggle*, 15 March 1975, at ENG 00166826-28.

E3/120 FBIS, *RGNUC Cabinet Issues 25 March Communique - Appeal*, 26 March 1975, at ENG 00166874.

- 467 **E3/118** FBIS, *AKI: CPNLAF Continuing Offensive 'Without Compromise'*, 10 April 1975, at ENG 00166937.
- 468 **E1/22.1** Transcript, 14 December 2011, Nuon Chea, 10.59.45; **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 10.23.20 to 10.30.03.
- 469 **E3/117** FUNK Press Communique, 26 February 1975, at ENG 00166772 (*emphasis added*).
- 470 **E1/192.1** Transcript, 9 May 2013, Philip Short, 09.07.33 to 09.11.56.
- 471 **E3/120** FBIS, *NUFC Radio Emphasizes 26 Feb Congress Appeal*, 3 March 1975, at ENG 00166791-92 [stating to “all the various fraternal government employees, politicians and personalities working for all the agencies of the traitors’ regime, brother officers...now is the time to make up their minds”]; **E3/3341** US Embassy *Khmer Report*, 18 March 1975, at ENG 00413196; **E3/120** FBIS, *RGNUC Cabinet Issues 25 March Communique-Appeal*, 26 March 1975, at ENG 00166874 [Khieu Samphan statement that “all categories of personalities and politicians - civilian and military” may join the FUNK “provided they stop all their activities serving the traitorous clique”]; **E3/120** FBIS, *RGNUC’s Hou Youn Issues Appeal to ‘Enemy -Controlled’ Areas*, 29 March 1975, at ENG 00166886; **E3/118** FBIS, *Penn Nouth Greets Compatriots on Cambodian New Year*, 13 April 1975 at ENG 00166955-56; **E3/118** FBIS, *Sihanouk Rejects Offer*, 16 April 1975, at ENG 00166971 [“if second-rank traitors wish to save their lives, they should immediately lay down their arms, raise the white flag and rally unconditionally to NUFC, RGNUC and CPNLAF”].
- 472 **E3/118** FBIS, *Penn Nouth Greets Compatriots on Cambodian New Year*, 13 April 1975 at ENG 00166955-56.
- 473 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 09.40.28 to 09.45.02 [“As the principal indicated in the meeting, when we conquered the city of Phnom Penh, the people had to be evacuated”], 10.09.04 to 10.11.01; **E3/24** Rochoem Ton *alias* Phy Phuon OCIJ Statement, at ENG 00223581; **E3/63** Rochoem Ton *alias* Phy Phuon OCIJ Statement, at ENG 00231409-10; **E3/424** Meas Voeun Statement, at ERN 00421070; **E3/1568**, **E 3/5593** TCW-223, Statement, at ERN 00419396-97. **E3/27** Khieu Samphan Statement, at ERN 00539263; **E3/18** Khieu Samphan, *Cambodia’s Recent History & the Reasons behind the Decisions I Made*, at ENG 00103750.
- 474 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 10.11.01; **E3/63** Rochoem Ton *alias* Phy Phuon OCIJ Statement, at ENG 00231409, KHM 00228844, FR 00376055.
- 475 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 09.42.47, 10.11.01 to 10.14.37.
- 476 **E1/98.1** Transcript, 30 July 2012, Rochoem Ton *alias* Phy Phuon, 13.39.57 to 13.45.30; **E3/2346R** Video Entitled, “Cambodia Year Zero Part 15,” 01:40:21 to 01:40:34.
- 477 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 09.42.47, 10.14.37 to 10.16.11.
- 478 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 09.45.02 to 09.48.52, 10.16.11 to 10.20.22.
- 479 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 09.48.52 to 09.52.25 [Nuon Chea “expressed his position that he agreed with the plan” and “Khieu Samphan also agreed with the plan”]; **E3/24** Rochoem Ton *alias* Phy Phuon OCIJ Statement, at ENG 00223581; **E3/63** Rochoem Ton *alias* Phy Phuon OCIJ Statement, at ENG 00231409-10, KHM 00228844, FR 00376054-55. See also **E3/687** New York Times, *3 Unlikely Cambodian Allies Map War On Vietnam*, 9 July 1982, at ENG 00122280.
- 480 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 10.20.22.
- 481 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 09.51.32, 10.16.11.
- 482 **E3/18** Khieu Samphan, *Cambodia’s Recent History & the Reasons Behind the Decisions I Made*, at ENG 00103750 [“By the end of March 1975, I was invited to the general headquarters of the [CPK] in Phnom Dong, west of Oudong, to follow the last offensive against the capital more closely”]; **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156743, KHM 00156614, FR 00156666 [stating that he saw Southwest Zone commander Ta Mok and North Zone commander Koy Thuon or his deputy Ke Pauk frequently, and East Zone commander Sao Phim occasionally, at Pol Pot’s headquarters].
- 483 **E1/68.1** Transcript, 25 April 2012, Saloth Ban *alias* So Hong, 11.23.53 to 11.28.03.
- 484 **E148** Nuon Chea notes, December 2011, at FR 00943620, KHM 00757833; **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 11.16.07 to 11.18.21.
- 485 **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 10.18.46 to 10.23.20; **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757482, KHM 00858214 [stating that before travelling to Phnom Penh with Pol Pot after its liberation, “Nuon Chea had been living for the last few weeks” in Peam commune]
- 486 **E1/98.1** Transcript, 30 July 2012, Rochoem Ton *alias* Phy Phuon, 13.39.57 [confirming that after the April 1975 meeting at B-5 regarding the evacuation of Phnom Penh, “information was disseminated to others”]; **E3/420** Meas Voeun Statement, at ERN 00421070; **E3/464** [REDACTED] OCIJ Statement, at ENG 00226108; **E3/63** Rochoem Ton *alias* Phy Phuon OCIJ Statement, at ENG 00231410; **E3/3170** Analytical Report by OCP entitled “Schedules 1-105,” at ERN 00146044; **E3/471** [REDACTED] Statement, at ERN

00223335; **E3/3961** Sum Chea Statement, at ERN 00223345-6; **E3/5280** [REDACTED] Statement, at ERN 00290514.

487 **E3/361** Chhouk Rin Statement, at ERN 00268870; **E3/362** Chhouk Rin Statement, at ERN 00268896.

488 **E3/1593** Ben Kiernan, *The Pol Pot Regime*, at ENG 00104194.

489 **E1/157.1** Transcript, 9 January 2013, Ung Ren, 11.18.52 to 11.23.52; **E3/84** Ung Ren OCIJ Statement, at ENG 00408400, KHM 00398518-19, FR 00434427 [at meeting, Son Sen instructed to “do whatever [we] could to break through Phnom Penh as fast as possible” and “pointed on the map to show the ways to attack and enter Phnom Penh”].

490 **E3/118** FBIS, *AFP Reports Capture of Neak Luong by Khmer Rouge*, 2 April 1975, at ENG 00166898 [“An American source said yesterday that the port’s 105 mm artillery had been taken almost intact by the Khmer Rouge”]; **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486248; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396471 [“Neak Luong, which had held out since January, was overrun by Eastern Zone troops, who then advanced to a line just south of Takhmau”].

491 **E3/118** FBIS, *Lon Nol, Delegation Leave Phnom Penh for Indonesia, U.S.*, 1 April 1975, at ENG 00166888-89; **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486248; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396471 [“On April 1, Lon Nol allowed himself to be persuaded ‘temporarily’ to step down and, consoled by a draft for a million dollars from the Cambodian National Bank, flew off to exile”]; **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898243, 00898264.

492 **E3/118** FBIS, *Khieu Samphan Issues Statement on Current Situation*, 1 April 1975, at ENG 00166897-98.

493 **E3/118** FBIS, *Khieu Samphan Congratulates CPNLF on Neak Luong Victories*, 3 April 1975, at ENG 00166923-25.

494 **E3/118** FBIS, *Khieu Samphan Denial*, 9 April 1975, at ENG 00166927 [calling the reports from the Thai foreign minister a “deceitful” and “abject maneuver”].

495 **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898251-53; **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486248; **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401490; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396472; **E3/118** FBIS, *Long Boret Addresses Nation After Saukam Khoy Flight*, 12 April 1975, at ENG 00166939; **E3/2938** Telegram from U.S. Ambassador Dean to Secretary of State, 12 April 1975; **E3/118** FBIS, *Khieu Samphan Appeals to Phnom Penh Citizens to Join NUFC*, 13 April 1975, at ENG 00166948 [stating that the U.S. “on 12 April brought in 50 helicopters of various types to evacuate their colleagues from Phnom Penh”]; **E3/3208** Roland Neveu, *The Fall of Phnom Penh*, at 00432415 [photo of Al Rockoff near US Embassy on day of pullout].

496 **E3/118** FBIS, *France Establishes Diplomatic Relations with RGNLF*, 12 April 1975, at ENG 00166939; **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898255.

497 **E3/118** FBIS, *Khieu Samphan Appeals to Phnom Penh Citizens to Join NUFC*, 13 April 1975, at ENG 00166948-49. See also **E3/118** FBIS, *Sak Sutsakhan Accepts Leadership, Addresses Nation*, 12 April 1975, at ENG 00166940-41 [announcing formation of the “Supreme Committee of the Khmer Republic” and naming its seven members].

498 **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898257-59; **E3/118** FBIS, *Kyodo Reports Liberation Forces Enter Phnom Penh*, 14 April 1975, at ENG 00166946 [“Cambodian liberation forces entered the western sector of Phnom Penh Monday morning. Residential houses in the area are now on fire and citizens are converging on the central part of the capital”]; **E3/118** FBIS, *NUFC Claims Complete Control of Pochentong Market*, 15 April 1975, at ENG 00166950 [stating that FUNK took control of Pochentong market at 10:00 on 14 April, and at 14:00 was “assaulting Tuol Kork from the west and Kilometer marker No. 6 from the north”]; **E3/118** FBIS, *NUFC Radio Reports Pochentong Airport ‘Completely Liberated,’* 15 April 1975, at ENG 00166950 [FUNK broadcast claiming that as of the morning of 15 April, Pochentong airport was liberated and “two-thirds of Tuol Kork” occupied].

499 **E3/118** FBIS, *Sak Sutsakhan Message on 14 April Bombing of General Staff Office*, 14 April 1975, at ENG 00166944 [“T-28 bomber dropped two bombs ... burning one barrack, killing seven persons and wounding others”]; **E3/118** FBIS, *NUFC Radio on Attacks Around Capital, Rebel Pilot’s Landing*, 16 April 1975, at ENG 00166963 [“In response to Mr. Khieu Samphan’s appeal,” 2nd Lt. Khieu Yuos Savath “bombed the Supreme Committee”]; **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898259.

500 **E3/118** FBIS, *NUFC Radio Hails T-28 Bombing, Calls for Phnom Penh Liberation*, 15 April 1975, at ENG 00166952.

501 **E3/118** FBIS, *NUFC Radio on Attacks Around Capital, Rebel Pilot’s Landing*, 16 April 1975, at ENG 00166963; **E3/118** FBIS, *NUFC Radio Reports Pochentong Airport ‘Completely Liberated,’* 15 April

1975, at ENG 00166950; **E3/118** FBIS, *Khmer Rouge Begins Attacks on Phnom Penh's Southern Suburbs*, 15 April 1975, at ENG 00166950 [reporting that government forces had retreated and formed a "new defence line immediately north of the United Nations Bridge which spans the River Bassac"]; **E3/118** FBIS, *Takhmau Abandoned*, 15 April 1975, at ENG 00166958 ["Government troops today abandoned the industrial suburbs of Takhmau, just six miles (10km) from central Phnom Penh, after a heavy Khmer Rouge artillery barrage"]; **E3/118** FBIS, *NUFC Radio Reports 15 Apr Capture of Takhmau*, 16 April 1975, at ENG 00166962 [stating that Takhmau city was captured at 14:00 on 15 April]; **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898261-65.

502 **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898265. See also **E1/144.1** Transcript, 14 November 2012, Meas Saran, 15.10.51 to 15.14.31 ["buildings were being set on fire because of the bombardment" on evening of 16 April 1975; "I saw fires everywhere" in "area around Chroy Changva bridge"].

503 **E3/118** FBIS, *Fighting Continues*, 16 April 1975, at ENG 00166959; **E3/3342** Jon Swain, *River of Time*, at ENG 00431254-55, KHM 00738381-82, FR 00763801; **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898266; **E3/3208** Roland Neveu, *The Fall of Phnom Penh*, at 00432437 [photo of Hotel Le Phnom with Red Cross flag]; **E1/178.1** Transcript, 9 April 2013, François Ponchaud, 09.59.58 ["Le Phnom Hotel. And they wrote that place was the international site for refugees, and it's a free soldiers zone... and we received senior people or officials who would like to take refuge at that place"]; **E1/165.1** Transcript, 28 January 2013, Al Rockoff, 09.57.47 ["About a week before the end of the war, about the time of the American evacuation on 12 April, the International Red Cross declared that a safe zone. There was a large banner hung in front of the hotel with the Red Cross."].

504 **E3/118** FBIS, *Phnom Penh Leaders Request Cease-Fire, Transfer of Power*, 16 April 1975, at ENG 00166970 [text of Khmer Republic surrender offer]; **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898268.

505 **E3/118** FBIS, *Sihanouk Rejects Offer*, 16 April 1975, at ENG 00166971; **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898269.

506 **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898265-68 [also stating that the CPK rocket shelling continued throughout the night]; **E3/1593** Ben Kiernan, *The Pol Pot Regime*, at ENG 00104193-95; **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phoun, 09.40.28 [Vorn Vet's Special Zone forces "in charge of National Road Number 4" and Ta Mok's Southwest Zone forces "in charge of National Road Number 3"]].

507 **E1/190.1** Transcript, 7 May 2013, Philip Short, 14.27.37 to 14.29.17 ["[The slave state] did emanate from the top. It could only have emanated from the top because the underlying principles were the same everywhere... 99 per cent of the population... were all slaves... their lives"].

508 **E1/92.1** Transcript, 19 July 2012, David Chandler, 11.20.04 to 11.23.39.

509 **E1/209.1** Transcript, 19 June 2013, Nou Mao, 11.40.20 ["At that time, wherever the soldiers arrived, people were evacuated."].

510 **E1/92.1** Transcript, 19 July 2012, David Chandler, 11.24.52 ["So they were – so they were intrinsically disloyal and had to be pulled away from these places where... would form the basis for another set of angry anti-Khmer Rouge people."].

511 **E1/209.1** Transcript, 19 June 2013, Nou Mao, 11.41.52 to 11.44.54 ["People who were at the front, and those... at the rear, had to support each other. And they had to leave the city... following the evacuation, people were organized into cooperatives... attached to each commune."].

512 **E3/1815** Ben Kiernan, *How Pol Pot Came to Power*, at ENG 00487489 ["So the Party Centre had to ensure... Kratie was evacuated... A 'state' monopoly was decreed over rice, salt... the CPK state took over... private ownership of land and of the means of production was also abolished."]; See also **E3/9** Philip Short *Pol Pot: The History of a Nightmare*, at ENG 00396456 ["Pol wrote... merchants 'did not want to work with us... in Kratie... we could not control the population... traders... did not want to subordinate... to us.' The only answer... was 'to send them to work in the fields'"], 00396465 ["Kratie was evacuated in the second half of 1973."].

513 **E3/1815** Ben Kiernan, *How Pol Pot Came to Power*, at ENG 00487497 ["[L]ocal towns such as Ang Tasorn and Kompong Trach were evacuated, and... 'a large-scale re-location process'... twenty thousand people were moved out of their villages in two districts of Kampot alone."].

514 **E1/221.1** Transcript, 10 July 2013, Stephen Heder 15.14.12 to 15.16.36 ["Yes... after the partial occupation by Khmer Rouge forces of Kampong Cham... during which... people were evacuated again to the West and some people were killed on the spot... September '73."]; **E1/222.1** Transcript, 11 July 2013, Stephen Heder, 09.10.13 to 09.12.05 ["I mean... some people described being forcibly removed... while others described not going exactly voluntarily... But my recollection is that primarily it was by compulsion"]; **E3/9** Philip Short *Pol Pot: The History of a Nightmare*, at ENG 00396465 ["...second half

of 1973...Khmer Rouge forces attacking Kompong Cham drove 15,000 town dwellers from their homes and forced them to accompany them back into the 'liberated zones'."].

515 **E3/1815** Ben Kiernan, *How Pol Pot Came to Power*, at ENG 00487497 ["[L]ocal towns such as Ang Tasorn and Kompong Trach were evacuated, and...a large-scale re-location process'... twenty thousand people were moved out of their villages in two districts of Kampot alone."].

516 **E3/25** *Revolutionary Flag*, December 1976-January 1977, at ENG 00491424, FRE 0050404950, KHM 00063039-40; See also **E3/1714** Stephen Heder & Masato Matsushita, *Interviews with Kampuchean Refugees at Thai-Cambodia Border*, February-March 1980, ENG 00170748; KHM 00324757, FR 00649007 ["If we had captured Phnom Penh in 1974 it would also have been an evacuation. This had been a long-standing plan. Slogan was 'Dry Up the People from the Enemy'"]; **E1/221.1** Transcript, 10 July 2013, Stephen Heder, 15.45.54 to 15.50.42 ["Q. In the course of all the direct interviews you have had...has any other witness or any other document that you can recall mentioned the phrase 'Dry Up the People from the Enemy'? A. Yes, many - many, many."]; **E1/222.1** Transcript, 11 July 2013, Stephen Heder, 09.05.32 to 09.07.04 ["['Dry up the people']...referred to a situation in which there was contestation for control...the population under enemy control...should be reduced...relocating from enemy...to...liberated zones."]; **E1/190.1** Transcript, 7 May 2013, Philip Short, 13.50.07 ["Are you familiar with this phrase...'seizing the people'?...A. Yes, I am, and it really means, simply, controlling the population. You don't have to control territory; you have to control people."].

517 **E1/221.1** Transcript, 10 July 2013, Stephen Heder, 15.51.31 to 15.52.56 ["This particular phrase has been mentioned to me by many people over many years...dozens...it also frequently appeared in public broadcasts...pre-April '75 ...Khmer Rouge...in their broadcasts."].

518 **E3/785** *Revolutionary Flag* July 1973, at ENG 00713996, KHM 00442031, FR 00741965 ["In the evacuation of people...we took strong...views of mass population to successfully send them away to the countryside with no worry...lacks of everything...we dared to evacuate many more people"].

519 **E1/209.1** Transcript, 19 June 2013, Nou Mao, 11.31.03 to 11.33.11, 11.35.41 ["And those who were evacuated included the war captives, as well. And those evacuees were relocated in Trapeang Traeunh, and many of them died because of starvation and diseases."].

520 **E1/209.1** Transcript, 19 June 2013, Nou Mao, 11.40.20.

521 **E3/196** Nuon Chea, *Statement of the Communist Party of Kampuchea to the Communist Workers' Party of Denmark*, 30 July 1978, at ENG 00762404 ["In rural areas, living conditions were very bad but there were few enemies. In the cities, living conditions were better but there were many enemies"].

522 **E1/181.1** Transcript, 22 April 2013, Chhouk Rin, 13.44.30 to 13.49.36 ["Was it...common knowledge that...cities...were occupied by enemies?...Yes... Q...So...1971 to 1973, you, as a military man, knew that people who occupied the cities were enemies...? A. Yes, it is."].

523 **E1/92.1** Transcript, 19 July 2012, David Chandler, 11.50.13 to 11.51.35.

524 **E1/190.1** Transcript, 7 May 2013, Philip Short, 15.44.14 to 15.45.35; See also **E1/189.1** Transcript, 6 May 2013, Philip Short, 09.58.57 ["Hou Youn said in a broadcast, early in 1975...you have to make a choice. If you choose to join Lon Nol's people in Phnom Penh, then we, the Khmer Rouge, will regard you as having made that choice."].

525 See reference to Kampong Cham above.

526 **E1/221.1** Transcript, 10 July 2013, Stephen Heder, 15.12.38 ["Can you help us on how long the attack was...? A. My recollection was that it was over a 24-, 36-hour period. Q. And how long were the Khmer Rouge in control of Udong? A...a day or so but...not absolutely sure."].

527 **E1/221.1** Transcript, 10 July 2013, Stephen Heder, 14.33.53 ["I went to Udong in the aftermath of this attack. I did interview some people who talked about the population being removed to the countryside."], 14.35.46 to 14.36.56 ["I think there was no ambiguity...Khmer Rouge troops who had entered Udong, killed certain people, and taken most, if not all, of the rest of the population out to the countryside."], 14.36.56 ["How long after the 18th of March 1974...? A. I suspect it was on the 19th - the next day...I went there right away. The recollection of the bodies that they were fresh. So I think that it was probably the next day."], 14.38.06 ["The town itself was deserted. Nobody there...no local population except for a handful of people, and those are the ones to whom I spoke who had somehow managed to not get evacuated...several handfuls."]; **E1/209.1** Transcript, 19 June 2013, Nou Mao, 11.31.03 ["At that time...the superior at the upper level told us that we had to receive people from Udong...They captured some soldiers, and then they evacuated some people all the way through Amleang."], 11.37.07 ["[D]id you have any friends or relatives who were living in Udong at the time of the evacuation? A....My cousins, who lived in Khyang village near Udong. They had been evacuated northwards."].

- 528 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton, 09.45.02 13 to 09.48.52 [“We learned from experience. Before we liberated Phnom Penh we had liberated some other provincial towns...in 1974, Udong was liberated, and the experience was obtained from this liberation.”].
- 529 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton 11.01.32 to 11.05.36 [“As I stated earlier this morning, I learned it through his presentation at each study session. Either Nuon Chea, Pol Pot, or Khieu Samphan presented this idea to us.”].
- 530 **E1/209.1** Transcript, 19 June 2013, Nou Mao, 11.35.41 to 11.37.07 [“And that was brought up...the commune committee...successes or achievements...told us members that our soldiers had defeated Lon Nol...people had been evacuated...Udong up to the west direction.”].
- 531 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton 11.37.50 to 11.39.12 [“They were focussing (sic) on the attack to liberate Phnom Penh. It was already after Udong was liberated and it was -- and the meeting was convened to prepare for liberating Phnom Penh.”]; **E3/11** *Revolutionary Flag* September 1977, at ENG 00486247, KHM 00063162, FR 00492836 [“It was during this situation, when our Party’s Central Committee, in the course of its June 1974 conference, resolved to mount the decisive offensive to liberate Phnom Penh and the entire country.”]; **E1/190.1** Transcript, 7 May 2013, Philip Short, 13.40.54 [“This is certainly the same event.”].
- 532 **E1/209.1** Transcript 19 June 2013, Nou Mao, 10.02.40 to 10.13.29, 10.16.55 [“Chou Chet, he said that people should not be evacuated...his objection was challenged by Mok.”], 10.20.37 [“And [Ta Mok], at times, also warned the local cadres...who challenged such evacuation...these people...after expressing such opposing ideas to the evacuation...would then be reprimanded by Ta Mok.”], 10.22.33 [“When Ta Mok was speaking... whether this plan was just... the Southwest Zone...? A. He said the plan involved the whole country...Southwest, the North, the East...evacuated from the city.”], 10.31.29 to 10.34.40 [“Q: You said earlier that Chou Chet was against the evacuation...A: He talked in the training session when he provided political training session”, 11.20.40 to 11.23.28, 11.25.30 [“Mr Khieu Samphan...he was in favour of evacuating the people. Hu Youn did not agree with the idea...these people died at Tuol Sleng prison...”], 11.25.30 [“Q: [Y]our understanding was that Hou Youn was against the evacuation, and Khieu Samphan was in favour? A: Yes, it is correct.”], 11.28.19 [“Now, how had you found out or discovered that Khieu Samphan was in favour of the evacuation? A. I learned about this during the assembly held at Wat Taing Pho (phonetic).”]; **E3/4625** Nou Mao (Mouk) Statement at ENG 00419548 [“Mok and Khieu Samphan were in favour of the evacuation, 1974”]; **E1/97.1** Transcript, 26 July 2012, Rochoem Ton, 11.49.44 to 11.52.45 [“Uncle Youn was heard to...have disagreed with the evacuation plan.”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396202 [“[H]e told Nuon Chea...[i]t’s not normal, it’s not reasonable, to evacuate everyone like that. What the Standing Committee has done is wrong.”], 00396512, 00396466 [“He told Pol and Nuon Chea...‘If you go on like this, I give your regime three years. Then it will collapse.’”]; See also **E2/37** Khieu Samphan OCIJ Statement, ENG 00156757, KHM 00156677, FR 00156684 [“I would not have survived if I dared to reveal any disagreement or objection to anything. The obvious example of that was the case of Hou Nim and Hou Yun.”].
- 533 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton, 09.40.28 to 09.42.47 [“[A]s early as April 1975, uncles met to discuss about the evacuation of the population...Pol Pot raised this...Om Nuon Chea, Om Khieu Samphan...were there in the meeting.”], 09.42.47 to 09.45.02 [“[A]s the principal indicated in the meeting, when we conquered the city of Phnom Penh the people had to be evacuated...people had to be evacuated for a period of one week.”], 09.53.16 [“Q: Just to clarify, was this a meeting that took place at the B-5 Office...A: Yes...”], 10.09.04 to 10.11.01, 10.14.37 to [“I heard the battlefield committees reported about the situation...then Om Number...would propose...the evacuation measure...they decided that it would be better and effective if all people were to be evacuated.”]; **E1/101.1** Transcript, 2 August 2012, Rochoem Ton, 10.04.31 [“As far as I recall the meeting took place at B-5...in April...the meeting that I mentioned...was held in April... prior our move to Sdok Taol.”]; **E3/24** Phy Phuon OCIJ Statement, at ENG 00223581 [“[E]arly 1975, there had been a meeting of the Battlefield Committees throughout the country, with Pol Pot...Khieu Samphan...at the Office of Pol Pot, Office B5”]; **E3/63** Phy Phuon OCIJ Statement, at ENG 00231409-10 [“The meeting focused only on the plan to evacuate the people from Phnom Penh, and the explanation was made so the members of the meeting would understand and carry out that plan.”]; **E3/63.1** Phy Phuon OCIJ Statement Transcript, at ENG 00826384 [“The members of the meeting provided their personal impressions and opinions on the evacuation plan and agreed to the plan. Q: Meaning they agreed to the plan? A: Yes.”]; **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156743, KHM 00156614, FR 00156666 [“For about 10 days I had been at the headquarters of Pol Pot to the West of Udong...observed the events upon which Pol Pot briefed me...Nuon Chea may have been there... commanders...came occasionally.”]; **E3/18** Khieu Samphan, *Cambodia’s Recent History & the Reasons behind the Decisions I Made*, at ENG 00103750 [“By the end

of March 1975, I was invited to the general headquarters of the Communist Party of Kampuchea in Phnom Dong, west of Oudong, to follow the last offensive against the capital more closely.”].

534 **E1/97.1** Transcript, 26 July 2012, Rocheom Ton, 10.18.18 to 10.20.22 [“I saw them drawing sketches on the board, the targets that everyone were to be in charge of. So the drawing was made by, first, Pol Pot...spearhead targets need to be responsible for that.”]; See also **E1/99.1** Transcript, 31 July 2012, Rocheom Ton, 09.46.20 to 09.51.03.

535 **E1/97.1** Transcript, 26 July 2012, Rocheom Ton, 09.48.52 to 09.51.32 [“I noted that Om Nuon Chea was on his feet and raised this first. He said that it was necessary and needed approval and...the evacuation was noted to be necessary and he expressed his position that he agreed with the plan.”], 09.51.32 to 09.52.25 [“Khieu Samphan also agreed with the plan and the whole meeting applauded and approved the idea.”], 10.16.11 [“So everyone – all the participants agreed to the measure and applauded it.”]; **E3/63** Phy Phuon OCIJ Statement, at ENG 00231410 [“Mr Khieu Samphan gave his opinions and impressions and agreed to the plan to evacuate the people...Khieu Samphan...individually recorded the content of the meeting.”]; **E3/63.1** Phy Phuon OCIJ Statement Transcript, at ENG 00826385.

536 **E3/1568 TCW-223** Statement, at ENG 00419396-97 [“Before the liberation there was a plan / meeting of the Center... The plan was announced at the meeting to attack and liberate Phnom Penh and after... to evacuate the people out of Phnom Penh temporarily.”]; **E1/130.1** Transcript, 4 October 2012, Meas Voeun, 09.33.57 to 09.36.03 [“[Y]ou also describe how the army was tasked to open attacks into Phnom Penh, but strictly instructed by the Upper Echelon... Who is ‘the Upper Echelon’? A... those who were in the senior command... I only knew Ta Mok, Son Sen, and Khieu Samphan.”]; **E3/424** Meas Voeun OCIJ Statement, at ENG 00421070 [“Before attacking into Phnom Penh, commanders... attended the meeting with the General Staff... who conducted the meeting with the division commanders from all zones...”].

537 **E3/2728** BBC/SWB, *Pol Pot on Evacuation of Phnom Penh City Residents*, 4 October 1977, at ENG 00390921.

538 **E3/196** Nuon Chea, *Statement of the Communist Party of Kampuchea to the Communist Workers' Party of Denmark*, 30 July 1978, at ENG 00762402.

539 **E152.1.5.1** Khieu Samphan Interview, at ENG 00790542; See also **E3/ 27** Khieu Samphan OCIJ Statement, at ENG 00156748, KHM 00156617, FR 00156670 [“After I gathered some more documents I realised the reason for the evacuation...to preserve security (presence of CIA agents and former Lol Nol soldiers), was correct compared to the situation at that time”].

540 **E3/749** *Revolutionary Youth*, August 1975, at ENG 00532683 [“After their war of aggression...American imperialists had intentions...to attack our revolution...However, their various dark maneuvers...in particular Phnom Penh, were...fundamentally smashed and scattered by us”]; **E169/4/1.1.1** *Revolutionary Youth*, July 1975, at ENG 00815133 [“[I]f the Party had taken no measures to evacuate all the people out of Phnom Penh...and other provincial towns...the enemy could have smashed us in any day to dissolve our historical great victory of 17 April”].

541 **E3/1686** David Chandler *A History of Cambodia*, at ENG 00422838-39; **E3/17** David Chandler *Pol Pot: Brother Number One*, at ENG 00393016 [“[T]he Central Committee decided...to evacuate Phnom Penh...well over two million people-into the countryside where they would pose no threat to the party...This dispersal of ‘enemies’ was breathtaking in its simplicity”]; **E1/92.1** Transcript, 19 July 2012, David Chandler, 11.48.46 to 11.52.58.

542 **E1/190.1** Transcript, 7 May 2013, Philip Short 15.14.41 [“I mean, clearly that is breaking up the network among city-dwellers...resist the regime. And the second extract is about demolishing individuality...so you become at one with the masses.”], **E1/189.1** Transcript, 6 May 2013, Philip Short, 10.24.35 [“The fact was that if the city people were scattered in the countryside and the networks among them were all broken...much easier to control...That was a key reason. ...for the evacuation of the cities.”].

543 **E3/10** *Revolutionary Flag*, September-October 1976, at ENG 00450531, FRE 00491897, KHM 00063095.

544 **E3/50** CPK Publication entitled “Third Year Anniversary of the organization of the Peasants Cooperatives”, 20 May 1976, at ENG 00636015; **E3/13** DK Military Meeting Minutes entitled “Meeting of Secretaries and Deputies of Divisions and Independent Regiments,” 9 October 1976, at ENG 00940344-45 [“It is imperative to have a firm grasp of the contradictions in Kampuchean society...If we had...not evacuated them from cities and towns, we would not have the peace and tranquility we enjoy today”].

545 **E19 0.1.398** “Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes: Cambodian Accountability in Comparative Perspective,” March 2003, at ENG 00661460; **E1/221.1** Transcript, 10 July 2013, Stephen Heder, 16.04.27 to 16.08.03.

546 **E1/190.1** Transcript, 7 May 2013, Philip Short, 14.21.34; **E3/9** Philip Short *Pol Pot: The History of a Nightmare*, at ENG 00396488 [“The evacuation of Cambodia’s towns and its immediate

consequences...the killing of former opponents...elimination of all regarded as potentially hostile - were an almost perfect paradigm...that followed”].

547 **E3/50** CPK Circular titled *Third Year Anniversary of the Organization of Peasant Cooperatives*, 20 May 1976, at ENG 00636009, FRE 00623783, KHM 00442209 [the organization of cooperatives “consisted of attacking the power of the classes of the feudalists, land owners and capitalists”], at ENG 00636011, FR 00623784, KHM 00442210-11 [“[c]o-operatives accelerated the movement to politically attack the enemies”], at ENG 00636015, FR 00623789, KHM 00442216 [“[t]hrough 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”]; **E3/747** *Revolutionary Flag*, August 1978, at ENG 00499785 [“The cooperative movement was at a mighty boil in class struggle and in going on offensives against the enemy”]; **E169/4/1.1.2** *Revolutionary Flag*, December 1975-January 1976, at ENG 00865716, KHM 00809856 [“This cooperative organization was the attack on the imperialist, feudalist-landowner, capitalist”].

548 **E1/190.1** Transcript, 7 May 2013, Philip Short, 11.14.15 [“[T]he Cambodian forces had been built up to a level...they were able to take over a growing part of the struggle - and that in the countryside the time had come to start collectivizing, to start applying the CPK’s policies.”], 11.16.15 [“There was an intensification...The fundamental reason was that the growth in Khmer forces had reached a point where it was no longer quite so necessary to win over the peasantry, to win over support by gentle means.”]; **E3/9** Philip Short *Pol Pot: The History of a Nightmare*, at ENG 00396428, 00396430.

549 **E152.1.49.1** Khieu Samphan Interview, at ENG 00788877 [“[B]y 1973 they had made what was called ‘high-level cooperatives.’...the harvest was no longer distributed to each family...They did not share the rice yield anymore. All the harvest was kept in granaries.”]; **E3/16** Khieu Samphan, *Consideration on the History of Cambodia*, at 00498302; “In late 1972 and early 1973, because of raising the level of the cooperative that had been previously organized to high-level cooperatives, the Khmer Rouge were able to continue the struggle independently.”].

550 **E1/190.1** Transcript, 7 May 2013, Philip Short, 14.14.27 to 14.18.20 [“Yes, that was the logic of it, that if you took very little with you, it would be worn out...This was part of the program to separate people from their belongings...very short notice to leave...all completely consistent.”].

551 **E3/1686** David Chandler *A History of Cambodia*, at ENG 00422838-39; **E3/1593** Ben Kiernan, *The Pol Pot Regime: Race, Power, and Genocide in Cambodia under the Khmer Rouge, 1975-79*, at ENG 00104202 [“That suggests a death...toll of 10,600 deaths in an evacuated population of two million... Executions would probably bring the death toll from the evacuation of the city to around twenty thousand.”].

552 **E1/190.1** Transcript, 7 May 2013, Philip Short, 13.58.56 to 14.00.48; **E3/9** Philip Short *Pol Pot: The History of a Nightmare*, at ENG 00396483 [“But it was a difference of style, not of policy. Once the evacuation order had been passed down, Eastern Zone units, like everyone else, ensured that the areas under their control were emptied of inhabitants.”].

553 **E1/189.1** Transcript, 6 May 2013, Philip Short, 10.03.32 to 10.05.30 [“The explanation was knowingly false. There was never any possibility of bombing. But not only that, the Khmer Rouge knew there was no possibility of bombing....you think you’re going to be coming back.”].

554 **E3/3368** Chicago Tribune, *Cambodians Flee Red Invaders, It’s Clear Some Won’t Survive*, 9 May 1975, at ENG 00444898 [“But they turned out to be determined, trained, tough and disciplined...The troops we saw in the countryside and in Phnom Penh...all looked healthy, well organized. They were heavily armed and well trained.”]; **E1/201.1** Transcript, 5 June 2013, Sydney Schangerg, [“I came to those conclusions by mingling with these people on the way out of Cambodia in the convoy...there was a lot to see and my eyesight was quite clear and those words come from me as a result.”].

555 **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975: A journalist’s day-by-day notes on the fall of Cambodia to the Khmer Rouge*, at ENG 00898279 [“Teams of insurgent soldiers, waving pistols and rifles, some shouting and some using bullhorns, were ordering people to leave their homes instantly ...the rebels fired shots in the air to demonstrate they meant business.”]; **E1/201.1** Transcript, 5 June 2013, Sydney Schangerg, 09.12.05 [“Is that right?...fired shots in order to indicate to the population that the Khmer Rouge meant business? A. Yes, I saw that...it was clear that they were trying to get them out of their houses...quickly, and it worked.”].

556 **E3/9** Philip Short *Pol Pot: the History of a Nightmare*, at ENG 00396484-85 [“New guidelines were also issued to harmonise the evacuation procedures in different parts of the city. No longer could people choose for themselves which road to take...Similar scenes...all over Cambodia.”]; **E1/190.1** Transcript, 7 May 2013, Philip Short, 14.11.00 to 14.14.27 [“So rules had to be laid down pretty quickly, how they should cooperate...You can see that it’s certainly the beginning of a harmonization and the - yes, the beginning of a unification of the policy towards those being evacuated.”].

557 **E1/209.1** Transcript, 19 June 2013, Nou Mao, 11.46.55 to 11.49.43 ["According to the plan of the Khmer Rouge, it indicated that we had to evacuate people out of all the zones...So, people were evacuated, and the evacuation was not confined to people in Phnom Penh."].

558 **E3/166** *Revolutionary Flag*, February - March 1976, at ENG 00517825 ["Immediately after the liberation of the entire country... more than two million people who had recently been evacuated from the various cities"], 00517828 ["tens of thousands and hundreds of thousands of new evacuees from the various cities went to the rural base areas"]; **E3/2728** BBC/SWB, *Pol Pot's Conference in Peking*, 4 October 1977, at ENG 00390921, 00390926-7 ["One important factor is the evacuation of city residents to the countryside. This was decided before victory was won."].

559 **E1/149.1**, **E3/5271** [REDACTED] OCIJ Statement, at ENG 00289926-27, KHM 00279077-78, FRE 00338210-11, on 17 April 1975: ["On 17 April 1975, the Khmer Rouge evacuated me from Sereisaophoan district....During the evacuation of Sereisaophoan, some people travelled by carts, some by motorbikes and others travelled on foot."]; **E3/5185** [REDACTED] OCIJ Statement, at ENG 00274164, KHM 00197887, FRE 00226160, after 17 April 1975: ["Before the Khmer Rouge liberation I lived in Krapeu Village. All the people were evacuated out of the village to go and do farming. As for me, I was evacuated to Phnom Kraham."]; **E3/5282** [REDACTED] OCIJ Statement, at ENG 00322023-24, KHM 00295051-53, FRE 00343043-45, after 17 April 1975: ["From 17 to 24 April 1975, they announced that we all had to leave Battambang town....Along the road I saw many people leaving the city"]; **E3/5226** [REDACTED] OCIJ Statement, at ENG 00250277-78, KHM 00242229, FRE 00276966, after 17 April 1975: ["Around 25 or 26 April 1975, approximately 30 Khmer Rouge soldiers dressed in black and fully-armed with AK rifles and B-40s came to evacuate the people at Phnom Sampeou"]; **E3/5281** [REDACTED] OCIJ Statement, at ENG 00322934-35, KHM 00295960-61, FRE 00343064-65, after 17 April 1975: ["I lived in Serey Soaphorn district, Battambang province. At that time I was a student. In 1975 I and my family were evacuated from Serey Soaphorn town where soldiers in black uniform and cap were arriving."]; **E3/5225** [REDACTED] OCIJ Statement, at ENG 00250283-84, KHM 00242235-36, FRE 00274452-53, after 17 April 1975: ["I saw approximately 20 to 30 black-uniformed soldiers fully-armed with AK rifles and B40s...those soldiers evacuated all the people... those people left to go live in the rice fields."]; **E3/505** [REDACTED] OCIJ Statement, at ENG 00275409-10, KHM 00221596-97, FRE 00332894-95, after 17 April 1975: ["...armed Khmer Rouge came and threatened all the people in the city of Battambang to leave the city... I saw all the people leaving the city of Battambang in the different directions"]; **E3/5182** [REDACTED] OCIJ Statement, at ENG 00274148, KHM 00197934, FRE 00223091, after 17 April 1975: ["From 1970 until 1975, I was still living in my village of birth. In 1975, after 17 April, I was evacuated to work the rice fields ... There were only soldiers living inside the village."]; **E1/92.1** Transcript, 19 July 2012, David Chandler, 11.20.04 to 11.27.28, after 17 April 1975; **E1/149.1** Transcript, 6 December 2012, Hun Chhunly, 11.23.38 to 11.30.30, 13.47.27 to 13.48.42, after 17 April 1975: ["is this something you witnessed with your own eyes on the 25th of April? ... A. In Battambang, the evacuation took place one week after the Khmer Rouge took control"]; **E1/189.1** Transcript, 6 May 2013, Philip Short, 14.31.14 to 14.40.47, after 17 April 1975; **E1/223.1** Transcript, 15 July 2013, Stephen Heder, 13.44.06 to 13.49.49, 14.04.53 to 14.07.11, after 17 April 1975.

560 **E1/143.1** Transcript, 12 November 2012, Pe Chuy Chip Se, 12.01.38 to 12.03.10, 15.52.12 to 15.53.21, after 17 April 1975 ["...the people of Siem Reap were evacuated after the 17th of April 1975, like the people of Phnom Penh were...they coerced them to leave the city...at gunpoint...dare not resist or protest..."]; **E3/5184** [REDACTED] OCIJ Statement, at ENG 00225529, KHM 00197874, FRE 00337421, after 17 April 1975: ["When I arrived in Siem Reap, all the residents were already evacuated. I saw the evacuees from the province stayed under the trees along the road to Prasat Bakong temple"]; **E3/5175** [REDACTED] OCIJ Statement, 3 June 2008, at ENG 00272752, KHM 00195442, FRE 00272756, by 5 May 1975: ["On 5 May 1975, I was evacuated from Siem Reap City to Russei Lork Kraom, Sangvaey Sub-district, Chikreng District, along with other doctors and teachers. The others had all been evacuated already."]; **E3/5248** [REDACTED] OCIJ Statement, 7 October 2008, at ENG 00235142-44, KHM 00231711-13, FRE 00271187-89, after 17 April 1975: ["After 17 April 1975, the Khmer Rouge forced the people in Siem Reap Province to evacuate from the city to go live in the countryside."].

561 **E3/5539** [REDACTED] OCIJ Statement, at ENG 00380123-24, KHM 00373234-35, FRE 00422397-98, before 17 April 1975: ["On 16 April 1975, the Khmer Rouge evicted us from our house along with all people in Svay Rieng town."]; **E3/5296** [REDACTED] OCIJ Statement, at ENG 00358145-46, KHM 00355444, FRE 00408421, on/about 1975: ["I returned to the birth place in Bos Village, Me Sa Thngak Commune in early 1974 and lived in there until 17 April 1975 when I saw many people had been evacuated from the Svay Rieng Town"].

562 **E3/5233** [REDACTED] OCIJ Statement, at ENG 00279260-00279261, KHM 00269049-00269050, FRE 00342650-00342651, on 17 April 1975: ["On 17 April 1975...I saw the evacuees from Kampong

Chhnang (Provincial Town),...and from the various villages...which had been governed by the LON Nol regime, as they arrived to live in different villages in Kraing Lovea”]; E3/5272 [REDACTED] OCII Statement, at ENG 00290655-56, KHM 00282946-47, FRE 00339906, *April 1975*: [“In April 1975 ... I was evacuated from Kampong Chhnang town to Taing Kromng village...the Sector 31 Com ... announced by loudspeaker...for all provincial town people to leave.”]; E3/5277 [REDACTED] OCII Statement, at ENG 00292834, KHM 00287544, FRE 00339982, *several days after 17 April*: [“After 17 April, they called people from the villages and communes to transport the loot of war such as materials and weapons. Three days after transporting the materials and weapons, I saw them evacuating people”]; E3/5236 [REDACTED] OCII Statement, at ENG 00284699-703, *after 17 April 1975*: [“I saw the evacuees coming in and out continuously.... For those coming from Kampong Chhnang, they had them went on the road to Romeas in Teuk Phos district.”]; E3/5201, E 3/5201 [REDACTED] OCII Statement, at ENG 00275138-40, KHM 00212120-22, FRE 00275144-46, *17 April 1975*: [“My entire family was evacuated from my residence in Ph-e Village, Ph-e Sub-district, Kampong Chhnang District, Kampong Chhnang Province, travelling on foot...Large numbers of people filled the roads”].

563 E3/5194 [REDACTED] OCII Statement, at ENG 00274707, KHM 00204406, FRE 00268838 [“I was born in Khsach Prachhes Kandal village...We transplanted rice seedlings and harvested rice crops until they evacuated all the villagers out of the village.”]; E3/5257 TCW-709 OCII Statement, at ENG 00243100-02, 00243106-07, KHM 00251014-15, 00251019, 00251021, FRE 00342663-65, 00342671, 00342673, *1975*: [“Lon Nol soldiers were in Kampong Cham, and the Khmer Rouge attacked and took control there. Then the people were evacuated from there to here”].

564 E3/5230 [REDACTED] OCII Statement, at ENG 00279242, KHM 00267774, FRE 00483979, *after 17 April 1975*: [“I lived in Pailin until the Liberation Day in 1975....The Khmer Rouge evacuated me to Battambang; they had me stay at the Kampong Ko Cooperative in Sector 4, Mong Russei District”].

565 E3/5251 [REDACTED] OCII Statement, at ENG 00235494-95, KHM 0233287, FRE 00251000 [“In 1975, the people in the provincial town, including me, were evacuated to Sralaung Village, southeast of Svay Antor. One week later, I arrived at Chamkar Kuoy Village, south of Sralaung Village”].

566 E1/218.1 Transcript, 04 July 2013, Sum Alat, 09.36.06 to 09.42.10, *by shortly after 17 April*: [“...by the time I reached Pursat the town was emptied and that people had left. But Pursat is not a big town, so people could have been sent to just some area in the neighborhood.”]; E3/5177 [REDACTED] OCII Statement, at ENG 00242131-32, 00242134, KHM 00196803, 00196805-06, FRE 00274089-90, 00274092, *after 17 April 1975*: [“on unknown grounds the Khmer Rouge evacuated my family from Anlong Th’naot commune to Kampong Po village, Kampong Po commune, Pursat province.”].

567 E3/5197 [REDACTED] OCII Statement, at ENG 00275030-31, KHM 00206367, FR E00485211-12, *on or shortly after 17 April*: [“When Khmer Rouge liberated the country on 17 April 1975, my family and I were sent to stay in Prey Nop school for two nights. Then my family and I was transferred to...Kampot province.”]; E3/5190 [REDACTED] OCII Statement, at ENG 00274658, KHM 00203844, FRE 00323650, *after 17 April*: [“After 17 April 1975, people were evacuated from Kampong Som [which is now Sihanoukville] to Prey Nob”]; E3/5543 TCCP-67 OCII Statement, at ENG 00384778-79, KHM 00375537-38, FRE 00424084-85, *17 April 1975*: [“On 17 April 1975, at 7 a.m., I saw Khmer Rouge soldiers in the black uniform walking past my house. ...we travelled to the direction of west.”]; E3/1745 TCCP-88 OCII Statement, at ENG 00338383-85, KHM 00304326-28, FRE 00485408-11, *after 17 April 1975*: [“I was living in Kampong Som when the Khmer Rouge won on 17 April 1975....When the Khmer Rouge entered in 1975, they forced the people out by announcing the fear for American bombardment.”]; E3/5198 [REDACTED] OCII Statement, at ENG 00275074, KHM 00206418, FRE 00275082, *after 17 April 1975*: [“Before 17 April 1975, I was in Ortres Chas, Sihanoukville. ...After 17 April 1975, I was evacuated to Andong Thmor”]; E3/5506 [REDACTED] OCII Statement, at ENG 00398861-62, KHM 00398486-87, FRE 00434431-32, *17 April 1975*: [“The day after the Khmer Rouge arrived, I prepared my belongings in order to return to my birthplace in Prey Noh. The first day, I transported my children and belongings there.”]; E3/5189 [REDACTED] OCII Statement, at ENG 00274632-33, KHM 00198957, FRE 00407012, *after 17 April 1975*: [“After the liberation of Kampong Som, the Khmer Rouge told people to leave the province for a short period of time...My family was then evacuated to Andong Thmavillage,... Prey Nob district”]; E3/5501 [REDACTED] OCII Statement, at ENG 00373308-09, KHM 00368650-51, FRE 00426221-22, *after 17 April 1975*: [“After liberation day on 17 April 1975, the people were evacuated from Kampong Saom City.”].

568 E3/5498 [REDACTED] OCII Statement, at ENG 00384399-4400, KHM 00368600-02, FRE 00416523-24, *18 or 19 April 1975*: [“The Takeo town was probably liberated on 18 or 19 April 1975, after the fall of Phnom Penh. ...All people in Takeo town were evacuated to the west.”]; E3/5197 [REDACTED] OCII Statement, at ENG 00381007-08, KHM 00375515-16, FRE 00426402-03, *after April 1975*: [“I was evacuated from my village to AnlungTien, BoureiCholsar District, Takeo Province where I was put to

work in a unit....Hundreds people walked together with me from my village and from other villages in the same district”].

569 **E1/198.1** Transcript, 29 May 2013, Khieu Samphan, 10.03.42 to 10.06.46 [“The idea behind Pol Pot’s thinking was that the situation at the time was in need of urgent attention...so Cambodia had to urgently rebuild our country and not to let Vietnam catch up and swallow us”]; **E3/27** Khieu Samphan Statement, 13 December 2007, at ENG 00156749, KHM 00156618, FR 00156671; **E1/97.1** Transcript, 26 July 2012, Phy Phuon, 14.32.42 to 14.34.32; **E3/735** David Chandler, Ben Kiernan & Chanthou Boua, *Pol Pot Plans the Future*, at ENG 00104059; **E3/24** Phy Phuon OCIJ Statement, at ENG 00223583, KHM 00204070, FR 00503922-23 [“decision that we had finished the National Democratic Revolution in 1975, and that we had to continue working on the Socialist Revolution line to move toward communism.”]; **E1/97.1** Transcript, 26 July 2012, Phy Phuon, 14.29.46 to 14.32.42 [“[A]fter the meeting, I saw a document which stated that now we are going to engage in...socialist revolution.”]; See also **E1/82.1** Transcript, 6 June 2012, Sao Sarun, 13.31.33 to 13.35.26, 13.42.45 to 13.44.32 [“Private belongings, properties shall be put communally, and as for the cattle, the cattle shall be put communally for common use within the cooperative”]; **E3/384** Sao Sarun OCIJ Statement, at ENG 00348375, KHM 00345906, FR 00354239 [“Q. when you talked about setting up the cooperatives, was communal dining, storing rice collectively, and working the rice fields communally spoken about? A. Yes, that was actually spoken about”]; See also **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401486 [“We see the following types of ownership...Cooperative ownership: This is the collective ownership of the collective masses inside the cooperatives.”], 00401487 [“The collective ownership of the state and the cooperatives plays the most important role. It has power over private ownership, and private ownership has been subjugated to collective ownership.”].

570 **E3/216** CPK Standing Committee Minute on a Visit to the Northwest Zone, 20-24 August 1975, at ENG 00850978 [“Its human being strength is insufficient. The labour force must be increased. Three or four hundred thousand more would not be enough....It’s imperative to add four or five hundred thousand more.”]; See also **E1/92.1** Transcript, 19 July 2012, David Chandler, 13.52.34 to 13.55.22 [“There weren’t enough people up there to achieve this 3 tons per hectare. Where were the extra people? Well, they were the city people, obviously, and up they went to the Northwest.”].

571 **E3/781** Document Number 3, Examination of control and implementation of the policy line on restoring the economy and preparations to build the country in every sector, September 1975, at ENG 00523574, 00523580.

572 **E3/748** *Revolutionary Flag* October - November 1975, at ENG 00498513, KHM 00063252, FR 00499697 [“The Centre Party Congress has unanimously decided...average rice harvesting across the country in 1976 shall be three tons...per hectare of rice field... November 1975, the Centre Party has also endorsed... above.”].

573 **E1/191.1** Transcript, 8 May 2013, Philip Short, 12.10.50 [“[T]hey were not regarded as being intrinsically of any worth. They were of worth for what they could produce.”].

574 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396517; **E1/190.1** Transcript, 7 May 2013, Philip Short, at ENG 15.40.53 [“Yes, it’s once again the idea that people are expendable, that the ends justify the means, that the goal...outweighs any considerations of the wellbeing of the population in the short or medium term.”].

575 **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401486-87.

576 **E3/138** CPK Publication entitled “Sharpen the Spirit of the Proletariat,” 1976, at ENG 00743802-03.

577 **E1/209.1** Transcript, 19 June 2013, Nou Mao, 11.54.52 [“People were evacuated across zones...some of the people evacuated from Southwest zone were also transferred...as far as Battambang province...This was the plan...handed down by the leaders at the upper level.”], 13.33.24 [“Yes, I had some relatives who were evacuated to Battambang and some of my relatives were evacuated to Kampong Leang district, Kampong Chhnang province.”], 13.34.52 [“[A]t that time both New and Old People, who were incorporated into a cooperative, spoke about it...I knew that those people who had been evacuated were living in a miserable condition.”].

578 **E3/1576** Duch OCIJ Statement, at ENG 00160720; **E3/5762** Duch OCIJ Statement, at ENG 00164329; **E3/1170** S-21 Notebook for helping interrogators entitled “Khmer Rouge Black Journal” 17 April 1975 - 7 January 1979, at ENG 00443012-62; **E3/476** Map entitled “Democratic Kampuchea”, 1976, at ENG 00295143; **E3/135** *Revolutionary Flag*, June 1977, at ENG 00446857-58; **E3/727** *Revolutionary Flag*, May-June 1978, at ENG 00185341; **E3/2972** Map entitled “Administrative Map of Kampong Cham Province”, 31 August 2009, at ENG 00417062; **E3/5221** [REDACTED] OCIJ Statement, at ENG 00239491; **E3/5546** TCCP-6 OCIJ Statement; **E3/5234** [REDACTED] OCIJ Statement, at ENG 00288202-04, 00288206; **E3/5278** TCW-79 OCIJ Statement, at ENG 00287529; **E3/5169** [REDACTED] OCIJ Statement, at ENG 00250081-82; **E3/5231** [REDACTED] OCIJ Statement, at ENG

00279250; **E3/1568 TCW-92** and TCW-223 Statement, at ENG00419419-23, 00419439, 00419444-45, 00419382, 00419368-69 [stating that Pol Pot ordered the massacre of Bos village]; **E3/5253** [REDACTED] OCIJ Statement, at ENG 00235483; **E3/361** Chhouk Rin OCIJ Statement, at ENG 00194467-68, 00268870-72, 00268875, 00268896-97; **E3/421** Chhouk Rin OCIJ Statement, at ENG 00414058-60; **E3/362** Chhouk Rin OCIJ Statement, at ENG 00268896; **E3/5148** [REDACTED] OCIJ Statement, at ENG 00205023; **E3/474** Ek Hén OCIJ Statement, at ENG 00205049; **E3/416** [REDACTED] OCIJ Statement at ENG; **E3/5259 TCW-221** OCIJ Statement, at ENG 00275916; **E3/5542** [REDACTED] OCIJ Statement at ENG; **E3/35** [REDACTED] OCIJ Statement, at ENG 00346153-55; **E3/5273** [REDACTED] OCIJ Statement, at ENG 00282942; **E3/5539** [REDACTED] OCIJ Statement at ENG; **E3/3962** Khoem Samhuon OCIJ Statement, at ENG 00287539-40; **E3/5260** [REDACTED] OCIJ Statement, at ENG 00327162-64 [witness evacuated from East Zone to Pursat in late 1978 states that numerous evacuees were “shot to death” and describes seeing many bodies at Rumlech village]; **E3/5250** [REDACTED] OCIJ Statement, ENG 00235490; **E3/360** TCW-326 OCIJ Statement, at ENG 00268858, 00268862; **E3/369** [REDACTED] OCIJ Statement, at ENG 00272717; **E3/364** Lim Sat OCIJ Statement, at ENG 00250762; **E3/418** [REDACTED] OCIJ Statement; **E3/517** [REDACTED] OCIJ Statement; **E3/426 TCW-398** OCIJ Statement, at ENG 00346072; **E3/5503** [REDACTED] OCIJ Statement, at ENG 00390882-86; **E3/5205** [REDACTED] OCIJ Statement, at ENG 00275164; **E3/5592** [REDACTED] OCIJ Statement, at ENG 00434943; **E3/5531** TCW-426 OCIJ Statement, at ENG 00425893; **E3/1675** [REDACTED] OCIJ Statement, at ENG 00403035-36; **E3/5227** [REDACTED] OCIJ Statement, at ENG 00250767; **E3/4650** [REDACTED] Statement, at ENG 00436893; **E3/387**, **E3/388**, **E3/518** TCW-748 Statement, at ENG 00350215-18, 00350220-23, 00350226-27; **E3/5177** [REDACTED] OCIJ Statement, at ENG 00242133-34 [“saw two wells containing corpses of prisoners from the East Zone with blue scarves at mortar fort base in Pursat provincial town used as security office by CPK”]; **E3/3970** Pech Srey Phal OCIJ Statement, at ENG 00434934; **E3/5277** [REDACTED] OCIJ Statement, at ENG 00287545; **E3/163** Prak Yut OCIJ Statement, at ENG 00364082; **E3/5533** [REDACTED] OCIJ Statement, at ENG 00425902-04; **E3/5240** [REDACTED] OCIJ Statement; **E3/374 TCW-601** OCIJ Statement; **E3/445 TCW-601** OCIJ Statement; **E3/5246** [REDACTED] OCIJ Statement, at ENG 00234112; **E3/399** [REDACTED] OCIJ Statement, at ENG 00305119; **E3/5208** [REDACTED] OCIJ Statement, at ENG 00235139; **E3/5610** TCW-634 OCIJ Statement, at ENG 00492920-22 [admitting that she was a member of the Bakan district committee, but denying that she was Secretary]; **E3/363** Sim Hao OCIJ Statement, at ENG 00239069; **E3/472** Sim Hao OCIJ Statement, at ENG 00205031; **E3/5254** TCW-667 OCIJ Statement, at ENG 00242363; **E3/5171** TCW-662 OCIJ Statement, at ENG 00272459, 00272460-63; **E3/5615** TCW-677 OCIJ Statement, at ENG 00508563, 65-68 [admitting that she was appointed by Sector Secretary Sarun to be the Kandieng District Com, but claiming that she did not accept the position]; **E3/5145** [REDACTED] OCIJ Statement, ENG 00204707; **E3/5230** [REDACTED] OCIJ Statement, at ENG 00279243; **E3/5603** TCW-750 OCIJ Statement, at ENG 00491350-52 [describing incident in which Bakan District Secretary Yeay Rim ordered the execution of a prisoner from the East Zone]; **E3/4658** TCW-750 Statement, at ENG 00352105-06; **E3/4600** TCW-752 OCIJ Statement, at ENG 00373917-18; **E3/4598**, **E3/5774** TCW-752 OCIJ Statement, at ENG 00284423-24; **E3/3412** GDR Foreign Ministry, DC-Cam Documents: *Microfiches from the files of the Foreign Ministry of the former German Democratic Republic Archive in Berlin, Germany*, 9 February 2010; **E3/2630** DC-Cam, *Mapping the Killing Fields of Cambodia*, 1997; *Khet Kampong Cham*, 1997; **E3/2064** DC-Cam Team A, *Site Forms 31208, 31209, and 31210*, 8 April 1997; **E3/2066** DC-Cam, *Mapping the Killing Fields of Cambodia 1997, Pursat Province*, 23 May 1997; **E3/2632** DC-Cam, *Kampong Cham Province*, 1998; **E3/2954** DC-Cam, *Final Report on Phase 2 of the Forensic Project*, 14 January 2004, at ENG 00426680-83; **E3/2589** Khun Mon, *A Cambodian-Vietnamese Couple Under The Khmer Rouge*, May 2005; **E3/3209** Locard Henri, *Bophea Region: Dambon 20 to 24*, 31 May 2007; **E3/2617** Tuol Sleng Museum, *Report on genocidal crime of Pol Pot and Ieng Sary in Chheu Teal commune, Svay Rieng Province*, 7 Jan 1979; **E3/4** Timothy Carney, *The Organisation of Power*, at ENG 00105152E3/4525; **E3/1813** Craig Etcheson, *After the Killing Fields: Lessons from the Cambodian Genocide*, at ENG 00078814-17; **E3/1593** Ben Kiernan, *The Pol Pot Regime: Race, Power, and Genocide in Cambodia under the Khmer Rouge*, 1975-79, at ENG 00104369, 00104387-93; **E3/2312** Ben Kiernan, *Cambodia: The Eastern Zone Massacres*, 1987; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396582, 00396592, 00396594; **E3/5533** [REDACTED] OCIJ Statement, at ENG 00425904; **E3/5280** [REDACTED] OCIJ Statement, at ENG 00287559; **E3/4525** Analytical Report by Craig Etcheson entitled “OCP Mission to Batheay District, Kampong Cham Province,” 30 July 2007, NCFPD, at ENG 00221804; **E3/342** S-21 Prisoner List entitled “Revised S-21 Prisoner List” (OCP), 19-May-09, at ENG 00329629, 00330070, 00329836, 00329896.

E1/190.1 Transcript, 7 May 2013, Philip Short, 10.13.18 [“Cambodian Communists took the view...workers...had been infiltrated...this was a systematic pattern, because we see later...they put it all

down to sabotage by Vietnamese agents....already present in the 1960s.”], 10.17.13 [““From now on, the CPK required its supporters ‘to draw a clear line of demarcation between the enemy and ourselves’...It’s another increment...there is a very clear thread...always in the same sense.”], 15.45.35 [“And one of the characteristics of...Cambodian Communist Party was there was a complete, a total lack of trust in all those who were outside the Party...Lack of trust was fundamental to this regime.”].

580 **E3/9 Philip Short *Pol Pot: The History of a Nightmare***, at ENG 00396349.

581 **E1/190.1** Transcript, 7 May 2013, Philip Short, 10.52.33 [“[W]hen prisoners were captured...if...was a local person and was known, then he might be released...if he was not known, he would be killed...a ‘take no prisoners’ policy from the beginning.”], 10.54.03 [“There was no written instruction. It was just what you did, what you knew you had to do, what you knew the Party would want you to do... it was clearly understood to be the case.”]

582 **E3/9 Philip Short *Pol Pot: The History of a Nightmare***, at ENG 00396430 [“For those perceived to be hostile...Opposing the revolution, whether in word or deed, usually meant death...summoned to district headquarters and never returned.”].

583 **E3/1714 Stephen Heder & Masato Matsushita, Interviews with Kampuchean Refugees at Thai-Cambodia Border, February-March 1975** at ENG 00170758 [“In 1972 there were lots of Lon Nol soldiers captured, about 500 of them. All were executed, none were forgiven”]; **E1/222.1** Transcript, 11 July 2013, Stephen Heder, 09.29.00 to 09.30.40 [“Q. “Prisoners of war and defectors of Lon Nol were wiped out.” A. Yes. This is a phrase which I conventionally translate as ‘swept cleanly away’.”], 10.18.26 to 10.20.04 [“Q. In 1972 there were lots of Lon Nol soldiers captured, about 500 of them. All were executed, none were forgiven. Can you confirm that that’s an accurate recording of what you were told in this interview? A. Yes.”],

584 **E3/9 Philip Short *Pol Pot: The History of a Nightmare***, at ENG 00396449 [“The Khmer Rouge soldiers in the field felt the change too. No longer were deserters treated with indulgence. Now they were killed.”]; **E1/190.1** Transcript, 7 May 2013, Philip Short, 11.45.05 [“After 1973, the same behaviour was treated differently...it ties in with this tightening of discipline within the Party, within the armed forces throughout the Khmer Rouge system...things tied in together.”], 11.48.27.

585 **E3/785 *Revolutionary Flag*** July 1973, at ENG 00713999, KHM 00442048, FR 00741969 [“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...impacts on politics.”]; **E1/190.1** Transcript, 7 May 2013, Philip Short 11.56.01 [“[T]hey dealt at various times with the question of how executions should be carried out...guiding principle behind all of them was: Executing people is right when they are counter-revolutionary...others.”].

586 **E1/190.1** Transcript, Philip Short, 7 May 2013, 13.37.35 to 13.38.54 [“ Q. you indicate that officials and uniformed soldiers were separated from the rest, led away and killed..? A.consistent with what had been happening before- what had started happening .. and what happened after”]

587 **E1/51.1** Transcript, 21 March 2013, Kaing Guek Eav alias Duch, 10.07.51.

588 **D175/6.4 Notebook 071: About Party**, at KHM 00283598 [admitted into evidence pending translation].

589 **E3/4527 Stephen Heder, Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes: Cambodian Accountability in Comparative Perspective**” in Ramji, J. and van Schaack, B., (eds.), *Bringing the Khmer Rouge to Justice. Prosecuting Mass Violence before the Cambodian Courts*, 2005, p. 78; **E1/222.1** Transcript, 11 July 2013, Stephen Heder, 11.18.17.

590 **D175/6.4 Notebook 071: About Party**, at KHM 00283598 [admitted into evidence pending translation].

591 **E3/4527 Stephen Heder, Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes: Cambodian Accountability in Comparative Perspective**” in Ramji, J. and van Schaack, B., (eds.), *Bringing the Khmer Rouge to Justice. Prosecuting Mass Violence before the Cambodian Courts*, 2005, p. 6; **E1/221.1** Transcript, 11 July 2013, Stephen Heder, 09.15.26.

592 **E3/783 *Revolutionary Flag***, September-October 1972 at ENG 00720205.

593 **E3/117 Khieu Samphan chairs NUFC Congress Session: Communiqué Issued**, at ENG 00166772; See also **E3/3716** *New York Times*, US State Dept Officials Say That Despite Apparent Willingness of Cambodian..., 3 March 1975, at ENG 00122102; **E3/3718** *Ta Kung Pao*, 7 Top Cambodian Traitors Named, 6 March 1975, at ENG S 00001499; **E3/3341** Telegram from U.S. Embassy entitled “Khmer Report - March 18, 1975,” 18 March 1975, at ENG 00413198; **E190.1.305** *New York Times*, *Cambodia’s Rulers Stress China Ties*, 12 May 1975, at ENG S 00003302 [“The top leaders – designated as the seven traitors – were marked for execution”]; **E3/189** UN General Assembly Document A/10061, 21 March 1975.

594 **E3/117 Khieu Samphan chairs NUFC Congress Session: Communiqué Issued**, 27 February 1975, at ENG 00166772; **E1/191.1** Transcript, 8 May 2013, Philip Short, 16.06.29 [“Before 1975, as we know, there

were warnings from Khieu Samphan, Hou Youn broadcasting, saying, if you want to save yourselves, come over to the revolution now, come immediately, don't wait.”].

595 E3/604 Bangkok Post, Relation Confirmed as Khmers Leave, and Executions Confirmed, 2 November 1975, at ENG 00419043; E3/3865 Amnesty International, The Amnesty International Report 1975-1976 Democratic Kampuchea (Cambodia), May 1976, at ENG 00004213 [“In November 1975...Ieng Sary confirmed...that three leaders of the former regime had been executed. They were former Premier Long Boret, Prince Sisowath Sirik Matak and Lon Non...”].

596 E1/179.1 Transcript, 10 April 2013, François Ponchaud, 10.10.49 to 10.12.38, [“It was the same in Battambang...”]; E3/3865 Amnesty International, The Amnesty International Report 1975-1976 Democratic Kampuchea (Cambodia), May 1976, at ENG 00004213 [“he and other people from his village witnessed the execution of soldiers from the former Lon Nol army, allegedly beaten to death by Khmer Rouge guards at Arak Bak Kor (Battambang province).”]; E3/3319 United Kingdom Government, Human rights violations in Democratic Kampuchea, 14 July 1978, at ENG 00420648 [“...Lived in Battambang town since 1972. When Khmer Rouge seized power he was forced to live in Me Chhbar area (some 30 kilometres Battambang) to work as a farmer”], [“From our own village I estimate that some 200 people have been killed. This included all former Lon Nol officials.”]; E1/179.1 Transcript, 10 April 2013, François Ponchaud, 10.15.52 to 10.20.45 [“the killing of the high-ranking soldiers and former civil servants were consistent with the purpose of the national revolution with regard to the case of Battambang... former high-ranking soldiers were gunned down.”].

597 E3/5282 [REDACTED] OCIJ Statement, at ENG 00322024 [“The meeting was then organized into two different groups, with ... civil servants of the previous regime ... and some Lon Nol soldiers. Those people were later killed”]; E3/3472 US National Security Council, Foreign Policy Ramifications of the Fall of Indochina and Assessment of Developments in Indochina Since the end of the war, 15 July 1976, at ENG 00443170-71 [“a Khmer Rouge order went out to kill all Army officers and civilian official in the Lon Nol government...At Mongkol Boreil.. Khmer Rouge commander ... ordered ... a squad of young Communist soldiers to punish a group of civilian officials of the fallen government”].

598 E3/3319 United Kingdom Government, Human rights violations in Democratic Kampuchea, 14 July 1978, at ENG 00420644 [“Mr. A ... A farmer from Peam Prouh village, Phnom Kravanh District, Pouthisat Province. Fled from village in February 1978 in group of nine persons.”], [“Many people in the village were executed - former Lon Nol soldiers, officials, all rich people. Executions have continued from 1975 to 1978. Khmer Rouge “spies” constantly seeking out any old Lon Nol supporters.”].

599 E3/5333 [REDACTED] Complaint, at ENG 00835167 [“My husband...was also evacuated to Preah Vihear Province...The reason they took me husband away to be killed was that he was a former Lon Nol soldier.”].

600 E3/3319 United Kingdom Government, Human rights violations in Democratic Kampuchea, 14 July 1978, at ENG 00420652 [“In April 1977 the High Angka gave orders for all cadres to kill all intellectual people, any remaining Lon Nol officials. Several former students, teachers and ordinary soldiers were arrested in our village.”]; E3/3319 United Kingdom Government, Human rights violations in Democratic Kampuchea, 14 July 1978, at ENG 00420654 [“The killing of former soldiers and government officials did not stop.”], E1/138.1 Transcript, 24 October 2012, Lay Bony, 10.12.33 to 10.14.56 [“If they noticed the ankles had the marks of where of wearing boots, then they would be -- conclude that they were the soldiers and they would be arrested.”], 10.26.54 to 10.28.48 [“As far as I knew, all Lon Nol soldiers would be arrested if they were suspicious (sic) of being Lon Nol soldiers.”]; E3/143.1 Transcript, 12 November 2012, Pe Chuy Chip Se, 12.03.10 [“we saw people being transported in the whole family by truck, in particular those former officials to be executed. And people were sent in from other location to executed those detained officials”], 13.35.06 to 13.37.19 [“The former officials or soldiers of the Lon Nol regime who had been evacuated to Kampong Kdei had not been detained...They were just summarily questioned, interrogated, and sent out to be executed.”], 14.27.19 to 14.29.30 [“Lon Nol soldiers who were evacuated in 1975, they were not captured and sent to Pongro Security Office. They were all executed instantly upon capture”], 11.51.10 [“I heard about it though the people who had transported the former Lon Nol soldiers and who were executed at Mkak location...Lon Nol officials and soldiers who were evacuated to chi kraeng were executed by the Khmer Rouge.”].

601 E3/5395 [REDACTED] Complaint, at ENG 00870341 [“The security cadres killed them and many ex-Lon Nol soldiers after they had worked at Pouthi Borei for a while.”].

602 E3/5471 [REDACTED] Complaint, at ENG 00824444 [“the villagers saw my husband and many other people were tied up and walked in lines...in Boeng Ka-ek Village, Preaek Roka Commune, Kandal Stueng District...Angkar arrested him because he was accused of being a Lon Nol soldier.”]; E3/5329 [REDACTED] Complaint, at ENG 00883921 [“The reason why the Khmer Rouge killed him was that

he had defected to Lon Nol side instead of serving as a Khmer Rouge soldier. The killing location was in Kampong Svay Kraom Village...Kandal Province.”]; E1/179.1 Transcript, 10 April 2013, François Ponchaud, 09.35.49 to 09.38.32 [“He told me that Angkar requested the military officer and this high-ranking official of the previous regime to write their name on the board in Kien Svay Pagoda...they gathered those people - military officers, as well as the high-ranking officials - and they killed them...”].

603 E1/147.1 Transcript, 4 December 2012, Toeng Sokha, 14.57.15[“these people were soldiers of former officials, but a few days later, they were nowhere to be found, again...the only thing I heard was that these people were brought to live together with another group of villagers in Krang Leav.”], 15.02.20 [“later on I heard that this group of people, including the soldiers, were relocated to a new location and they were nowhere to be found again].

604 E3/5355 [REDACTED] Complaint, at ENG 00869872-73 [“My fifth younger brother...was a former Lon Nol soldier... He was in Siem Reap and was taken from the village to be killed”], [“My husband...was a former Lon Nol...My husband and I were evacuated to the province of Kampong Thorn...In 1977, my husband was taken away for execution.”].

605 E3/5358 [REDACTED] Complaint, at ENG00885712[“In 1975, The Khmer Rouge killed my sibling...He was executed...due to the fact that he had been a Lon Nol's soldier in 1975.”].

606 E3/4634 TCW-610 OCIJ Statement Transcript, at ENG 00408405; E3/5517 [REDACTED] CIJ Statement Transcript, at ENG 00413913; E3/4630 LéV Lam OCIJ Statement, at ENG00274646-48; E3/4634 TCW-610 OCIJ Statement, at ENG 00408405; E3/5517 [REDACTED] OCIJ Statement, at ENG 00413913 [“former district military commander confirms that evacuees were transferred to Tbeng Khpous commune, gathered in the pagoda, then sent for execution at Kok Roneam”]; E3/4634 TCW-610 OCIJ Statement, at ENG 00408405-06; E3/4633, E3/5516 TCW-155 OCIJ Statement, at ENG 00412139; E3/4632 [REDACTED] Statement, at ENG 00403118; E3/4634 TCW-610 OCIJ Statement, at ENG 00408406; E3/4633, E3/5516 TCW-155 OCIJ Statement, at ENG 00412138-39; E3/5517 [REDACTED] OCIJ Statement, at ENG 00413913; E3/4634 TCW-610 OCIJ Statement, at ENG 00408406-07; E3/4633, E3/5516 TCW-155 Statement, at ENG 00412140; E3/4634 TCW-610 Statement, at ENG 00408405; E3/4632 [REDACTED] OCIJ Statement Transcript, at ENG 00403117-18; E3/5507 [REDACTED] OCIJ Statement Transcript, at ENG 00405448; E3/5126 [REDACTED] OCIJ Statement Transcript, at ENG 00163419-21; E3/5128 [REDACTED] OCIJ Statement Transcript, at ENG 00163441-42; E3/4632 [REDACTED] OCIJ Statement Transcript, at ENG 00403118; E3/5509 TCW-298 OCIJ Statement, at ENG 00403064; E3/5126 [REDACTED] OCIJ Statement, at ENG00163419-21; E3/5128, [REDACTED] OCIJ Statement, at ENG 00163441-42; E3/4632 [REDACTED] OCIJ Statement, at ENG 00403118; E3/5199 TCW-651 OCIJ Statement, at ENG00275112; E3/5509 TCW-298 OCIJ Statement, at ENG 00403064; E3/4630 Lev Lam OCIJ Statement Transcript, at ENG 00274646-48; E3/5201 [REDACTED] OCIJ Statement Transcript, at ENG 00275139.

607 E3/3393 Los Angeles Times, Massive Cambodia Bloodbath Reported, 4 May 1975, at ENG 00445197 [“The magazine said in a news release Saturday night that its May 12 issue, which goes on sale on Monday, reports that the executions could ultimately lead to the killings “of tens of thousands of Cambodians loyal to the Lon Nol regime.”]; E3/3364 Washington Post, Cambodian Ex-Officers, Wives Reported Slain by Khmer Rouge, 6 May 1975, at ENG 00445429 [“...Intercepted Cambodian radio transmissions indicated that 80 or 90 Cambodian military officers and their wives have been killed by the Khmer Rouge since the fall of Phnom Penh...executions, mostly against military officers of the Lon Nol government, were continuing.”]; E3/3364 Washington Post, Cambodian Ex-Officers, Wives Reported Slain by Khmer Rouge, 06 May 1975, at ENG 00445429 [“Newsweek quoted a US official as saying “thousands have already been executed.” and the figure could rise to “tens of thousands of Cambodians loyal to the Lon Nol regime.””]; E3/3370 Washington Post, Hint ‘Blood Debt’ Being Paid, 12 May 1975, at ENG 00445425 [“Not long after ...they issued the following secret instructions: “Eliminate all high-ranking military officials, government officials. Do this secretly. Also get provincial officers who won the Communist Party a blood debt.””]; E3/3393 Los Angeles Times, Massive Cambodia Bloodbath, 4 May 1975, at ENG 00445197; E3/3364 Washington Post, Cambodian Ex-Officers, Wives Reported Slain by Khmer Rouge, 6 May 1975, at ENG 00445429, 00805183; E3/3370 Washington Post, Reports Hint ‘Blood Debt’ Being Paid, 12 May 1975, at ENG 00445425; E3/3300 New York Times, Killing Claim, 20 April 1975, at ENG 00418922 [“When the Khmer Rouge came they beat up my troops and shot people who resisted.” he told an AP reporter. He said Capt. Lon Vera younger brother of Lon Nol, was among those killed.”]; E3/3393 Los Angeles Times, Massive Cambodia Bloodbath Reported, 4 May 1975, at ENG 00445197 [“The magazine said in a news release Saturday night that its May 12 issue, which goes on sale on Monday, reports that the executions could ultimately lead to the killings “of tens of thousands of Cambodians loyal to the Lon Nol regime.””].

608 E3/532 Ieng Sary Interview, 17 December 1996, at ENG 00003665.

609 E1/223.1 Transcript, 15 July 2013, Stephen Heder, 14.07.11 to 14.10.13.
 610 E1/222.1 Transcript, 11 July 2013, Stephen Heder, 11.56.11 to 11.58.17 ["Beginning in the latter half of 1976, the security services received signals from Party leadership that they must augment their efforts to identify former Khmer Republic officials who had escaped."].
 611 E3/370 Ponchaud Francois OCIJ Statement, at ENG 00333955 ["The accounts in question seemed credible ... They also confirm what was said about the massacre of civil servants and military personnel from the Lon Nol regime throughout the country."].
 612 E1/179.1 Transcript, 10 April 2013, François Ponchaud, 10.15.52.
 613 E1/179.1 Transcript, 10 April 2013, François Ponchaud, 09.35.49 to 09.38.32 ["...a man about 50 years of age [...] from Kien Svay. He told me that Angkar requested the military officer and this high-ranking official of the previous regime to write their name on the board in Kien Svay."], 09.38.32 ["In the evening, they gathered those people - military officers, as well as the high-ranking officials [in Kien Svay] - and they killed them."], 10.10.49 to 10.12.38 ["this is the same as what happened in Kien Svay. Angkar told those people to write down their names on the board. Angkar cheated them and Angkar killed them."].
 614 E3/3319 United Kingdom Government, Human rights violations in Democratic Kampuchea, 14 July 1978, at ENG 00420601 ["They placed military officers, ordinary enlisted soldiers, senior civil servants and skilled personnel such as technicians or doctors in separate groups...evidence of numerous executions...from the executioners themselves."].
 615 E3/1714 Statements of witnesses entitled "Interviews with Kampuchean Refugees at Thai-Cambodia Border," March 1980, at ENG 00170734; E1/222.1 Transcript, 11 July 2013, Stephen Heder, 10.22.00 to 10.24.55.
 616 E1/191.1 Transcript, 8 May 2013, Philip Short, 16.09.48 to 16.11.25 ["It is exactly what happened in Battambang...and were killed, early on, on the route, on the way"].
 617 E3/5431 ██████████ Complaint, at ENG00830729 ["In 1975 at Kbal Thnal, there were Khmer Rouge forces asking my father about his occupation in Lon Nol's regime...If he was alive, he would visit [his] wife and children."]; E3/5357 ██████████ Complaint, at ENG 00835194 ["In 1975, Khmer Rouge solders (unknown names) evacuated my older brother...I do not know who killed him."]; E3/3173 Helen Penfold, Remember Cambodia, at ENG 00487966-67 ["One refugee, Pam Moeurn, told his own story...Along the way we saw many corpses of soldiers who had been shot; we did not dare stop and sleep."]; E1/136.1 Transcript, 22 October 2012, Chum Sokha, 13.52.35-13.54.06 he had a connection with the Lon Nol regime, as he was a military officer...And upon his arrival in the village, they already knew about his background, and for that reason he was arrested."], 13.54.06-13.56.13["...So, those people who had a connection with the previous Lon Nol regime, including military officers, agents, or intelligence officers, or high-ranking officers, were put in that pagoda..."].
 618 E3/4631 TCW-162 OCIJ Statement Transcript, at ENG 00275128-30, KHM 00212084-86, FRE 00293909-11["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"]; E3/5256 TCW-239 OCIJ Statement Transcript, at ENG 00251304, KHM 00243079-80, FRE 00282997 ["They took them all away and killed them. And they selected people in the village according to their biographies and took them along too. ...Those people had been captains or majors in the military or had been commandos"]; E3/5509 TCW-298 OCIJ Statement Transcript, at ENG 00403064, KHM 00399181-83, FRE 00434492-93 ["[A] person wrote down when they asked...“what they did in Phnom Penh and if they were soldiers”...those who were LON Nol soldiers disappeared from the cooperative while some of those who were not soldiers survived"]; E3/3962 ██████████ OCIJ Statement Transcript, at ENG 00293365, KHM 00287536, FRE 00355873-74 ["[I]n May 1975...there was an order...to arrest those who were high ranking civil servants of Lon Nol regime who denied leaving Phnom Penh...and the patients who were Lon Nol soldiers...in PreahKetomealea hospital"]; 00293365 ["Those who joined in arresting people told me directly that a great number of LON Nol officers and their servants were arrested from Phnom Penh and killed and thrown into a well in TuolKok area. I saw clubs with blood stains were brought back."]; E3/5260 ██████████ OCIJ Statement Transcript, at ENG 00327160-61, KHM 00250705-06, FRE 00290341-42 ["[I]hose who “had tendencies, like civilian or military government officials...and villagers who had gone to study or work with LON Noland who had returned to the village, they were arrested and taken away.”]; E3/5540 ██████████ OCIJ Statement Transcript, at ENG 00384414-17, KHM 00373404-08, FRE 00426372-75 ["If we found LON Nol soldiers, we would kill them right away...The order [to kill unarmed Lon Nol soldiers] was from my superior, Sary."]; E3/471 ██████████ OCIJ Statement Transcript, at ENG 00223335-36, KHM 00172079-80; FRE 00205016-17 ["Before entering Phnom Penh, [t]hey said we were to attack the American imperialists and the Lon Nol puppets."]; E3/5511 ██████████ OCIJ Statement, ENG

00412171-72, KHM 00402500, FRE 00434510 ["There was a planned purge. People who were targeted to be purged included soldiers from the ranks of corporal sergeant and above in army and from the first deputy chief and above in the administration"]; E3/5614 [REDACTED] OCIJ Statement Transcript, at ENG 00519569, KHM 00717131, FRE 00776925 ["[A]nnouncements requesting the return of all former civil servants and military personnel to central Phnom Penh blared through loudspeakers...the Khmer Rouge had lured former Lon Nol soldiers and civil servants to their death"]; E3/5199 TCW-651 OCIJ Statement Transcript, at ENG 00275110-12, KHM 00212107-11, FRE 00342627-30 ["A prisoner was a person accused of being the "enemy"...Anyone who had done something wrong, like ...those accused of having been Lon Nol soldiers ...were accused of being the "enemy.""]; E3/4611 TCCP-172 OCIJ Statement Transcript, at ENG 00455376-77, KHM 00418484-85, FRE 00455383-85 ["Khmer Rouge officials were screening officials of Lon Nol's regime from the ranks of second lieutenant, first lieutenant, captain, major and colonel and told them that they would be sent for education."]; E3/4630 TCW-386 OCIJ Statement, at ENG 00274646-47 ["ordinary people such as rice-farmers ... non-ordinary people such as soldiers, civil servants of Lon Nol and capitalists."]; E3/4601 Lim Sat OCIJ Statement, at ENG 00412158 ["In the meeting, Khmer Rouge chairmen were told that all dignitaries, bout military and policemen, from Lon Nol regime had to be killed."]; E3/5188 [REDACTED] OCIJ Statement, at ENG 00274200 ["In 1975, I evacuated from the village to go live at Watt Snuol. After 17 [April] 1975, my husband was rounded up by the Pol Pot group and was killed. (He was a Lon Nol soldier.)"]; E3/368 Yun Kim alias Kham OCIJ Statement, at ENG 00345195 ["We were instructed to make their biography in order to get hold of each individual's background...I knew that whenever my predecessor found out that a person was an ex-soldier, he ordered that the person be killed."]; E3/5540 [REDACTED] OCIJ Statement, at ENG 00384416 ["I was assigned to guard civilians because we wanted to prevent them from mixing up with Lon Nol soldiers because the Lon Nol soldiers disguised themselves amongst civilians. If we found Lon Nol soldiers, we would kill them right away."]; E3/5465 [REDACTED] Complaint, at ENG 00796732 ["My father...He had served as a Lon Nol soldier, so the militiaman...called him...in 1977 to be killed. The militiaman said that he was called to build bridge(s). My two older brothers ...had served as Lon Nol soldiers."]; E3/5462 [REDACTED] Complaint, at ENG 00725880 ["On 17 April 1975, my parents were taken away to be executed because they were accused of having tendency toward LON Nol."]; E3/5356 [REDACTED] Complaint, at ENG 00939580 ["...Khmer Rouge soldiers...ordered my husband and I to stay at Kralanh Pagoda because my husband was a soldier [of the former regime]... I later knew that my husband had been killed..."]; E3/5346 [REDACTED] Complaint, at ENG 00835187 ["In July 1975, the Khmer Rouge arrested my husband and took him away to be killed...The reason was because my husband had been a Lon Nol soldier."]; E3/5360 [REDACTED] Complaint, at ENG 00869909 ["On 17 April 1975, my husband...a former Colonel in the Lon Nol army, was taken by an unknown Khmer Rouge military man to be."]; E3/5403 [REDACTED] Complaint, at ENG 00872951 ["My husband...was arrested and detained at the Ta Man Security Office by the Khmer Rouge...I only knew that my husband was a former soldier under the Lon Nol regime...I have not heard from him since."]; E3/5337 [REDACTED] Complaint, at ENG 00939544 ["It was said my younger brother was executed because he was a former Lon Nol soldier (a Captain) and a student under the old regime."]; E3/5433 [REDACTED] Complaint, at ENG 00872997 ["Less than 10 days after I started living in 105, the Khmer Rouge came to take my husband to be killed at about 8...They accused my husband of being a Captain."]; E3/5349 [REDACTED] Complaint, at ENG 00883886 ["My biological-elder brother...was taken and executed...The scene was in Pursat municipality and he was killed at Tuol Por Chrey...thousands of people, who were Lon Nol civil servants, were executed...my brother was an official of agriculture in Lon Nol's time."]; E3/5511 [REDACTED] OCIJ Statement, at ENG 00412171-72, KHM 00402500, FRE 00434510 ["There was a planned purge. People who were targeted to be purged included soldiers from the ranks of corporal sergeant and above in army and from the first deputy chief and above in the administration."]; E3/5540 [REDACTED] OCIJ Statement, at ENG 00384414-17, KHM 00373404-08, FRE 00426372-75 ["If we found Lon Nol soldiers, we would kill them right away...The order [to kill unarmed Lon Nol soldiers] was from my superior, Sary."].

619 E3/5356 [REDACTED] Complaint, at ENG 00939581 ["A villager...who was a transporter...told me that the people who had just been escorted away would be murdered at the killing venue...They just transported wives of high ranking former soldiers..."]; E3/5439 [REDACTED] Complaint, at ENG 00939630 ["I knew that those who were taken to be killed by the Khmer Rouge were the families of Lon Nol soldiers because, before they were slaughtered, they had been checked out...determined to be among the military ranks."]; E3/1820 François Ponchaud, Cambodge, Année Zéro, at ENG 00105807-08 ["The authorities of the former regime...were enemies and as such had no place in the national community. Several accounts state that in many places the officers' wives and children were killed too"]; E3/4634 TCW-610 Statement, at ENG 00408405.

620 E3/5282 [REDACTED] OCJ Statement, at ENG 00322024 ["Calling up a meeting like that was done the same way as I had seen them doing it in Battambang province earlier...The meeting was then organized into two different groups, with...civil servants of the previous regime...and some Lon Nol soldiers."].

621 E1/191.1 Transcript, 8 May 2013, Philip Short, 16.22.45 - 16.24.54, See also 15.56.38 to 15.58.58; E1/190.1 Transcript, 7 May 2013, Philip Short, 14.08.23 ["There was a pattern all over the country of killing former Lon Nol officers whatever their level and of killing officials - former Lon Nol government officials above a certain level."], 14.28.51["Not every Lon Non - Lon Nol soldier was killed. Not every high official was killed but, in general, that was the outcome throughout Cambodia."], 14.30.17 ["I'm simply saying ... it's all completely consistent that everywhere where we know what happened, Lon Nol soldiers above a certain level were executed and high-ranking officials likewise."]

622 E1/91.1 Transcript, 18 July 2012, David Chandler, 09.56.06 to 09.57.39; E1/93.1 Transcript, 20 July 2012, David Chandler, 09.19.25; E3/1684 David Chandler, Voices from S-21: Terror and History in Pol Pot's Secret Prison, at ENG 00192724.

623 E3/40001R Documentary Film entitled "Enemies of the People" by Thet Sambath and Rob Lemkin, Additional Footage: "One day at Po Chrey", 22.07 - 22.11.

624 E3/4527 Stephen Heder, Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes: Cambodian Accountability in Comparative Perspective" in Ramji, J. and van Schaack, B., (eds.), Bringing the Khmer Rouge to Justice. Prosecuting Mass Violence before the Cambodian Courts, 2005, p. 11.

625 E3/832 DK Order from Comrade Pin, 4 June 1975, at ENG 00068918 ["The following Named Traitors... all the members of his family are traitors."].

626 E3/537 Ieng Sary Interview, 17 December 1996, at ENG00417602; E3/832 Execution Order of Comrade Pin, 4 June 1975, at ENG 00068914-64.

627 E1/51.1 Transcript, 20 March 2012, Kaing Guek Eav alias Duch, 09.09.51 ["... concerning prisoners at S-21 and you said that soldiers were also sent in. So who were those soldiers? A. Those soldiers were Lon Nol's soldiers. They were arrested from Ang Proleung Pagoda because Lon Nol used that pagoda as a retreat base."], 10.04.02 to 10.06.57; E3/1539, E3/1540, S-21 Execution Log entitled "Names of prisoners who died at Office 'S-21 Kor (C).'", E1/54.1 Transcript, 27 March 2012, Kaing Guek Eav alias Duch, 09.48.32 ["This is the smash list of S-21, and if you look at the names of individuals in this list they were the former soldiers of the Lon Nol's administration. And if you look at the dates, it was revised once; it was in 1977 or 1976"].

628 E3/197 CPK Standing Committee Meeting Minutes entitled "The Front," 11 March 1976, at ENG 00182641.

629 E3/3867 Analytical Report by DC-Cam entitled "List of Prisoners Smashed at S-21 (Tuol Sleng)," 18 March 2008; E3/3973 S-21 Execution Log, 17 April 1975 - 7 January 1979; E3/1538 S-21 Execution Log entitled "List of Prisoners Smashed on 22 March," 22 March 1976; E3/1539 S-21 Execution Log entitled "Names of prisoners who died at Office 'S-21 Kor (C).'", 30 March 1976 [Same record as E3/1540]; E3/2189 S-21 Execution Log entitled "Prisoners who were government officials," May 1976; E3/3187 S-21 Execution Log, 1 - 15 October 1976; E3/2236 S-21 Interrogation Log entitled "Names of Prisoners from France 'Interrogation Stopped'", 28 October 1976; E3/1988 S-21 Interrogation Log entitled: "Group number VIII by Comrade Snguon", December 1976; E3/3597 S-21 Prisoner List by OCJ, 18 March 2010; E3/1984 S-21 Prisoner List entitled "Names of Prisoner from Sector 25 'confessed to being CIA'," 17 April 1975 - 7 January 1979; E3/1980 S-21 Prisoner List, 17 April 1975 - 7 January 1979; E3/2268 S-21 Prisoner List, 17 April 1975 - 7 January 1979; E3/2231 S-21 Prisoner List, September- December 1976; E3/2241 S-21 Prisoner List RE "Khor" and "Ngor" Houses, 17 September - 8 November 1976; E3/2090 S-21 Prisoner List, 4 October 1976 [Same record as E3/2091]; E3/1992 S-21 Prisoner List, 5 October 1976; E3/129 S-21 Prisoner List entitled "Names of Prisoners coming from France," 12 October 1976; E3/2263 S-21 Prisoner List containing names of 33 prisoners, 19 November 1976; E3/2261 S-21 Prisoner List, 19 November 1976; E3/2269 S-21 Prisoner List entitled "A report on a name-list of prisoners," 25 November 1976; E1/222.1 Transcript, 11 July 2013, Stephen Heder, 11.58.17 - 11.59.58; E3/3867 Analytical Report by DC-Cam entitled "List of Prisoners Smashed at S-21 (Tuol Sleng)," 18 March 2008; E3/2047 S-21 Execution Log, 7 April 1977; E3/3185 S-21 Execution Log, 31 January 1977; E3/1541 S-21 Execution Log entitled "List of Prisoners Postponed in January 1977," 1 February 1977 [Same record as E3/1542]; E3/3858 S-21 Execution Log of 12 May 1977, 12 May 1977; E3/2285 S-21 Execution Log, 22 July 1977 [Same record as E3/2286]; E3/1984 S-21 Prisoner List entitled "Names of Prisoner from Sector 25 'confessed to being CIA'," 17 April 1975 - 7 January 1979; E3/1980 S-21 Prisoner List, 17 April 1975 - 7 January 1979; E3/2268 S-21 Prisoner List, 17 April 1975 - 7 January 1979; E3/1999 S-21 Prisoner List entitled: "House D + G 100 Pages Notebook," 8 January 1977.

- 630 E3/276 FBIS, 4 May 1976 - 28 May 1976, at ENG 00169017 ["Former soldiers of the Khmer Republic were still being executed last month by the communist Khmer Rouge in Battambang Province, according to reports by refugees arriving from Cambodia."].
- 631 E3/3472 US National Security Council, Foreign Policy Ramifications of the Fall of Indochina and Assessment of Developments in Indochina Since the end of the war, 15 July 1976, at ENG 00443170 ["Refugee reports and other information indicate that arbitrary executions are commonplace...machine-gunned to death over 350 soldiers who returned from Thailand where they had been in training."].
- 632 E3/813 Minutes of Meeting of 164 Comrades, 9 September 1976, at ENG 00143487.
- 633 E3/2048 Reports between subdistrict and district offices and Kraing Ta Chan Security Office, 28 March 1977 - 8 May 1977, at ENG 00276565 ["We request to send in the following traitors: Sokh Say, a former soldier who wore stripes."]; E3/4103 Reports from Communes to District Office, 9 April 1977 - 11 April 1977, at ENG 00322133 ["For those people who hold a ranking position, we will send them out [to you]...its total extinction in order to serve the Socialist Revolution and Building Socialism for our Party and the people, as required."]; E3/2441 Reports mainly from Kus Commune Cooperative to District Office and from District to Kraing Ta Chan Security Office, 14 May 1977, at ENG 00369469 ["Sang Chek said that Angkar was incapable of finding spies and bad people...we smashed him when he was in Angtasaom commune."]; See also E3/2435 Report from Ang Ta Saom Commune to District Office, 26 April 1977, at ENG 00322141.
- 634 E3/996 Telegram 313 from North Zone Secretary Se to Committee 870, 19 March 1978, at ENG 00436995-96 ["In this dry season, the remained enemies re-emerged...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."]; E3/1094 Report from M-401 to Angkar, 4 August 1978, at ENG 00143618 ["These acts were originated from a small number of no-good elements that are henchmen of the enemies...taking steps to remove, screen out, and sweep them by following the party's guideline and assignment."].
- 635 E3/996 Telegram 313 from North Zone Secretary Se to Committee 870, 19 March 1978, at ENG 00436995-96.
- 636 **E1/51.1** Transcript, 20 March 2012, Kaing Guek Eav *alias* Duch, 11.16.30 to 11.21.24 ["In 1972, a cooperative was set up as an experiment. In 1973, higher level of cooperatives were created in the liberated zone...on the 20th of May 1975...all across Cambodia."]; **E1/52.1** Transcript, 21 March 2012, Kaing Guek Eav *alias* Duch, 09.33.14 to 09.35.35 ["In 1973, I was at Amleang. Cooperatives were established at Peam Commune, Kampong Tralach District, Kampong Chhnang, and also in Amleang District - rather, Amleang Commune, Kampong Speu..."]; **E1/73.1** Transcript, 17 May 2012, Pean Khean, 10.16.41 to 10.19.39 ["After the 17th of April 1975, when Phnom Penh was liberated, the first political line was to rebuild the country...thirdly, to establish the cooperatives and create the collective regime..."], 14.23.31 - 14.25.22 ["The forms of tempering at Svay Meas, as I indicated earlier -- that the work was divided among members of the cooperative. Some people were assigned to go out fishing..."]; **E1/98.1** Transcript, 30 July 2012, Phy Phuon, 14.27.26 to 14.29.22 ["Q. ...When you said you went down to the cooperative and you saw that situation by your own eye, when did you go there? ...A. From 1977 to 1978, I had travelled various provinces more frequently."], 14.35.20 to 14.37.28 ["A. "Cooperative" -- or "progressive cooperatives" referred to the cooperatives after the victory of 1975. They would like such cooperatives to be established in all - at all locations and bases."].
- 637 **E1/ 80.1** Transcript, 30 May 2012, Sakim Lmut, 13.43.14 to 13.44.51 ["I do not know clearly because I only stay for a short while at the cooperative and then I was told to move to a cooperative near the vicinity of Phnom Penh near Stung Meanchey area."]
- 638 **E1/ 198.1** Transcript, 29 May 2013, Chheng Eng Ly, 10.03.42 ["So the democratic - the Socialist Revolution and Reconstruction was of the general concept that all the land ... became the property of the cooperatives - that is, the property of the people."], 15.57.00 ["You also told the Court earlier that when you reached Roka Kaong, you were incorporated into a cooperative."]; **E1/63.1** Transcript, 18 April 2012, Saut (or Soutr) Toeung, 15.11.29 ["first January dam" and other dams in Koh Kong and Pursat province. The first January dam was maybe in Kampong Chhnang but not sure, also a dam on the border of Kampong Thom and Kampong Cham], 15.05.42 ["Nuon Chea visited Battambang, Kampong Chhnang, Kampong Speu, the East Zone."], 15.13.18 ["Q. What did he do when he went to visit dams? A. He visited the status of the dam's construction as well as the rice cultivation and the performance of the cooperatives."]; **E1/155.1** Transcript, 17 December 2012, Suon Kanil 10.17.23["... 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."].

- ⁶³⁹ **E1/ 51.1** Transcript, 20 March 2012, Kaing Guek Eav *alias* Duch 11.16.30 [“A. In 1972, a cooperative was set up as an experiment.”], 11.18.14 [“In 1973, higher level of cooperatives were created in the liberated zone... after 1975...there was a document which indicates that, on the 20th of May 1975, cooperatives had to be established all across Cambodia, outside of the liberated zone.”], 14.30.14 [“workers were first to do the work in Preah Vihear and that was a pilot programme, and then those farmers were to work in liberated zones.”], 14.31.44 [“A. In Prey Sar, the cooperatives was in the form of farm cultivation.”]; **E1/195.1** Transcript, 22 May 2013, Prum Sou, 10.04.17 [“He also established agricultural worksite, in which I also worked...another worksite was established in Cooperative 31, ...And another production worksite was at B-30”].
- ⁶⁴⁰ **E1/ 17.1** Transcript, 6 December 2011, Klan Fit *alias* Klan Vet, 13.46.56 to 13.49.37 [“I was appointed as the as the commune chief [of] Ta Lao commune, Bar Keo district in the Andoung Meas region.”], 15.48.31 [“only when I was appointed as the sub-district chief in 1976 there were cooperatives.”]; **E1/ 64.1** Transcript, 18 April, 2012, Saut (or Soutr) Toeung, 11.28.39 to 11.31.01 [“Q. [Y]ou indicated that you escorted Nuon Chea to Battambang, Kampong Chhnang, Kampong Speu and the East Zone; is that so? A. Yes, it is... I witnessed people transplant rice in the cooperatives”], 11.27.07 to 11.28.39 [“I worked for him from 1975 through 1978 -- mid-1975 -- rather late 1975 or early 1976. I don't really remember the exact starting point.”]; **E1/99.1** Transcript 31 July 2012, Phy Phuon, 11.33.35 [“I attended study sessions...and during study sessions we were briefed on ...cooperatives in this location and that location.”], 11.53.25 [“In Rattanakiri, we did farming and we were told to be self-sufficient, self-mastery and we had to control what we did”].
- ⁶⁴¹ **E1/ 64.1** Transcript, 18 April, 2012, Saut (or Soutr) Toeung, 11.28.39 to 11. 31.01 [“Y]ou indicated that you escorted Nuon Chea to ... East Zone; is that so? A. Yes, it is... I witnessed people transplant rice in the cooperatives, that's all.”], 11.27.07 to 11.28.39 [“I worked for him from 1975 through 1978 -- mid-1975 -- rather late 1975 or early 1976. I don't really remember the exact starting point.”], 11.35.28 [“Nuon Chea] met with many cooperative heads. Wherever he visited, he would meet with the head of cooperatives”]; **E1/136.1** Transcript, Chum Sokha, 09.52.48 to 09.54.29 [“From 1975 to 1976, I was mistreated...I worked at cooperatives; the cooperatives that I had been working after I had been evacuated by Phnom Penh. I had to work and live in Pou Ban (sic) commune, Kaoh Thum District.”]; **E1/183.1** Transcript, 24 April 2013, Chuon Thi, 09.51.58 to 09.53.21 [“Q. In 1978, when you attended the meeting with Pol Pot, and then the Vietnamese troops attacked into the East Zone, so what was your rank at that time? A. At that time, I was in charge of a battalion.”], 11.13.50 to 11.16.23 [“D]uring the meeting...[Pol Pot] talked about foods and he asked a question regarding cooperatives. He asked whether people had enough food in each cooperative and if there was food shortage what would be the solution to this.”]; **E1/104.1** Transcript, 8 August 2012, Ong Thong Hoeung, 15.52.37 - 15.55.55 [“So 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, but I cannot recall the name of the location exactly.”].
- ⁶⁴² **E1/ 148.1** Transcript, 05 December 2012, Pech Srey Phal, 11.26.31 – 11.28.10 [“Upon arriving in Pursat, we were separated. My husband worked at the plough unit while I was assigned to work at Stueng village, Loung cooperative.”]; **E1/146.1** Transcript, 23 November 2012, Chau Ny, 12.07.22 – 12.09.41 [“At the Chak Thum cooperative, immediately upon arriving the cooperative, we were not given enough food.”]; **E1/135.1** Transcript, 19 October 2012, Yim Sovann, 15.36.03 - 15.38.22 [“I was evicted and I stay in one cooperative in 9 (sic) Commune, Pursat province, in Kbal Chheu Puk cooperative. When I stayed there for about four -- three or four months, then they separated my siblings.”], 15.39.45 [“In that cooperative -- it was in 1978. It was toward the end of 1978, but at that time, to my recollection, it was the time when we transplanted rice and seedling.”]; **E1/138.1** Transcript, 24 October 2012, Lay Bony, 09.14.09 - 09.15.49 [“Q. At the cooperative at Pursat province, did you have enough food -- or was the food plentiful as they said? A. ...whenever the harvest - rather, whenever the rice transplant season came, it was the most difficult time concerning food.”]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 11.26.31 - 11.28.10 [“Upon arriving in Pursat, we were separated. My husband worked at the plough unit while I was assigned to work at Stueng village, Loung cooperative.”]; **E1/199.1** Transcript, 30 May 2013, Sophan Sovany, 11.32.20 - 11.34.24 [“And when we got to Pursat it was early in the morning and then we got on to the truck we went to a cooperative in Kandieng district.”]; **E1/199.1** Transcript, 30 May 2013, Po Dina, 14.24.31 - 14.27.41 [“Can you enlighten the Court when exactly you were evacuated to Pursat and when did you get there? A. To my recollection, it was in late 1975 or early 1976...”], 15.13.08 - 15.16.32 [“I asked people where we were now and they told me that this was Pursat province... Then the unit chief received us and then they put us in the cooperatives and the groups based on the family divisions.”]; **E1/218.1** Transcript, 04 July 2013, Sum Alat, 11.50.29 - 11.52.01 [“...So they had to be exposed to the rice paddies and they got sick and some families just perished entirely. For example, in my cooperative the whole family just died.”]; **E1/149.1** Transcript, 6 December 2012, Hun Chhunly, [“It was

on the 30th of January 1977. By late afternoon, I was called and told that Angkar would like us to go back to the cooperative. So, by the 31st of January 1977, I returned to the cooperative and became the farmer doing farming.”]; **E1/178.1** Transcript, 9 April 2013, Francois Ponchaud, 13.46.58 [“[W]e should also be aware that in 1973 - in order to forgive the Khmer Rouge - the lower-level cooperatives were established so that people could work in cooperatives to produce rice for the population”], 11.47.17 to 11.49.23 [“Q: I asked you, which is when you were in Battambang... A. In 1966 and 1977”], 16.08.11 to 16.10.42 [“In 1977 - what happened until 1977 was part of the ideology; they would like to create New People. They would like them to build dykes and canals and change the way of life.”]; **E1/200.1** Transcript, Soeun Sovandy, 11.30.53 to 11.32.33 [“In 1975, on the 17 of April, I was evacuated through Kbal Thnal, all the way to Chbar Ampov, and then finally I reached S'ang, Kaoh Touch”], 11.32.33 to 11.34.01 [“So, eventually they put me in the work site.”]; **E1/137.1** Transcript, 23 October 2012, Sokh Chhin, 11.11.34 [“how it...knew...transported to different cooperatives? A. ...people were transported from Leach towards the south direction...Svay Sisophon, Battambang, Thma Koul and Phnum Touch...places are either in Battambang or Banteay Meanchey province.”]; **E1/145.1** Transcript, 22 November 2012, Meas Saran, 10.06.37 [“I would only talk about what I saw and upon returning saw people being made to dig the canals and this worksite was near the village”], 09.29.32 [“My wife never knew my native village as we got married in Srei Saophoan and we did not go to Svay Rieng province.”]

⁶⁴³ **E1/ 52.1** Transcript, 21 March 2012, Kaing Guek Eav *alias* Duch, 09.33.14 [“In 1973, I was at Amleang. Cooperatives were established at Peam Commune, Kampong Tralach District, Kampong Chhnang, and also in Amleang District - rather, Amleang Commune, Kampong Speu.”]; **E1/63.1** Transcript, 18 April 2012, Saut (or Sout) Toeung, 15.11.29 [“first January dam” and other dams in Koh Kong and Pursat province. The first January dam was maybe in Kampong Chnang but not sure, also a dam on the border of Kampong Thom and Kampong Cham]; **E1/209.1** Transcript, 20 June 2013, Nou Mao *alias* Mouk, 10.22.33 to 10.25.48 [“Ta Mok would evacuate the population to different - or every zone including ...the West Zone... the people who were placed to live in the cooperatives”]; **E1/127.1** Transcript, 1 October 2012, Khiev En, 09.32.14 - 09.34.26 [“On the 17th of April 1975...I lived somewhere along the river bank, in Kampong Leang district.”], 09.38.32 - 09.40.50 [“There were cooperatives in the communes, so those new evacuees were admitted to those cooperatives.”].

⁶⁴⁴ **E1/ 105.1** Transcript, 9 August 2012, Ong Thong Hoeung, 11.29.14 - 11.31.12 [“...Often, when I meet our peasants, as was the case last week in Chhouk in Kampot province, I questioned the members of the cooperatives to know if they do indeed eat three times a day -- if they have three meals a day.”]; **E1/215.1** Transcript, 1 July 2013, Pech Chim, 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 to 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...”]; **E1/80.1** Transcript, 30 May 2012, Sakim Lmut, 13.39.23 - 13.41.47 [“Q. ...you were told to evacuate from Phnom Penh in the afternoon and you left Phnom Penh toward Kien Svay. A. ...because it was crowded, so we were directed to cross the bridge toward Kien Svay.”], 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.”]; **E1/98.1** Transcript, 30 July 2012, Phy Phuon, 11.23.35 - 11.26.03 [“Q. ...when people were arrested and disappeared from the ministry? A. ...Perhaps it was happening in 1977 and 1978.”], 11.26.03 - 11.28.50 [“Q. And were cadres from the ministry also sent to worksites for tempering? A. Yes, they were...people would be sent to Takhmau production section, which was under the supervision of the ministry.”]; **E1/136.1** Transcript, Yim Sovann, 09.52.48 - 09.54.29 [“From 1975 to 1976, I was mistreated...I worked at...the cooperatives that I had been working after I had been evacuated by Phnom Penh. I had to work and live in Pou Ban (sic) commune, Kaoh Thum District.”]; **E1/141.1** Transcript, 06 November 2012, Mom Sam Oeurn, 09.44.28-09.46.45 [“Q. So, on the 20th of April 1975, where did you arrive? A. We had to go on along the riverbank, we had to go further and further, until we reached Samraong commune.”], and 11.43.31 - 11.45.55 [“My children were ordered to build roads in Tuol Krasang. Five of them went to this worksite... the other son was ordered to Chhoung Leap Pagoda, and the other one was ordered to work in a different worksite.”]; **E1/197.1** Transcript, 27 May 2013, Sou Sotheavy, 09.30.37 - 09.32.34 [“I then reached Champa Pagoda in Kraol Kou district at the 30th of April - on the 30th of April 1975.”], 09.32.34 to 09.35.04 [“The next morning we were evacuated further to Lvea Aem district”], 09.35.04 to 09.36.27 [“When I returned to my home village, we were forced along with the 17 of April People to live in the cooperatives.”]; **E1/148.1** Transcript, 05 December 2012, Pech Srey Phal, 09.38.59 - 09.40.36 [“By the 17th of April 1975, my family was at the same place in Khleang Rumsev, at my uncle's house.”], 10.10.21 to 10.12.07 [“My father and my husband were actually reunited with us in Chamkar Doung, and then we went together as instructed by Angkar in the direction they

pointed us to go until we reached Prey Trab village.”], 10.12.07 to 10.13.49 [“The chief of the Prey Trab cooperative, once we arrived, as we were the newly evacuated people, did not say anything.”]; **E1/147.1** Transcript, 04 December 2012, Toeng Sokha, 11.40.55 – 11.43.36 [“At Bati district, we were made to stay in that area...My family all knew that I was a schoolteacher, and the head of the cooperative could have come to take or to write the biography of mine.”], 15.05.52 to 15.09.08 [“Q. ...While you were still in Bati district, did you see any senior leaders of the Khmer Rouge come to your location? A. ...when we worked at the dam or the worksite, I saw a jeep coming from National Road Number 4 on to the dam...”].

645 **E1/ 82.1** Transcript, 6 June 2012, Sao Sarun, 09.20.09 - 09.23.01 [“Q. In Mondulhiri province, when was the first time that cooperatives were created? A. It was around 1977.”].

646 **E3/5275** TCW-29 OCIJ Statement, at ENG 00284490-94; **E3/5264** TCW-300 OCIJ Statement, at ENG 00283339-46; **E3/5287** [REDACTED] OCIJ Statement, at ENG 00330772-77; **E3/5293** TCW-712 OCIJ Statement, at ENG 00351699-708; **E3/375** TCW-29 OCIJ Statement, at ENG 00360749-64.

647 **E3/5657** [REDACTED] Statement, at ENG 00089771-00089790; **E3/5600** [REDACTED] Statement, at ENG 00217508-55; **E3/5465** [REDACTED] Complaint, at ENG 00505480-81, 00796725-32; **E3/5377** [REDACTED] Complaint, at ENG 00477279, 00824909-14; **E3/510** [REDACTED] OCIJ Statement, at ENG 00290355-60, 00705472, 00705460, 00705367; **E3/508** [REDACTED] OCIJ Statement, at ENG 00277839-43; **E3/5456** [REDACTED] Complaint, at ENG 00474618-23, 00629072-73.

648 **E3/5647** [REDACTED] Statement, at ENG 00184108-10, 00640136-86, 00904165-70; **E3/5278** TCW-79 OCIJ Statement, at ENG 00292819-27; **E3/5654** [REDACTED] Statement, at ENG 00183565-96, 00616417; **E3/5658** TCW-295 Statement, at ENG 00183601-02, 008218633, 00863263-311; **E3/467**, **E3/467** TCW-295 OCIJ Statement, at ENG 00205071-74; **E3/5663** [REDACTED] Statement, at ENG 00184195-97, 00912202-04, 00919894-923; **E3/5641**, **E190.1.62** [REDACTED] Statement, at ENG 00233899-901, 00233899-00233901-R, 00881760-807; **E3/5314** [REDACTED] Statement, at ENG 00207714-15; **E3/5536** TCW-639 OCIJ Statement, at ENG 00359931-36; **E3/71** TCW-639 OCIJ Statement, at ENG 00288619-37; **E3/5307** [REDACTED] OCIJ Statement, at ENG 00651629-30; **E3/5537** TCW-659 OCIJ Statement, at ENG 00404290-98; **E3/5686** [REDACTED] Statement, at ENG 00183597, 00874648-78; **E3/5497** [REDACTED] OCIJ Statement, at ENG 00345956-62, 00702562, 00702628.

649 **E3/5262** [REDACTED] OCIJ Statement, at ENG 00278670-75, 00705458, 00705440-44, 00705365; **E3/5266**, **E3/5266** [REDACTED] OCIJ Statement, at ENG 00282318-23; **E3/5579** TCW-469 OCIJ Statement, at ENG 00373372-80; **E3/5669** TCW-469 Statement, at ENG 00183883, 00656097-108, 00656109-116.

650 **E3/5649** [REDACTED] Statement, at ENG 00184177-82, 00885208-81; **E3/5359**, Chhim Chanthan Complaint, at ENG 00463336, 00939583-89; **E3/5362** [REDACTED] Complaint, at ENG 00463428, 00829696-702; **E3/5469** [REDACTED] Complaint, at ENG 00506479-80, 00746213-28; **E3/5443** [REDACTED] Complaint, at ENG 00456475, 00835147-57; **E3/5364** [REDACTED] Complaint, at ENG 00476653-54, 00869911-18; **E3/5422** [REDACTED] Complaint, at ENG 00481064, 00872972-77; **E3/5380** [REDACTED] Complaint, at ENG 00477363, 00869823-27; **E3/5468** [REDACTED] Complaint, at ENG 00506135-00506136, 00807834-00807852; **E3/5415** [REDACTED] Complaint, at ENG 00480910-11, 00872965 00872971; **E3/5374** [REDACTED] Complaint, at ENG 00477095, 00939597-602; **E3/5367** [REDACTED] Complaint, at ENG 00476830-31, 00869796-802; **E3/5373** [REDACTED] Complaint, at ENG 00477086, 00939590-96; **E3/5425** [REDACTED] Complaint, at ENG 00481228, 00829754-59; **E3/5434** [REDACTED] Complaint, at ENG 00483681, 00939619-24; **E3/5368** [REDACTED] Complaint, at ENG 00824831-38; **E3/5360** [REDACTED] Complaint, at ENG 00463408, 00869904-10; **E3/5366** [REDACTED] Complaint, at ENG 00476819-00476819, 00829709-15.

651 **E3/4661** [REDACTED] Statement, at ENG 00146762-66; **E3/2074** [REDACTED] Statement, at ENG 00183938-41, 00623677-743; **E3/351** [REDACTED] OCIJ Statement, at ENG 00162905-34; **E3/5159** [REDACTED] Statement, at ENG 00305224-39; **E3/5673** [REDACTED] Statement, at ENG 00183921-22, 00329436-65; **E3/1531** [REDACTED] Statement, at ENG 00183468-70, 00269951-70, 00290949-57; **E3/5677** [REDACTED] Statement, at ENG 00184086-87, 00337471, 00597364-79-full; **E3/5693** [REDACTED] OCP Statement, at ENG 00096562-63.

652 **E3/99** CPK Publication entitled "Follow-up of implementation of the political line in mobilizing the National Democratic Front Forces of the Party (Document No. 6)," 22 September 1975, at ENG 00244276 [“In the rural area, rice production groups have been organized. These groups consist of base and new peasants...The new worker forces that will join the cooperative from tomorrow shall be strengthened and expanded.”]; **E3/99** CPK Directive entitled “About the grasp and implementation of the political line of mobilizing the force for the Democratic National Front of the Party”, 22 September 1975, at ENG 00244274-00244278; **The following are directives which discuss the 3 ton per hectare policy;** **E3/12** “Decision of the Central Committee Regarding a number of Matters”, 30 March 1976 at ENG 00182809-14; **E3/1094** Report from M-401 to Angkar, 4 August 1978, at ENG 00315368-83 ; **E3/2012**

Report from the Educational Office of District 105, 30 July 1977, at ENG 00276593-97; **E3/4098** Report to the Party on the confessions of prisoners, 04 August 1976 to 04 May 1977, at ENG 00322114-16; **E3/918** Telegram 254, "Respectfully Presented to Beloved Committee 870", 10 January 1978, at ENG 00182757-58; **E3/1077** Telegram Number 324, "Respectfully Presented to Beloved Committee 870", 10 April 1978 at ENG 00340539-42.

⁶⁵³ **E3/ 3855** Khieu Samphan, *Considerations on the History of Cambodia from the Early Stage to the Period of Democratic Kampuchea*, October 2007, at ENG 00498281.

⁶⁵⁴ **E3/795** DK Military Meeting Minutes entitled "Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions, Secretaries and Deputy Secretaries of Divisions, Secretaries and Deputy Secretaries of Regiments," 2 August 1976, at ENG 00183959-61, 00656569-79; **E3/796** DK Military Meeting Minutes entitled "Minutes of the Meeting of the Committees Attached to Divisions and Independent Regiments," 12 August 1976, at ENG 00183962-63, 00596993-7006; **E3/797**, DK Military Meeting Minutes entitled "Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and Independent Regiments," 18 August 1976, at ENG 00183964-65, 00234456-59; **E3/798** DK Military Minutes entitled "Minutes of the Meetings of Secretaries and Deputy Secretaries of Divisions and Independent Regiments," 30 August 1976, at ENG 00183966-69; **E3/799** DK Military Meeting Minutes entitled "Minutes of Plenary Meeting of the 920th Division," 7 September 1976, at ENG 00184777-81; **E3/822** DK Military Meeting Minutes entitled "Meeting with Comrade Tal, Division 290 and Division 170," 16 September 1976, at ENG 00182791-92, 00381484-86 (Duplicated filling to **E3/809** DK Military Meeting Minutes entitled "Minutes of the Meeting of Secretaries and Logistics of Divisions and Independent Regiments," 19 September 1976, at ENG 00195339-54 [same record as **E3/810**]; **E3/801** DK Military Meeting Minutes entitled "Minutes of the Meeting on Production Work," 30 September 1976, at ENG 00184821-23, 00597952-60; **E3/13** DK Military Meeting Minutes entitled "Minutes of the Meeting of Secretaries and Deputies of Divisions and Independent Regiments," 9 October 1976, at ENG 00183982-94; **E3/237** CPK Meeting Minutes entitled "Situation of the Ministry of Public Works," 10 March 1976, at ENG 00543729-30; **E3/793** DK Military Meeting Minutes entitled "Minutes of the Meeting of Secretaries and Economics of Divisions," 16 May 1976, at ENG 00184820; **E3/795** DK Military Meeting Minutes entitled "Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions, Secretaries and Deputy Secretaries of Regiments," 2 August 1976, at ENG 00183959-61, 00656569-79; **E3/797** DK Military Meeting Minutes entitled "Minutes of the Meeting of Secretaries and Deputy Secretaries of Division sand Independent Regiments," 18 August 1976, at ENG 00183964-65, 00234456-59; **E3/798** DK Military Minutes entitled "Minutes of the Meetings of Secretaries and Deputy Secretaries of Divisions and Independent Regiments," 30 August 1976, at ENG 00183966-69; **E3/799** DK Military Meeting Minutes entitled "Minutes of Plenary Meeting of the 920th Division," 7 September 1976, at ENG 00184777-81; **E3/813** DK Military Meeting Minutes entitled "Meeting of 164 Comrades," 9 September 1976, at ENG 00234009-10, 00657354-56; **E3/811** DK Military Meeting Minutes entitled "Minute of the Meeting with the Organization's office, 703, and S-21," 9 September 1976, at ENG 00178149-50; **E3/800** DK Military Meeting Minutes entitled "Minute of Divisional and Independent Regiment Secretary - Under Secretary's Meeting," 16 September 1976, at ENG 00184338-41; **E3/809** DK Military Meeting Minutes entitled "Minutes of the Meeting of Secretaries and Logistics of Divisions and Independent Regiments," 19 September 1976, at ENG 00195339-54; **E3/801** DK Military Meeting Minutes entitled "Minutes of the Meeting on Production Work," 30 September 1976, at ENG 00184821-23, 00597952-60; **E3/13**, DK Military Meeting Minutes entitled "Minutes of the Meeting of Secretaries and Deputies of Divisions and Independent Regiments," 9 October 1976, at ENG 00183982-94; **E3/815** DK Military Meeting Minutes entitled "Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and Regiments," 18 October 1976, at ENG 00233918-20, 00877015-19; **E3/802** DK Military Meeting Minutes entitled "Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and Independent Regiments," 11 November 1976, at ENG 00184824-25, 00876991-94; **E3/803** DK Military Meeting Minutes entitled "Minutes of the Plenary Meeting of Divisions," 21 November 1976, at ENG 00184826-28, 00656376-92; **E3/804** DK Military Meeting Minutes entitled "Minutes of the Meeting of Secretaries and Logistics of Divisions and Independent Regiments," 15 December 1976, at ENG 00233710-21; **E3/805** DK Military Meeting Minutes of Division 920 entitled "Minutes of Meeting of Division 920," 16 December 1976, at ENG 00185237; **E3/806** DK Military Meeting Minutes of Division 801," 16 December 1976, at ENG 00183957, 00874986-89; **E3/807** DK Military Meeting Minutes entitled "Secretaries and Deputy Secretaries of Divisions and Independent Regiments," 11 March 1977, at ENG 00183949-55.

⁶⁵⁵ **E3/952** Telegram 04 from Central Zone Secretary Ke Pauk to Pol Pot, 02 April 1976, at ENG 00182658 ["The enemy situation in the entire North Zone...vigorously on the offensive building the new rice field dike system according to the goals set by Angkar."]; [same record as **E3/511**].

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E3/273 FBIS, *DK Media Reports for January 1976*, 2 January 1976 - 29 January 1976, at ENG 00167850 ["The 17 April 1975 victory was the greatest victory...build production cooperatives and networks of field embankments for increasing rice production."]; **E3/273** FBIS, *DK Media Reports for January 1976*, 2 January 1976 - 29 January 1976, at ENG 00167853 ["During more than 5 years of Revolutionary of war, under the most clear-sighted leadership of the Cambodian revolutionary organization...our people were able to focus their strength and win final Victory over the enemy ..."]; **E3/273** FBIS, *DK Media Reports for January 1976*, 2 January 1976 - 29 January 1976, at ENG 00167863 ["Southwest Region Production Cooperatives...Thanks to the cooperatives, our people have been able to solve production problems and complete their tasks rapidly."]; **E3/284** FBIS, *DK Media Reports for February 1977*, 1 February 1977 - 25 February 1977, at ENG 00168403 ["Our people—cooperative peasants, male and female combatants and cadres of our revolution throughout the country—...fulfill the political tasks of 1977 in the powerful offensive and people's movement."]; **E3/284** FBIS, *DK Media Reports for February 1977*, 1 February 1977 - 25 February 1977, at ENG 00168430 ["The basic factor leading to the great success in 1976 was that our people, particularly our fraternal cooperative peasants, worked hard and thoroughly implemented all the policies drawn up by our Revolutionary Organization with the main emphasis on economic and agriculture."]; **E3/284** FBIS, *DK Media Reports for February 1977*, 1 February 1977 - 25 February 1977, at ENG 00170009 ["In brief, at all water conservancy project construction sites. Our cooperative peasants are struggling to accomplish their work in an atmosphere of the great militant solidarity. They have tried to overcome all obstacles with a constant willingness to unite with the frontline."]; **E3/284** FBIS, *DK Media Reports for February 1977*, 1 February 1977 - 25 February 1977, at ENG 00170044 ["In all cooperatives, workshops of all types and worksites, we can see cooperative peasants busily collecting and preparing fertilizer; producing farm tools; taking care of farm animals; growing rice, secondary food crops and vegetables; and fulfilling other tasks."]; **E3/1358** FBIS, *DK Media Reports for August 1977*, 1 August 1977 - 31 August 1977, at ENG 00168268 ["In the present era of Democratic Cambodia, under the correct and clear-sighted leadership of the Cambodian Revolutionary Organization, our collective worker-peasant masses...the field of building iron foundries both in the urban and remote areas."]; **E3/1358** FBIS, *DK Media Reports for August 1977*, 1 August 1977 - 31 August 1977, at ENG 00168272 ["The founding of cooperatives was a major achievement of our collective system...mighty collective system functioning under the correct and clear sighted leadership of our Revolutionary Organization."]; **E3/1783** FBIS, *Southeast Asia & Pacific: Chen Yung-Kuei's Cambodia Visit Reported*, 22 December 1977, at ENG 00498180 ["Vice-premier Chen Yung-kuei, deeply moved, said to Secretary Pol pot, "It is a busy farming season now and a great labor force is needed..."We have a common goal that is to make a success in production."]; **E3/1362** FBIS, *DK Media Reports for May 1978*, May 1978 - 26 May 1978, at 00169972 ["In the next day, 27 April, our guests continued their trip to the south western region...revolutionary friendship by several cadres and cooperative members."]; **E3/1362** FBIS, *DK Media Reports for May 1978*, May 1978 - 26 May 1978, at ENG 00170028 ["Since historic 17 April 1975, Democratic Kampuchea has determinedly deepened its socialist revolution...the Kampuchean people become self-sufficient but they have even accumulated hundreds of thousands of tons of rice for export."]; **E3/1362** FBIS, *DK Media Reports for May 1978*, May 1978 - 26 May 1978, at ENG 00170038 ["Our cooperative peasants including those on the battlefronts...always succeeded in supplying our revolutionary armed forces at the frontline of the battle fields with food supplies and munitions."]; **E3/1362** FBIS, *DK Media Reports for May 1978*, 1 May 1978 - 26 May 1978, at ENG 00170040 ["Therefore, we all must constantly strengthen our status as the owners of the country and revolution....cooperatives, worksites, departments, offices and military units."].

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E3/729 *Revolutionary Youth*, 10 October 1975, at ENG 00357903 ["After the liberation of the entire country, 99.9% of the Kampuchean people have been obliged to live in the countryside...increase production ...defending and building the country."]

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E3/748 *Revolutionary Flag*, October - November 1975, at ENG 00495826.

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E3/50 CPK Publication entitled "Third Year Anniversary of the organization of the Peasants Cooperatives," 20 May 1976, at ENG 00636008["On 20 May 1973, the Party decided to organize peasant cooperatives... until great victory was completely achieved on 17 April."]; **E3/50** CPK Publication entitled "Third Year Anniversary of the organization of the Peasants Cooperatives," 20 May 1976, at ENG 00636009["In 1972-73 the Party took measures to organize the people based on political consciousness...and organize cooperatives."]; **E3/50** CPK Publication entitled "Third Year Anniversary of the organization of the Peasants Cooperatives," 20 May 1976, at ENG 00636011["Cooperatives serve as an additional weapon for the Party to attack the enemies economically...But our people and our army forces in the battlefields were in need of rice as they faced difficulty."]; **E3/50** CPK Publication entitled "Third Year Anniversary of the organization of the Peasants Cooperatives," 20 May 1976, at ENG 00636013["The Party assigned direction to strengthen and to extend the cooperatives step by step so that

they become village cooperatives, integrating 1,000 families.”]; **E3/50** CPK Publication entitled “Third Year Anniversary of the organization of the Peasants Cooperatives,” 20 May 1976, at ENG 00636037[“The measure to refashion oneself, and the most effective measure to eliminate all forms of private ownership is to partake in labor in the cooperatives...poor and lower-middle class peasants.”]; **E3/213, E3/213/Corr-1** CPK Publication entitled “The Party's Four Year Plan to Build Socialism in All Fields, 1977-1980,” July 1976 – August 1976, at ENG 00104099[“...In the future, we must confidently teach collectivism to members of co-operatives so that the masses can understand...The masses will observe what they are doing.”]; **E3/213, E3/213/Corr-1** CPK Publication entitled “The Party's Four Year Plan to Build Socialism in All Fields, 1977-1980,” July 1976 – August 1976, at ENG 00104101 [“In some places, such as the Northwest, new people are the majority...take up the key positions on these cooperatives so as not to allow enemies to penetrate the co-operatives at will.”]; **E3/776** CPK Publication entitled “Building and Further Improving the stance of Analyzing all Problems and Phenomena by following the Party's Class Stance,” 17 April 1975 – 07 January 1979, at ENG 00716395- 00716396 [“... That is the people's movement to storm attack to construct water basins, dams, and ditches to yield three tons and six tons...to help cultivation in order to reach the goal of three tons and six tons.”].

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E3/1806 Canadian Government, *Further Submission from the Government of Canada under Commission on Human Rights Decision 9*, 8 September 1978; **E3/3420** Chhang Youk, *Films Related to the Khmer Rouge Regime*, 1979 - 15 March 2007; **E3/2648** DC-Cam, *Mapping the Killing Fields of Cambodia, 1997: Khet Kampong Thom*, 1997; **E3/2066** DC-Cam, *Mapping the Killing Fields of Cambodia 1997, Pursat Province*, 23 May 1997; **E3/2067** DC-Cam, *Banteay Meanchey Province with attachment entitled “Site Form,”* 20 August 1998; **E3/4523** DC-Cam, *Banteay Meanchey Province*, 21 June - 25 June 1999; **E3/4524** Elizabeth Do, *Treatment of the Vietnamese Minority in Democratic Kampuchea from a Comparative Perspective*, 3 June 2010; **E3/3170** ECCC-OCP, *Schedules 1-105*, 18 July 2007; **E3/2683** François Ponchaud, *Le Kampuchea Démocratique: une révolution radicale (Mondes Asiatiques)*, June - September 1976; **E3/1804** François Ponchaud, *Submission from International Commission of Jurists under Commission on Human Rights incl. Some General Indications Concerning Violations of Human Rights in Democratic Kampuchea between 1975 and 1978*, 16 August 1978; **E3/1784, E3/1776** French Ministry of Foreign Affairs, *Cambodian Review (September 1976)*, 17 January 1977; **E3/3421** Keng Vannsak, *Aperçu de la révolution Khmer Rouge, Principes et méthodes*, March 1977; **E3/2589** Khun Mon, *A Cambodian-Vietnamese Couple Under The Khmer Rouge*, May 2005; **E3/3476** Ben Kiernan, *The Khmer Rouge National Army: Order of Battle*, January 1976, 1978; **E3/3244** Henri Locard, *Preah Vihear: Sector or Zone 103*, 31 May 2007; **E3/3863** Henri Locard, *Siem Reap Province: New North Region*, 31 May 2007; **E3/3237** Henri Locard, *Analytical Report by Henri LOCARD entitled “Democratic Kampuchea Prison Network in West Region: Pachoem”*, 31 May 2007; **E3/2071** Locard Henri, *Research Notes on Democratic Kampuchea Prison Network: Northwest Region - Peayaoap and Sisophon and Battambang - Addendum*, 31 May 2007; **E3/3219** Henri Locard, *Northeast: Eisan Region - Zone-Sector 105, Mondulkiri (09)*, 31 May 2007; **E3/3255** Henri Locard, *Northeast: Eisan Region - Zones-Sectors 101, 102, 104, 105, 107, 505, Provinces of Ratanakiri, Mondulkiri, Stung Treng and Kratie*, 14 June 2007; **E3/3265** Henri Locard, *Stung Treng: Dambon 104 & 103*, 16 June 2007; **E3/3274** Henri Locard, *Kratieh - 505: Special Zone*, 24 June 2007; **E3/2618** Min Khin, *Report of total crimes of China, Beijing and their servants, Pol Pot, Ieng Sary and Khieu Samphan on the Cambodian people during 1975-1978*, 29 September 1982; **E3/1805** Norwegian Government, *Submission of the Government of Norway under Commission on Human Rights Decision 9*, 18 August 1978; **E3/2614** PRK Nationwide Council, *Statistics Summary of the Crimes of the Genocidal Pol Pot Regime upon the Kampuchean People during 1975-79*, 7 January 1979; **E3/1917** Sokhym Em, *Rabbit Dropping Medicine*, June 2002; **E3/1919** Sokhym Em, *Revolutionary Female Medical Staff in Tram Kak District*, October 2002; **E3/4528** Sokhym Em, *Revolutionary Female Medical Staff in Tram Kak District*, November 2002; **E3/2413, E3/2414** Ewa Tabeau, *Khmer Rouge Victims in Cambodia, April 1975 - January 1979: A Critical Assessment of Major Estimates*, 30 September 2009; **E3/2617** Tuol Sleng Museum, *Report on genocidal crime of Pol Pot and Ieng Sary in Chheu Teal commune, Svay Rieng Province*, 7 January 1979 ; **E3/3319** UK Government, *Human rights violations in Democratic Kampuchea*, 14 July 1978; **E3/3400** UK Government, *Submission from the Government of United Kingdom of Great Britain and Northern Ireland under Commission on Human Rights Decision 9*, 17 August 1978; **E3/2060** UN Commission on Human Rights, *Analysis Prepared on Behalf of the Sub-Commission by its Chairman of Materials*, 30 January 1979; **E3/1802** US Government, *Submission from the Government of the United States of America under Commission on Human Rights Decision 9*, 14 August 1978; **E3/3472** US National Security Council, *Foreign Policy Ramifications of the Fall of Indochina and Assessment of Developments in Indochina Since the End of the War*, 15 July 1976; **E3/3559** US State Department, *Life Inside Cambodia*, 31-Mar-1976; **E3/3005** US State Department, *Life Inside Cambodia*, 10 May 1976.

- ⁶⁶¹ **E3/ 795** DK Military Meeting Minutes entitled “Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions, Secretaries and Deputy Secretaries of Regiments,” 2 August 1976, at ENG 00656577 [“we must understand that the Party's leadership in every brigade is the determined factor for a success or failure in achieving the 3 tonnes per 1 hectare plan of the Party.”]; **E3/795** DK Military Meeting Minutes entitled “Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions, Secretaries and Deputy Secretaries of Regiments,” 2 August 1976, at ENG 00656577 [“The leadership of each brigade must test themselves in the country rebuilding and agricultural production movements.”]; **E3/796** DK Military Meeting Minutes entitled “Minutes of the Meeting of the Committees Attached to Divisions and Independent Regiments,” 12 August 1976, at ENG 00597003 [“Pay attention to educating cadres, combatants and members of the Youth League so that they absorb the duty of getting one and a half tonnes per hectare of early rice and three tonnes per hectare of late rice.”]; **E3/796** DK Military Meeting Minutes entitled “Minutes of the Meeting of the Committees Attached to Divisions and Independent Regiments,” 12 August 1976, at ENG 00596999 [“The party leadership and the cadre leadership have yet mastered in thoroughly reviewing the technical experiences in farming... Our army never did the farming before, so they do it carelessly”].
- ⁶⁶² **E3/5266** Audio Recording of the interview of [REDACTED] 14 January 2009, at ENG 00282319-20 [“I worked at the salt fields called “Kampong Kandal” at the water basin near Chum Kriel Pagoda... During January and February, the work was night-and-day, without rest.”]; **E3/ 5266** Audio Recording of the interview of [REDACTED] 14 January 2009, at ENG 00282322 [“The work at the salt fields was more difficult, we worked until we had sores on our feet and some who had fallen ill still worked; there was not enough food in late 1977, and we had to eat thin gruel...”]; **E3/1568** Interview with [REDACTED], Phnom Penh, 3 December 1991, at ENG 00651865-66 [same record as **E3/5593**]; **E3/375 TCW-29** OCIJ Statement, at ENG 00360752-5; **E3/361** Chhouk Rin OCIJ Statement, at ENG 00766452-54; **E3/362** Chhouk Rin OCIJ Statement, at ENG 00268896; **E3/421** Chhouk Rin OCIJ Statement, at ENG 00414052-60; **E3/401** Pech Chim OCIJ Statement, at ENG 00381024-25; **E3/5524** [REDACTED] OCIJ Statement, at ENG 00426300-01; **E3/5204** [REDACTED] OCIJ Statement, at ENG 00242083; **E3/5311** [REDACTED] OCIJ Statement, at ENG 00373368-69; **E3/5234** [REDACTED] OCIJ Statement, at ENG 00288207; **E3/5265** [REDACTED] OCIJ Statement, at ENG 00282347; **E3/5527** TCW-641 OCIJ Statement, at ENG 00423723; **E3/5543** TCCP-67 OCIJ Statement, at ENG 00384779.
- ⁶⁶³ **E3/216, E3/ 216/Corr-1** CPK Standing Committee Document entitled “Minutes on the Standing [Committee's] visit to Northwest Zone, August 20-24 1975, at ENG 00193514; **E3/216, E3/216/Corr-1** CPK Standing Committee Document entitled “Minutes on the Standing [Committee's] visit to Northwest Zone, August 20-24 1975, at ENG 00193514; **E3/469** Written Record of Interview of witness TCW-570, 14 March 2008, at ENG 00205113; **E3/5294** Written Record of Interview of Witness TCW-678, 5 July 2009, at ENG 00360113; **IS20.3** Statement of Ieng Sary - DNUM Research and Documentation Center entitled “The True Fact About Pol Pot's Dictatorial Regime” at ENG 00081219; **E3/794** DK Government Meeting Minutes entitled “Minutes of Council of Ministers, 2nd Meeting, 31 May 1976”, at ENG 00182671-00182692; **E3/226** CPK Meeting Minutes entitled “Minutes of Meeting on Health and Social Affairs”, 10 June 1976, at ENG 00183369.
- ⁶⁶⁴ **E3/1100** Telegram 23 from Chhin, Division 920, to Brother 89, 20 May 1976, at ENG 00517910-13; **E3/952** CPK Telegram by Pok entitled “Telegram 94 - Radio Band 1100 - With Respect to Beloved Brother POL,” 2 April 1976, at ENG 00182658-60 [same record as **E 3/511, E3/953**]; **E3/914** DK Military Telegram by Phuong entitled “Telegram 14 - Radio Band 556 - Dear Respected and Beloved M 870,” 31 December 1977, at ENG 00183641; **E3/1218** To respected Brother about the enemy situation in Sectors 101, 102, 104 and 107, 15 November 1976, at ENG 00548800-04.
- ⁶⁶⁵ **E3/3004** Telegram from the US Embassy in Bangkok to the US Secretary of State and various embassies, entitled “Khmer refugee walks out of Phnom Penh,” 1975, at ENG 00495556-61; **E3/3368** Chicago Tribune *Cambodians Flee Red Invaders*, 9 May 1975, at ENG 00444897-98; **E3/4154** New York Times, *Cambodia Reds Are Uprooting Millions As They Impose a 'Peasant Revolution*, 9 May 1975, at ENG 00445279-80; **E3/3366** Los Angeles Times, *Phnom Penh an Empty, Shattered City*, 8 May 1975, at ENG 00445201-02; **E3/4159** New York Times, *Cambodia's Crime*, 9 July 1975, at ENG 00445287; **E3/4158** New York Times, *Urban Exodus Complete, Cambodia Refugees Say*, 13 June 1975, at ENG 00445282-83; **E3/622** Los Angeles Times, *U.S., Vietnam Aided 3 Coup Attempts, Cambodia Says* in, 14 June 1978, at ENG 00445245; **E3/4152** New York Times, *Cambodia's Move In Emptying Cities May Fill Food Need*, 9 May 1975, at ENG 00445281; **E3/3372** Washington Post, *What Befell 3 Million Cambodians?*, 4 June 1975, at ENG 00445435; **E3/622** Los Angeles Times, *U.S., Vietnam Aided 3 Coup Attempts, Cambodia Says*, 14 June 1978, at ENG 00445245; **E3/3382** Washington Post, *A Story of Terror in Cambodia*, 10 May 1978, at ENG 00445468; **E3/4160** New York Times, *Refugees Depict Grim Cambodia Beset by Hunger*, 2 May 1977, at ENG 00445307-08; **E3/3005** Brent Scowcroft, *Life Inside Cambodia*, 10 May

- 1976, at ENG 00495445-73; **E3/3376** New York Times, *Cambodian Leader Cites Progress*, 19 April 1977, at ENG 00445301.
- 666 **E3/1568** TCW-92 and TCW-223 Statement, at ENG 00651564-69 [same record as **E3/5593**]; **E3/4159** New York Times, *Cambodia's Crime*, 9 July 1975, at ENG 00445287["Tens of thousands are believed to have fallen by the wayside, victims of hunger, thirst, exhaustion and disease, including a spreading cholera epidemic"].
- 667 **E3/2720** Telegram from the French embassy in Hanoi to the French Ministry of Foreign Affairs, entitled "Situation of Refugees from Phnom Penh," 28 April 1975, at ENG 00517788-89; **E3/4154** New York Times, *Cambodia Reds Are Uprooting Millions As They Impose a 'Peasant Revolution*, 9 May 1975, at ENG 00445279-80; **E3/4158** New York Times, *Urban Exodus Complete, Cambodia Refugees Say*, 13 June 1975, at ENG 00445282-83; **E3/3373** Washington Post, *Cambodians Are Starving, Refugees Say*, 23 June 1975; **E3/3005** Brent Scowcroft, *Life Inside Cambodia*, 10 May 1976, at ENG 00495445-73; **E3/4138** "Telegram from a French diplomat in Geneva regarding a message sent by the International Red Cross in Geneva to its branch in Phnom Penh, as copied to the French Ministry of Foreign Affairs," 22 April 1975, at ENG 00648632.
- 668 **E3/182** CPK Standing Committee Meeting Minutes entitled "Meeting of the Standing Committee 9 October. 75" at ENG 00183393-00183408 [same record as **E3/183**, **E3/1612**, **E3/1733**]; **E3/233** CPK Standing Committee Meeting Minutes entitled "Minutes of Meeting of the Standing Committee", 13 March 1976, at ENG 00182649-50 [same record as **E3/234**]; **E3/220** CPK Standing Committee Meeting Minutes entitled "Record of Standing Committee Meeting, Commerce Matters," 7 May 1976, at ENG 00182706-07, 00532920, 00532919; **E3/221** CPK Standing Committee Meeting Minutes entitled "Examination of the Reaction of Vietnam During the Fifth Meeting," 14 May 1976, at ENG 00182693-00182705; **E3/229** CPK Standing Committee Meeting Minutes entitled "Minutes, Meeting of Standing Committee," 22 February 1976, at ENG 00182625-27; **E3/235** CPK Standing Committee Meeting Minutes entitled "Summary of the Decisions of the Standing Committee in the Meeting of 19-20-21 April 1976", at ENG 00183416-00183422 [same record as **E3/236**]; **E3/230** CPK Standing Committee Meeting Minutes entitled "Evening of 22 February 1976 - Economic Matters," 22 February 1976, at ENG 00182546-47; **E3/238** CPK Standing Committee Meeting Minutes entitled "Issues of aids from Sweden and Yugoslavia," 28 February 1976, at ENG 00424112-15; **E3/3005** Brent Scowcroft, *Life Inside Cambodia*, 10 May 1976, at ENG 00495456; **E3/4139** Telegram 654 from Richer, French Ambassador in Hanoi, to several embassies through the French Ministry of Foreign Affairs, entitled "Chinese Aircraft in Cambodia," 23 May 1975, at ENG 00648633.
- 669 **E3/200**, **E3/201** Statement of Khieu Samphan - Phnom Penh Domestic Service broadcast entitled "Khieu Samphan's Speech at Anniversary Meeting," 15 April 1977, at ENG S 00004165 ["we succeeded in restoring the economy and rebuilding the country independently and self-reliantly"], 00004165 "Now we can feed our people a sufficient ration allocated by the State. We even have a surplus of grain for export.", 00004165 ["our forces are increasing; food is sufficient; the people's health is better than before; there are more drugs and medicines than before; the cattle herd is larger than in 1976"], 00004166 ["Each construction site of a reservoir, canal or dam is manned by as many as 10,000, 20,000 or even 30,000 workers"], 00004166 ["A sufficient amount of three, two and a half, or two small tin cans [of rice] is allocated daily."], 0004168 ["Our children are happy with driving sparrows away from the crops, tending cattle and buffalo, collecting natural fertilizer and helping to build dams and embankments and dig reservoirs and ditches"].
- 670 **E3/216** CPK Standing Committee Document entitled "Minutes on the Standing [Committee's] Visit to Northwest Zone," August 20 - 24 1975, at ENG 00850974-76; [Thus, if the cooperatives are solid, the enemy will be unable to penetrate them, unable to travel and unable to conduct activities. Their comings and goings will be known, and their requests for food will be known.]; **E3/99** CPK Directive entitled "About the Grasp and Implementation of the Political Line of Mobilizing the Force for the Democratic National Front of the Party," 22 September 1975, at ENG 00244276 ["The enemy cannot persuade these forces who are wholeheartedly happy with us because they have seen that we are clean and equal. On the other hand, they are under our organized control."], 00244276 ["We are fully competent to grasp hold of them. We must organize livelihood meetings and series of training programs for them. Through the meetings and the training, most of them will be changed quickly.]; **E3/746** *Revolutionary Flag*, July 1978, at ENG 00428291-97, 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.]; **E3/727** *Revolutionary Flag*, May - June 1978 at ENG 00185322-347; **E3/291** FBIS, *Defense, Construction Roles of Army in Various Areas*, 1 November 1977, at ENG 00168544-45; **E3/273** FBIS, 23 January 1976, at ENG 001667800; **E3/273** FBIS, 29 January 1976, at ENG 00167799; **E3/1375** FBIS, 20 February 1976,

at ENG 00419024-25; **E3/1375** FBIS, 24 February 1976, at ENG 00419024-25; **E3/276** FBIS, 21 May 1976, at ENG 00168006-20; **E3/287** FBIS, 24 May 1977, at ENG 00168121-22; **E3/287** FBIS, 24 May 1977, at ENG 00168123-24; **E3/288** FBIS, 7 June 1977, at ENG 00168161-62; **E3/290** FBIS, 18 October 1977, at ENG 00168694; **E3/291** FBIS, 2 November 1977, at ENG 00168544-45; **E3/291** FBIS, 8 November 1977, pp. 00168544-45; **E3/1359** FBIS, 12 January 1978, at ENG 00169521-22; **E3/1359** FBIS, 12 January 1978, at ENG 00169521-22; **E3/292** FBIS, 7 February 1978, at ENG 00169176-81; **E3/292** FBIS, 10 February 1978, at ENG 00169176-80; **E3/1360** FBIS, 15 March 1978, at ENG 00169870-71; **E3/1361** FBIS, 14 April 1978, at ENG 00168782-84; **E3/1361** FBIS, 17 April 1978, at ENG 00168819-22; **E3/1362** FBIS, 23 May 1978, at ENG 00169971-72; **E3/77** FBIS, 1 November 1978, at ENG 00170069; **E3/77** FBIS, 21 November 1978, at ENG 00170070; **E3/295** FBIS, 6 December 1978, at ENG 00169029; **E3/1359** FBIS, 12 January 1978, at ENG 00169521-23; **E3/292** FBIS, 7 February 1978, at ENG 00169176-80; **E3/1361** FBIS, 17 April 1978, at ENG 00168819-22; **E3/1362** FBIS, 23 May 1978, at ENG 00169971-72.

671 **E3/729** *Revolutionary Youth*, October 1975, at ENG 00357911.

672 **E3/729** *Revolutionary Youth*, October 1975, at ENG 00357904; **E3/10** *Revolutionary Flag*, September - October 1976, at ENG 00450509 ["If left separate, [intellectuals] will become a separate stratum. If they live together, the absolute majority are certain to become worker class."]; **E3/1113** Telegram 61 from Kan Report from Kan - copied to Saloth Sar *alias* Pol Pot, Nuon Chea, Ieng Sary *alias* Van, Penh Thuok *alias* Vorn Vet *alias* Vorn, Office and Documentation, 15 March 1978, at ENG 00434864-66.

673 **E3/729** *Revolutionary Youth*, October 1975, at ENG 00357903 ["In a complex situation where more than two million new people have just gone down to live in the countryside and enemy agents and various other bad elements are still chaotically mixed in among the ranks..."].

674 **E3/729** *Revolutionary Youth*, October 1975, at ENG 00357904 ["in the cooperatives class combat and class contradictions are constantly being sorted out"].

675 **E3/729** *Revolutionary Youth*, October 1975, at ENG 00357909.

676 **E3/193** *Revolutionary Flag*, August 1977, at ENG 00399225, 00399240 [discussing eliminating "germs", "rotten flesh" and enemies from the working forces; "The no-good classes holding power in the cooperatives, what is their true nature? They are counter-revolutionary..."]; **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486253 [These elements are small in number, one to two percent of the population.].

677 **E3/ 216**, **E3/216/Corr-1** CPK Standing Committee Meeting Minutes entitled "Minutes on the Standing [Committee's] visit to Northwest Zone, August 20-24 1975," 20 August 1975 - 24 August 1975, at ENG 00850975 - 00850976 ["... Cooperatives have already performed functions in two stages... Thus, if the cooperatives are solid, the enemy will be unable to penetrate them, unable to travel and unable to conduct activities. Their comings and goings will be known and their requests for food will be known."]; **E3/229** CPK Standing Committee Meeting Minutes entitled "Evening of 22 February 1976 - National Defense Matters," 22 February 1976, at ENG 00182626 ["Must be vigilant: Defend our forces, do not let them smash our forces, and concentrate on maintaining secrecy, not letting brothers and sisters zoom around in circles, communications must be quiet."]; **E3/213** CPK Standing Committee Meeting Minutes entitled the "Party's Draft of a Four- Year Plan for the Construction of Socialism in all Domains, 1977- 1980," 21 July to 2 August 1976, at ENG 00103989-00104170, 00816148, 00816150; **E3/216** CPK Standing Committee Document entitled "Minutes on the Standing [Committee's] visit to Northwest Zone," 20 August - 24 August 1975, at ENG 00850973-78, 00850972; **E3/182** CPK Standing Committee Meeting Minutes entitled "Meeting of the Standing Committee," 9 October 1975, at ENG 00183393-00183408 [same record as **E3/183**, **E3/1612**, **E3/1733**]; **E3/229** CPK Standing Committee Meeting Minutes entitled "Minutes, Meeting of Standing Committee," 22 February 1976 at ENG 00182625-27; **E3/235** CPK Standing Committee Meeting Minutes entitled "Summary of the Decisions of the Standing Committee in the Meeting of 19-20-21 April 1976," at ENG 00183416-22 [same record as **E3/236**].

678 **E3/1093** Report from M-401 to Angkar, 23 July 1978, at ENG 00143593-95.

679 **E3/2728** BBC/SWB, *Pol Pot on Evacuation of Phnom Penh City Residents*, 4 October 1977, at ENG 00390921.

680 **E1/ 189.1** Transcript, 6 May 2013, Philip Short, at 15.18.44; **E3/1093** Report from M-401 to Angkar, 23 July 1978, at ENG 00143593-94; **E3/1092** Report from M-401 to Angkar, 16 July 1978, at ENG 00622994-95.

681 **E1/190.1** Transcript, 7 May 2013, Philip Short, 15.22.48 to 15.24.15 ["If somebody behaved badly in a cooperative... that was seen as bourgeois tendencies emerging in that person... appropriate retribution here was death..."].

682 **E3/259** DK Government Legal Documents entitled "Constitution of Democratic Kampuchea", at ENG 00184834 ["All important general means of production are the collective property of the people's State

and the common property of the people's collectives.”], 00184836[“There is absolutely no unemployment in Democratic Kampuchea.”]; **E3/214** Statute of Communist Party of Kampuchea, at ENG 00184024 [“construct socialism in an absolute monopoly in every sector”], 00184025[“Each party member must trust and depend upon the power of the popular masses, ... the worker-peasants in the unions and cooperatives ...”].

683 **E3/191** Nuon Chea Statement, at ENG S 00004073-76[“We must strive to build, strengthen, expand and improve it and make it capable of defending and building the country”],00004076 [“We must preserve this tradition and position. Strengthening and expanding if for our national defence and construction task....will gradually grow”],00004076[“The conditions for our Cambodian revolution have been gradually improving and it has grown stronger and developed in every respect, steadily moving forward.”].

684 **E3/108** Statements of Khieu Samphan and Nuon Chea, 9 June 2006 - 11 June 2006, at ENG 00000927 [“We should learn from our history. We have to believe and support agricultural policy...We have to work hard.”];**E3/108** Statements of Khieu Samphan and Nuon Chea, 9 June 2006 - 11 June 2006, at ENG 00000928 [“They evacuated people to live in cooperative. In the cooperative people were not free but they had enough food to eat. And the country could also strong enough to fight our enemy.”].

685 **E3/ 1589** Ieng Sary Statement, at ENG 00185419[“In 1973 we have started the agricultural societies in the liberated areas. Now we have agricultural societies all over the country.”]; **E3/86** Ieng Sary Statement, at ENG 00081213-22.

686 **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401483 [“Agricultural products, in particular the paddy harvest, was in the hands of the revolution. The businessmen and capitalists died...They continue to be in conflict with the revolution.”];**E3/762** *Revolutionary Flag*, August 1976, at ENG 00486746 [“We fundamentally rely upon agriculture to get the agriculture capital to strengthen and expand industry.”], ENG 00486746 [“These days the revolutionary forces...transform our land, the most important capital of all, so that it will quickly produce harvests...Therefore, this is why we attack in terms of agriculture...collective foundation of the proletarian class.”]; **E3/139** *Revolutionary Flag*, November 1976, at ENG 00455313 [“We have the strategic lines of socialist revolution and building socialism. This acting is the operational line. ... Push the weak to become strong. Push the strong to be even stronger.”]; **E3/773** *Revolutionary Youth*, October - November 1977, at ENG 00517902 [“In 1976...in Prasautr district...cooperatives ...achieved the 3 tons per 1 hectare plan of the Party totally...followed the correct and bright line of our Communist Party of Kampuchea.”]; **E3/25** *Revolutionary Flag*, December 1976 - January 1977, at ENG 00491400 [“We strengthened and expanded the position of collectivity in general throughout the entire nation and society.”], 00491400 [“New collective production contacts have been strengthened and expanded...”],00491423[“We did 100 percent of our own agriculture...we must maintain this stance; we must strengthen this stance in order to build the country strongly.”]; **E3/748** *Revolutionary Flag*, October - November 1975,at ENG 00495808 [“The Party has to rebuild a new economy in the most rapid manner that is mainly depending on agriculture.”],00495809 [“The strategies and methods for economic construction based on the agriculture and industry...can not be achieved in an isolated policy.”],ENG 00495814 [“the substantive rulings in the Party's resolution...mean:...4. to formulate a primary agriculture foundation as a backbone for the Party'seconomic reconstruction”], 00495826 [“The cooperative is mandatory to mobilize the labor forces among the base peasants for all kinds of production, including agricultural and handicraft production etc. and industrial production in the long run”], 00495826 [“The cooperative is...an organized structure of basic class that has so far been serving the national democratic Revolution and they will serve the socialism Revolution...We must relentlessly strengthen and expand the cooperatives”];**E3/146** *Revolutionary Youth*, August -September 1974, at ENG 00538738 [“the task to organize strengthen and expand the cooperative at the rear battleground”; discussing aiding the revolution by working in the cooperatives]; **E3/743** *Revolutionary Flag*, July 1977, at ENG 00476160 [“Up until today, our cooperatives have strengthened and expanded politically, ideologically, and organizationally.”]; **E3/215** *Revolutionary Flag*, September 1978, at ENG 00488626 [“our socialist revolution is operating well and is gradually strengthening and expanding itself, with:...our collective cooperative regime throughout the country, constantly strengthening and expanding itself well”], 00488631 [“This makes clear the power of socialist revolution through the organization of the cooperatives since 1973.”],00488636 [“whatever must be done to serve production”].

687 **E3/165** General Assembly first session of representative assembly of Kampuchea people, 11-13 April 1976, at ENG 00184057, 00184070.

688 **E1/190.1** Transcript, 7 May 2013, Philip Short, at 09.42.10.

689 **E3/50** Third Year Anniversary of the Organization of Peasant Cooperatives (20 May 1973 to 20 May 1976), at ENG 00636009; **E3/794** DK Government Meeting Minutes entitled “Minutes of Council of

- Ministers, 2nd Meeting,” 31 May 1976, ENG 00182677-84; **E3/817, E3/818** DK Government Meeting Minutes entitled “Minutes of Council of Ministers” 22 April 1976, at ENG 00143460-73.
- 690 **E3/3365** Los Angeles Times, *Millions Sent to Retraining Zones – Red Forces ‘Purifying’ Cambodia*, 8 May 1975, at ENG 00445200 [“That afternoon the whole population was ordered to leave the capital for “the north” – the “purification zones”].
- 691 **E19 0.1.398** “Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes: Cambodian Accountability in Comparative Perspective”, March 2003, at ENG 00661460; **E1/221.1** Transcript, 10 July 2013, Stephen Heder, 16.04.27 to 16.08.03; **E3/16, E3/3855** Khieu Samphan, *Considerations on the History of Cambodia from the Early Stage to the Period of Democratic Kampuchea* October 2007, at ENG 00498302 [“He had great faith in the cooperatives because 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”].
- 692 **E1/93.1** Transcript, 20 July 2012, David Chandler, 09.25.12 to 09.26.11.
- 693 **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486226-33.
- 694 **E1/58.1** Transcript, 3 April 2012, KaingGuekEavaliasDuch, 11.24.07 to 11.29.20 [“after 1975, the monarchy were to be smashed as long as they were encountered; there was no discrimination...I believe that the royal family members were also smashed...The feudalist landlords were also smashed.”].
- 695 **E3/147** Nuon Chea Speech, 16 January 1977, at ENG 00168467.
- 696 **E1/21.1** Transcript, 13 December 2011, Nuon Chea, 09.18.35 to 09.29.24; **E3/147** Nuon Chea Speech, 16 January 1977, at ENG 00168467.
- 697 **E3/26** Nuon Chea Interview, 25 May 2009, at ENG 00329515.
- 698 **E3/22, E3/2114** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393755; **E3/16, E3/3855** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498240; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396346-47.
- 699 **E1/52.1** Transcript, 21 March 2012, KaingGuekEavalias Duch, 10.14.42 to 10.18.29; see also **E1/56.1** Transcript, 29 March 2012, KaingGuekEavaliasDuch, 09.43.59 to 09.46.27 [The Party's policy towards the enemy is stable, as the renounced enemy would be smashed...We had stable policies against the enemies, that is, the enemies were to be killed.”].
- 700 **E1/50.1** Transcript, 19 March 2012 Kaing Guek Eav alias Duch, 15.55.05.
- 701 **E1/224.1** Transcript, 16 July 2013, Stephen Heder, 15.12.04 [“Smash (*komtech*)...Smash means kill”]; 15.15.32-15.12.04 [“‘Smash’ which I agree according to many respondents was a euphemism generally used to mean “kill”].
- 702 For Example **E3/2445** Reports between sub-district offices, district offices and Kraing Ta Chan Security Office, 12 June 1977 - 17 September 1977, at ENG 00363653-00363654; **E3/2447** Reports between communes, district offices and Kraing Ta Chan Security Office, 6 September 1977, at ENG 00355473-74; **E3/918** Telegram 254 from Sae to Committee 870, 10 January 1978, at ENG 00182757-58; **E3/1077** Telegram 324 from North Zone Secretary Se to Committee 870, 10 April 1978, at ENG 00340539-42.
- 703 Case 001, TC Transcript, Duch, 7 April 2009, at 80-89; **E3/1569** Duch Statement, at ENG 00185476; **E3/61** Duch Statement, at ENG 0195575.
- 704 **E3/72** Phan Chhen Statement, at +
- 705 **E3/785** *Revolutionary Flag*, June 1974, at ENG 00713999.
- 706 **E3/ 3865** Amnesty International, *The Amnesty International Report 1975-1976 Democratic Kampuchea (Cambodia)*, May 1976; **E3/4520** Amnesty International, *The Amnesty International Report 1975-1976: Democratic Kampuchea (Cambodia)*, May 1976; **E3/4521** Amnesty International, *Submission from Amnesty International under Commission on Human Rights Decision 9 (XXXIV)*, 14 July 1978; **E3/2061** Bowers Charles, *Site Form Tlork Memorial and Site Form Boeng Rain Memorial*, 4 October -1995 to 7 April 1995; **E3/3541** Bunsou, *Site Form*, 26 December 1999; **E3/1806** Canadian Government, *Further Submission from the Government of Canada under Commission on Human Rights Decision 9*, 8 September 1978; **E3/2069** Dara Peuo Vanthan, *Mapping Report*, 1999, *Kompong Chhnang Province*, 10 June 1999; **E3/2616** DC-Cam, *Research document on genocide crime from 1975-1979 of Prey Kabass District, Takeo Province*, 30 September 1995; **E3/2631** DC-Cam, *Report on CGP Mapping Team Visit to Kampong Cham Province*, 17 October 1995; **E3/2648** DC-Cam, *Mapping the Killing Fields of Cambodia*, 1997: *Khet Kampong Thom*, 1997; **E3/2630** DC-Cam, *Mapping the Killing Fileds of Cambodia*, 1997: *Khet Kampong Cham*, 1997; **E3/2063** DC-Cam, *Mapping the Killing Fields of Cambodia*, 1 April 1997; **E3/4522** DC-Cam, *Mapping the Killing Fields of Cambodia 1997: khet Banteay Meanchey*, 29 April 1997; **E3/2065** DC-Cam, *Mapping the Killing Fields of Cambodia*, 1997: *khet Battambang with attachment entitled "Site Form"*, 3 May 1997; **E3/2066** DC-Cam, *Mapping the Killing Fields of Cambodia 1997, Pursat Province*, 23 May 1997; **E3/2632** DC-Cam, *Kampong Cham Province*, 1998; **E3/3536** DC-Cam, *Kampong Thom Province*, 1998; **E3/3537** DC-Cam, *Takeo Province*, 11 August 1998;

E3/3538 DC-Cam, *Battambang Province*, 17 August 1998; **E3/2067** DC-Cam, *Banteay Meanchey Province with attachment entitled "Site Form"*, 20 August 1998; **E3/2627** DC-Cam, *Kratie Province*, 7 December 1998; **E3/3540** DC-Cam, *Siem Reap Province*, 17 December 1998; **E3/2068** DC-Cam, *Possible evidence against Duch*, 1 May 1999; **E3/4523** DC-Cam, *Banteay Meanchey Province*, 21 June - 25 June 1999; **E3/2629** DC-Cam, *Mapping Project 1999: Kampong Thom*, 10 August 1999; **E3/2070** DC-Cam, *Mapping Project 1999: Monduliri Province*, 29 December 1999; **E3/1808** DC-Cam, *List of Foreigners Smashed at S-21*, July - December 2002; **E3/2954** DC-Cam, *Forensic Pathology and Anthropology of Historical Mass Killing in Cambodia*, 14 January 2004; **E3/2378** DC-Cam, *DK Prison*, 23 August 2006; **E3/2765** DC-Cam, *Memorial*, 7 November 2006; **E3/160** DC-Cam, *The Khmer Rouge Communication Documents 1975-1978*, 14 November 2006; **E3/2763** DC-Cam, *Burial*, 18 February 2008; **E3/2764** DC-Cam, *DK Prison*, 18 February 2008; **E3/3867** DC-Cam, *List of Prisoners Smashed at S-21 (Tuol Sleng)*, 18 March 2008; **E3/3866** DC-Cam, *List of names of Cambodian ambassadors and diplomatic personnel in foreign countries incarcerated at S-21*, 18 March 2008; **E3/2064** DC-Cam Team A, *Site Forms 31208, 31209, and 31210*, 8 April 1997; **E3/2622** DK-Military, *Genocide in Treang District*, 1983; **E3/3170** ECCC-OCP, *Schedules I-105*, 18 July 2007; **E3/1807** Etcheson Craig, *'The Number' - Quantifying Crimes Against Humanity in Cambodia*, 2000; **E3/1916** Etcheson Craig, *Mok's Work*, 8 August 2000; **E3/4525** Etcheson Craig, *OCP Mission to Batheay District, Kampong Cham Province*, 30 July 2007; **E3/2623** Faculty of medicine (P.M.I.), *Crimes and their Repercussions on Public Health under the Pol Pot - Ieng Sary - Khieu Samphan Genocidal Regime*, 20 July 1989; **E3/3415** Foreign and Commonwealth Office, *Materials from the British Foreign and Commonwealth Office*, 9 May 2005; **E3/1804** François Ponchaud, *Submission from International Commission of Jurists under Commission on Human Rights incl. Some General Indications Concerning Violations of Human Rights in Democratic Kampuchea between 1975 and 1978*, 16 August 1978; **E3/1784**, **E3/1776** French Ministry of Foreign Affairs, *Cambodian Review (September 1976)*, 17 January 1977; **E3/3535** Hak Sophal & Bowers Charles, *CGP Site Form*, 17 November 1995; **E3/2111**, **E3/2112** Hak Sophal & Bowers Charles, DC-Cam, *Sihanouk Ville Genocide Report*, 15 December 1995; **E3/4526** Heder Stephen, *Documentary Evidence Linking Surviving Senior Leaders of the Communist Party of Kampuchea to Crimes Against Humanity in Cambodia, 1975-1979*, August 1999; **E3/3327** International Commission of Jurists, *Further Submission from the International Commission of Jurists under Commission on Human Rights Decision 9*, 20 December 1978; **E3/3151**, **E3/3152**, **E3/3153** Jansen Geerteke, *Voices of Takeo: A Pilot Fear Assessment with Respect to Possible Witnesses of the Extraordinary Chambers in the Courts of Cambodia*, July - October 2006; **E3/3862** Jarvis Helen, *Report on CGP Survey Visit to Siem Reap Province*, 21 October 1995; **E3/2589** Khun Mon, *A Cambodian-Vietnamese Couple Under The Khmer Rouge*, May 2005; **E3/2329** Kiernan Ben and Chanthou Boua, *Bureaucracy of Death*, 2 May 1980; **E3/3237** Locard Henri, *Analytical Report by Henri LOCARD entitled "Democratic Kampuchea Prison Network in West Region: Pachoem"*, 31 May 2007; **E3/2071** Locard Henri, *Research Notes on Democratic Kampuchea Prison Network: Northwest Region - Peayaoap and Sisophon and Battambang - Addendum*, 31 May 2007; **E3/3214**, **E3/3215** Locard Henri, *S-21 & Phnom Penh under DK*, 31 May 2007; **E3/3209** Locard Henri, *Bophea Region: Dambo 20 to 24*, 31 May 2007; **E3/3244** Locard Henri, *Preah Vihear: Sector or Zone 103*, 31 May 2007; **E3/3232** Locard Henri, *Niredey region*, 31 May 2007; **E3/3863** Locard Henri, *Siem Reap Province: New North Region*, 31 May 2007; **E3/2649** Locard Henri, *Kompong Cham: West Bank of the Mekong, Old North Region, Zone or Sectors 41 & 42*, 31 May 2007; **E3/3219** Locard Henri, *Northeast: Eisan Region - Zone-Sector 105, Monduliri (09)*, 31 May 2007; **E3/3218** Locard Henri, *Kompong Thom -Uddor Region Sector or Zone 43*, 31 May 2007; **E3/3255** Locard Henri, *Northeast: Eisan Region - Zones-Sectors 101, 102, 104, 105, 107, 505, Provinces of Ratanakiri, Monduliri, Stung Treng and Kratie*, 14 June 2007; **E3/3265** Locard Henri, *Stung Treng: Dambo 104 & 103*, 16 June 2007; **E3/3274** Locard Henri, *Kratie - 505: Special Zone*, 24 June 2007; **E3/2618** Min Khin, *Report of total crimes of China, Beijing and their servants, Pol Pot, Ieng Sary and Khieu Samphan on the Cambodian people during 1975-1978*, 29 September 1982; **E3/2062** Neang Vorn, *Brief History of Genocide Center Kraing Ta Chan*, 6 March 1996; **E3/1805** Norwegian Government, *Submission of the Government of Norway under Commission on Human Rights Decision 9*, 18 August 1978; **E3/3539** Phat Kosal, Sin Khin, Ouch Sam Oeun, *Site Form (Kok Kduoch)*, 9 December 1998; **E3/1993** PRK Tribunal, *Important Culprits (arrested from 1976 to April 9, 1978)*, August 1979; **E3/1800** Rasy Pheng Pong, *The Security System of Special Zone's Office M-13*, 2003; **E3/3419** Run Bun Thel, *Statistics of antiquities, ancient temples, and genocidal graves*, 28 August 1981; **E3/2066** Sin Khin, *Site Report Form Number 150201*, 23 May 1997; **E3/2620** Sokh Cheng, *Statistics of Research on Genocidal Center of Pol Pot and Ieng Sary for 3 years, 8 months and 20 days*, 15 February 1990; **E3/1918** Sokhym Em, *Criticism and Self-Criticism*, July 2002; **E3/4528** Sokhym Em, *Revolutionary Female Medical Staff in Tram Kak District*, November 2002; **E3/2628** Sour Bunsou and Razi, *Mapping Project 1999: Ratanak Kiri*

Province, 7 December 1999; **E3/1803** Tan Senarong, Seng Bungkheang, Sour, *List of S-21 Prisoners with Annotations Indicating Torture*, October 2006; **E3/2617** Tuol Sleng Museum, *Report on genocidal crime of Pol Pot and Ieng Sary in Chheu Teal commune, Svay Rieng Province*, 7 January 1979; **E3/3319** UK Government, *Human rights violations in Democratic Kampuchea*, 14 July 1978; **E3/3400** UK Government, *Submission from the Government of United Kingdom of Great Britain and Northern Ireland under Commission on Human Rights Decision 9*, 17 August 1978; **E3/2060** UN Commission on Human Rights, *Analysis Prepared on Behalf of the Sub-Commission by its Chairman of Materials*, 30 January 1979; **E3/2621** Unknown, *Pol Pot Genocide in Batie District*, 7 January 1979; **E3/1802** US Government, *Submission from the Government of the United States of America under Commission on Human Rights Decision 9*, 14 August 1978; **E3/3472** US National Security Council, *Foreign Policy Ramifications of the Fall of Indochina and Assessment of Developments in Indochina Since the end of the war*, 15 July 1976; **E3/3005** US State Department, *Life Inside Cambodia*, 10 May 1976; **E3/220** DC-Cam, Mapping the Killing Fields of Cambodia 1995-2003 at ENG 00194821-29; **E3/514** DC-Cam, Mapping the Killing Fields of Cambodia 1975-1979; **E3/3218** Henri Locard, Kompong Thom-Eddor Region Sector or Zone 43, at ENG 00208411-38; **E3/3209** Henri Locard, Bophea Region: Dambon 20-24, at ENG 00403131-91; **E3/3232** Henri Locard, Niredey Region, at ENG 00217621-89; **E3/221** Henri Locard, Research Notes on Democratic Kampuchea Prison Network: Northwest Region, at ENG 000887303-32; **E3/2649** Henri Locard, Kompong Cham, at ENG 00208385-410; **E3/3863** Henri Locard, Siem Reap Province: New North Region, at ENG 00164149-207.

707 **E1/84.1** Transcript, 11 June 2013, Khoem Ngorn, 13.49.18 to 13.51.19 [“Those accused enemies were Chroeung and Thoeun. Chroeung was arrested and sent to S-21, while Thoeun successfully escaped...do you confirm what you told the Co-Investigating Judges...? A. Yes, I do.”]; **E1/139.1** Transcript, 25 October 2012, Kung Kim, 09.37.14 to 09.39.06 [“This prison was located to the east of - to the southeast of Wat Phnom.”]; **E1/105.1** Transcript, 9 August 2012, Ong Thong Hoeung, 13.46.09 [“I went to work at Tuol Sleng for about two to three months.”], 13.46.09, [“I organized the files, in particular the confessions of those people who were killed there. Also I organized the list of those prisoners who were taken out and killed.”]; **E1/103.1** Transcript, 7 August 2012, Ong Thong Hoeung, 15.51.44 to 15.54.41 [“I went to...S-21, and I worked there...And there - where I learned that those comrades who disappeared had their names at Tuol Sleng...those friends were sent to be killed at Prey Kong, or Kong Forest.”]; **E1/104.1** Transcript, 8 August 2012, Ong Thong Hoeung, 15.26.09 to 15.28.24 [“When we left Dei Kraham we came to work in Tuol Sleng office. We found some names of the Cambodian returnee from overseas...”]; **E3/34** Long Norin OCIJ Statement, at ENG 00223558 [“The orders came from the Center or from Pol Pot to S21, and S21 security came right inside...and told them that Angkar called them to study, and after they were arrested they were never seen to return.”]; **E3/97** Ong Thong Hoeung OCIJ Statement, at ENG 00287107 [“...it is safe to assume that he was tortured and executed. I worked at Tuol Sleng from August to November 1979”]; **E3/420** Prum Sou OCIJ Statement, at ENG 00422379 [“Bang Hang was arrested and sent to upper level, probably Tuol Sleng, and many other cadres of the Sector's office were arrested to Zone Security Centres in Siem Reap province.”]; **E3/361** Chhouk Rin OCIJ Statement at ENG 00766452,00766456; **E3/362** Chhouk Rin OCIJ Statement, at ENG 00268895-96 [“Son Sen sent me to the East Zone along with others in late 1977 to arrest all the cadres there who were traitors...the military commanders were sent to a reeducation site, probably meaning S-21, I imagine...”]; **E3/1647** Khoem Ngorn OCIJ Statement, at ENG 00375676 [“There were purges against those alleged as enemies, CIA or KGB. Chroeung and Thoeun were alleged as enemies. Chroeung was arrested and sent to S-21...”]; **E3/3959** Kung Kim OCIJ Statement, at ENG 00278683 [“Those prisoners were only at my location for two or three nights before they were taken to Tuol Sleng.”].

708 **E1/83.1** Transcript, 7 June 2012, Khoem Ngorn, 15.32.27 [“It was the Ministry of Foreign Affairs and it was, of course, B-1, but amongst them there were other houses for guest.”]; **E3/1647** Khoem Ngorn OCIJ Statement, at ENG 00375676 [“There were purges against those alleged as enemies...Many people went missing at B-1; and it is unknown to where they were taken or transferred.”].

709 **E1/71.1** Transcript, 2 May 2012, Pean Khean, 14.10.43 to 14.13.32 [“After Phnom Penh was liberated, I recall K-1, K-3 and K-7. K-7 was at the riverfront. K-3 and K-1 were at the riverfront to the south of the Independence Monument.”]; **E3/435** Pean Khean OCIJ Statement, at ENG 00375889 [“I knew that K -7 was located in the north of the Independence Monument, along the riverside, near Unnalaum pagoda.”].

710 **E1/138.1** Transcript, 24 October 2012, Kung Kim, 15.41.50 to 15.43.41 [“Q: When was that prison of Division 310 established?...in late 1975 and 23 early 1976.”], 15.49.50 to 15.52.00 [“As the guards providing security at the prison, we noted that the interrogators were not members of our division...they were in a higher command than our division...”]; **E1/139.1** Transcript, 25 October 2012, Kung Kim, 09.37.14 to 09.39.06 [“This prison was located to the east of - to the southeast of Wat Phnom.”]; **E3/3959** Kung Kim OCIJ Statement, at ENG 00278683 [“In late 1975 or early 1976, I was assigned to guard a

- prison north of Watt Phnom...I saw prisoners being tortured by the Khmer Rouge in that prison... Those prisoners...were taken to Tuol Sleng.”].
- 711 **E1/83.1** Transcript, 7 June 2012, Khoem Ngorn, 14.26.03 to 14.28.20 [“I heard from others that those who worked as a spy or those who was lazy or those who stole the cooperative’s property, for example potatoes or so. So those people were considered enemies.”]; **E3/1648** Khoem Ngorn OCIJ Statement, at ENG 00183607 [“Pheuang beat people...and arrested people who were sent to Prey Sar...Prey Sar was the only prison Ngon knew existed for sure...Those sent to Prey Sar were accused of being lazy or were reported by those engaged in surveillance.”].
- 712 **E1/130.1** Transcript, 4 October 2012, Meas Voeun, 11.22.49 to 11.25.17 [“I never went there, but I was told by my combatants that there was a security centre at Kaoh Khyang, and it was quite a fair distance between Prey Nob and Kaoh Khyang.”]; **E3/80** Meas Voeun OCIJ Statement, at ENG 00784311. [“...there was a security centre in Prey Nob district (Kampong Som province); it was Koh Khyang Security Centre... some...Division 1 soldiers were arrested and sent to Koh Khyang security centre.”]; **E1/183.1** Transcript, 24 April 2013, Chuon Thi, 15.23.07 [“When I arrived in Koh Khyang Prison, they shackled my ankles and tied up my arms for 24 hours. In that prison, once every two days, they took me out to be interrogated”]; **E3/4593** Chuon Thi OCIJ Statement, at ENG 00513318 [“I used to hear when soldiers said that they knew about a security centre in KohKyang (in Koh Kong) but I never went there. KohKyang Prison was established in 1978 for detaining the lazy, the stealer who were civilians.”].
- 713 **E1/139.1** Transcript, 2 July 2013, Lev Lam, 09.18.19 to 09.20.00 [“I walked near the Damrei Srot prison and I saw they buried the dead bodies.”], 09.41.19 to 09.43.40 [“ There were about 200 families; some still alive, some had disappeared.”], 10.04.52 to 10.07.29 [“ During the sorting of the people I was not aware of it. But would be put to one side. And for the other people, they would be put to another group. And later on, those people in the latter group disappeared.”], 10.13.25 to 10.15.55 [“After the meeting and after the sorting out of the biographies, some of those people disappeared, they were smashed.”], 11.03.00 to 11.04.40 [“Q. Are you able to provide an estimate to the Court of the total number of people who were killed at that execution site? A. In total, there could be six - 70 to 80 people who were killed.”]; **E3/4630** Lev Lam OCIJ Statement, at ENG 00274645 [“... I knew another place [prison camp] called Trapaing Pring which was also located in Svay Chuk commune. Trapaing Pring was a worksite for only cadre prisoners...”], 00274647 [“At that time, there was an order to kill approximately 100 families in early rainy season in 1975; this order was immediately implemented.”].
- 714 **E3/ 5768** Chum Sokha OCIJ Statement, at ENG 00380712, 00380716 [“... I was tortured only once during the interrogation. It was called the Tuol Prasrey security centre, north of Chhae Kach Mountain.”].
- 715 **E1/136.1** Transcript, 22 October 2012, Chum Sokha, 13.49.57 to 13.52.35 [“Uncle Meak had been arrested...So, he was detained at the security centre at Samraong village.”], 13.54.06 [“And later on I learned that because of his connection as a military officer, he was tempered and forced to work hard in a security centre in Trapeang Leak Kbal, to the east of my Kdei village.”], 16.05.24 [“I had suffered dearly when I was arrested and detained at a security centre in Ba Phnum district...I was interrogated.”]; **E3/5788** Chum Sokha OCIJ Statement, at ENG 00380712, 00380716 [“...Men Meak was imprisoned in the security centre in SamraongVillage, Samraong Commune, Prey Veng District, Prey Veng Province...I was brought by a Khmer Rouge soldier to the security centre called Sne...west of Toek ThlaVillage...”].
- 716 **E1/181.1** Transcript, 22 April 2013, Chhouk Rin, 14.09.26 [“...I know that people have been arrested to put in the security centre. Numbers of soldiers were arrested and sent to Kampot, but I did not know the whereabouts of that security centre. ...”]; **E3/361** Chhouk Rin OCIJ Statement, at ENG 00766452, 00766456; **E3/362** Chhouk Rin OCIJ Statement, at ENG 00268895-96.
- 717 **E3/4609** SouSotheavy OCIJ Statement, at ENG 00434882 [“I heard from the chairman of Sanlung prison that there was another prison calledKrangTa Chan prison located in Tram Kak district, Takeo province.”]; **E1/215.1** Transcript, 1 July 2013, Pech Chim, 09.25.20 to 09.27.24 [“It could have been established earlier than 1972. It was the affairs of the sector, not the district. It was for the purpose of re-educating people, that is, those bad people, so that they would become good people.”], and 12.08.48 [“Krang Ta Chan Security Centre was in District 105, but it was under the supervision of the Sector.”], and 15.37.51 to 15.39.20 [“The existence of the Krang Ta Chan Security Centre, after the arrival of the Vietnamese in 1979.”]; **E3/4626** Pech Chim OCIJ Statement, at ENG 00380132-33 [“As I knew about it at that time, they called that Center the educational center (KraingTaChanSecurityCenter). That Center was created since 1972 by the Sector party and the District party.”], 00380133 [“That Security Center located in Kraing Ta Chan village, Kous (11M) commune, District 105 (Tram Kak district), Takeo province.”].
- 718 **E1/136.1** Transcript, 22 October 2012, Chum Sokha, 13.49.57 to 13.52.35 [“Uncle Meak had been arrested and put in the detention facility to the south of the village...he was one of the many prisoners

who were forced to work in the rice field. So, he was detained at the security centre at Samraong village.”], 13.54.06 [“And later on I learned that because of his connection as a military officer, he was tempered and forced to work hard in a security centre in Trapeang Leak Kbal, to the east of my Kdei village.”], 16.05.24[“On top of this, I had suffered dearly when I was arrested and detained at a security centre in Ba Phnum district. In captivity, I was shackled and my hands were bound behind my back and I was interrogated.”]; **E3/5788**Chum Sokha OCII Statement, at ENG 00380712, 00380716 [“Other villagers told me that my father was taken to a prison in the pagoda building inTbaung Kdei Village...”].

719 **E1/197.1**Transcript, 27 May 2013, Sou Sotheavy, 09.59.00 to 10.01.20 [“And, second: The Khmer people who died during the three years period as in Tuol Sleng, Krang Chheh, Krang Ta Chan and Choeung Ek; do you acknowledge the deaths of those people at those prisons? That’s all I have”]; **E3/4609**SouSotheavy OCII Statement, at ENG 00434881[“That prison was called Krang Chheh...When I first entered, I saw a blackboard on the wall, and there were many torturing tools such as pincers and whips. When I arrived at that prison, I did not hope to survive.”].

720 **E1/197.1**Transcript, 27 May 2013, Sou Sotheavy, 09.59.00 to 10.01.20 [“And, second: The Khmer people who died during the three years period as in Tuol Sleng, Krang Chheh, Krang Ta Chan and Choeung Ek; do you acknowledge the deaths of those people at those prisons? That’s all I have”]; **E3/4609**SouSotheavy OCII Statement, at ENG 00434882 [“...Sanlung Re-education Office was for detaining prisoners in general...This prison was the district prison located in Angkor Chey district in Khmer Rouge regime...”]

721 **E1/135.1** Transcript, 19 October 2012, Yim Sovann, 15.44.20 to 15.46.24 [“They took my father to Banteay Yuon, where the office -- Security Office 07 was located, and it was the prison centre.”], 15.48.35 to 15.51.00 [“My mother refused to give the ring to them, so they escorted -- they frog-marched my sister to Security Office 07 and then they were -- she were transfer to Security Office 08, and then she disappear from that time onward.”], 15.56.31 to 15.58.55 [“I think that from 1975 to late 1976, those who were tied with their hands behind their backs were either the 17 April People or the Lon Nol soldiers because they were considered enemies... Those who were taken to Security Office 15 disappeared; they never returned.”], 15.56.31 to 15.58.55 [“It was Village 1 and 2, where we went to harvest crops over there...when we were staying there before we were re-evicted to Pursat province. The security centre was located in either Village 1 or 2; I do not recall.”], 16.01.20 to 16.03.33 [“...I saw people from the Eastern Zone were tied up with both hands behind their backs and transported along the rice paddy...And I realized that those people were sent to Security Centre Number 8.”]; **E3/5787**Yim Sovann OCII Statement, at ENG 00379313[“...There was a security centre there; it was called Munti 15...These people were accused of being enemy and taken to the security centre with no hope to survive. People who were taken there always disappeared.”].

722 **E1/138.1**Transcript , 24 October 2012, Lay Bony, 12.03.44 to 12.05.38 [“When they frogmarched us from Tuk Thkoul (phonetic) Prison to Boeng Kol Re education Centre, there were many members in our team disappeared...”]; **E3/3958**Lay Bony OCII Statement, at ENG 00379161-62 [“...Finally, we reached a place called the Thkaol refashion centre at 02.00 p.m. Thkaol was located in Sector 23 under Trapeang Chomg Commune, Bakan District, Pursat Province...”].

723 **E1/218.1** Transcript, 4 July 2013, Sum Alat, 11.52.01 to 11.54.58 [“So far as I know, there were plenty of places where people were detained. I already made it clear in my statement regarding the security centres where people had been detained.”]; **E3/4637** Sum Alat OCII Statement, at ENG 00242126 [“Atilery security office known as mortar fort office (currently, military operation sub-region of Pursat province).I know it was a security office because I saw people being detained in the cells and the military told me they were prisoners...”].

724 **E1/187.1** Transcript, 2 May 2013, Lim Sat, 11.02.5 to 11.05.37 [“...if they could find them they could bring them there. I don’t know where they would be taken to, but wherever these people were brought to, they just disappeared.”];**E3/4601** Lim Sat OCII Statement, at ENG 00412159[“... I was also in Thkaul prison in Bakan district at that time... I was in Thkaul security centre for about one year.”].

725 **E1/218.1** Transcript, 4 July 2013, Sum Alat, 11.52.01 to 11.54.58 [“So far as I know, there were plenty of places where people were detained. I already made it clear in my statement regarding the security centres where people had been detained.”];**E3/4637** Sum Alat OCII Statement, at ENG 00242126 [“Charoek security office located on Charoek village, Kanchor commune, Kandieng district. Atilery security office known as mortar fort office (currently, military operation sub-region ofPursat province)”].

726 **E1/218.1** Transcript, 4 July 2013, Sum Alat, 11.52.01 to 11.54.58 [“So far as I know, there were plenty of places where people were detained. I already made it clear in my statement regarding the security centres where people had been detained.”]; **E3/4637** Sum Alat OCII Statement, at ENG 00242126 [“I have a friend who was arrested and taken to security office 07 also known asTrapaing Chomg security office in Bakan district. He disappeared until today.”]; **E1/218.1** Transcript, 4 July 2013, Sum Alat, 11.52.01 to

11.54.58 ["So far as I know, there were plenty of places where people were detained. I already made it clear in my statement regarding the security centres where people had been detained."].

727 **E1/218.1** Transcript, 4 July 2013, Sum Alat, 11.52.01 to 11.54.58 ["So far as I know, there were plenty of places where people were detained. I already made it clear in my statement regarding the security centres where people had been detained."]; **E3/4637** Sum Alat OCIJ Statement, at ENG 00242126 ["During the period, I knew about the existence of the following security offices...Pits at Tuol Kaun Ngar. It was a hill in the jungle where corpses were buried."].

728 **E1/218.1** Transcript, 4 July 2013, Sum Alat, 11.52.01 to 11.54.58 ["So far as I know, there were plenty of places where people were detained. I already made it clear in my statement regarding the security centres where people had been detained."]; **E3/4637** Sum Alat OCIJ Statement, at ENG 00242126 ["... I knew about the existence of the following security offices...From 1975 through 1979, Tuol Watp (was an economic building for rice ration distribution)..."].

729 **E1/159.1** Transcript, 11 January 2013, Chhaom Se, 15.03.24 to 15.05.25 ["Q. ...why the re-education centre or the Au Kanseng Security Centre was created within Division 801? A. ...the bad elements -- irregular elements could be contained and detained at the centre."]; **E1/177.1** Transcript, 8 April 2013, Chhaom Se, 09.45.48 ["Normally it was in the form of education and re correction. We received - we had to try to provide orientation to them...That's what we did when we were working at Au Kanseng Security Centre"], 11.23.11["They were sent from a unit; a person by the name of Nau who was assigned to work at the Au Kanseng Re-education Centre because he would like to understand the enemy communication line."]; **E1/157.1** Transcript, 9 January 2013, Ung Ren, 15.30.00 to 15.32.38 ["I knew that there was a security or prison in the Boeng Kanseng area - was through the people who live near the prison or the security centre..."]; **E3/402, E3/5784** Ung Ren OCIJ Statement, at ENG 00381035["I knew that there was a security office somewhere in Au Kanseng because I knew and heard someone who had said that prisoners had broken out of the prison."]; **E3/405** Chhaom Se OCIJ Statement, at ENG 0040612-13, 0040616 ["Division 801 Re-education and corrections office at Au Kansaeng. Created in late 1976 and early 1977. This office was created during the situation of the internal enemy movement occurring throughout the country..."].

730 **E1/194.1** Transcript, 21 May 2013, Prom Sou, 10.25.28 to 10.27.44 ["After his arrest, he was placed at the Security Centre. And after the report, that person, Phean, disappeared."]; **E3/420** Prum Sou OCIJ Statement, at ENG 00422379 ["Bang Hang was arrested and sent to upper level, probably Tuol Sleng, and many other cadres of the Sector's office were arrested to Zone Security Centres in Siem Reap province..."].

731 **E1/143.1** Transcript, 12 November 2012, Pe Chuy Chip Se, 13.35.06 to 13.37.19 ["People who had to be detained at Pongro Security Office... crimes as indicated."], 13.46.57 to 13.49.35 ["The Mkak execution site is to the northwest of Pongro Security Centre."], 14.27.19 to 14.32.24 ["As for Lon Nol soldiers who were evacuated in 1975, they were not captured and sent to Pongro Security Office..."]; **E1/144.1** Transcript, 14 November 2012, Pe Chuy Chip Se, 09.08.47 to 09.10.48 ["The Pongro Security Centre was located in Chi Kraeng district."], 09.39.33 to 09.41.00 ["The report concerning the killing in 1974 -- I witnessed it myself. They frog marched -- the prisoners whom they accused of being the bandits were placed in security office - Pongro Security Office..."], 10.27.40 to 10.30.30 ["I knew the reason for the shutdown. The people who worked in that security centre were accused of betrayal by the Khmer Rouge and that was not only for the Pongro Security Centre. The accusation was nationwide, because...betrayal."]; **E3/3964** Pe Chuy Chip Se OCIJ Statement, at ENG 00225210-00225211 ["In 1972, I walked up the wrong road by mistake to the Pongro Security Office and was arrested by the Khmer Rouge there..."], 00225214 ["There were approximately over 100 prisoners in the security office; sometimes they took prisoners away and new prisoners were brought in."].

732 **E1/218.1** Transcript, 4 July 2013, Sum Alat, 11.52.01 to 11.54.58 ["So far as I know, there were plenty of places where people were detained. I already made it clear in my statement regarding the security centres where people had been detained."]; **E3/3964** Sum Alat OCIJ Statement, at ENG 00242126 ["I knew about the existence of the following security offices: Prey Sloek security office also known as Kraing Tasam located in Krakor district which was 7 or 8 kilometers from the place where I lived."].

733 **E1/151.1** Transcript, 11 December 2012, Kham Phan, 14.17.23 ["At the district level, there was no education centre. There was only one education centre located in Phnom Kraol."], 13.51.39 ["At that time, I did not understand the role or functions of K 17 because my father was overly (sic) in charge of K 17 when Phnom Kraol was called '105'."], 13.55.56 [Q. And, of those who have passed away, could you please identify who your father's close associates and collaborators were? A. There were these two people, Uncle Sophea and Phoun, and Uncle Mey."]; **E3/57** Kham Phan OCIJ Statement, at ENG 00290507-08 ["The security office of Sector 105 was in Phnom Kraol under Ta Sophea control (also called Ta Sophea's office). The prisoners were brought in from districts within Sector 105."].

- 734 **E1/88.1** Transcript, 19 June 2012, Yun Kim, 14.16.03 to 14.18.46 [“...in Sambour district there were two security offices, one in Kok Kduoch and Prasral.”]; **E1/89.1** Transcript, 20 June 2012, Yun Kim, 10.26.42 to 10.28.41 [“Koh Sam Tauch is a small island to the upper part of the Srae Khoean. It was not a major security centre. However, some prisoners were detained at Sam Tauch...”]; **E3/410** Yun Kim OCII Statement, at ENG 00412193 [“Another Security Centre was in Prasral which is located about 10 kilometers from KokKduoch. Prasral was a working site where people were punished, they were asked to work in rice farming and to build dike. They were made to perform forced labour.”].
- 735 **E1/88.1** Transcript, 19 June 2012, Yun Kim, 14.16.03 to 14.18.46 [“in Sambour district there were two security offices, one in Kok Kduoch and Prasral.”]; **E1/89.1** Transcript, 20 June 2012, Yun Kim, 10.26.42 to 10.28.41 [“Koh Sam Tauch is a small island to the upper part of the Srae Khoean. It was not a major security centre. However, some prisoners were detained at Sam Tauch...”]; **E3/410** Yun Kim OCII Statement, at ENG 00412193 [“There was a Security Centre in Kok Kduoch...Only when I moved to Sambo commune in 1977, I found out existence of KokKduoch.”].
- 736 **E1/131.1** Transcript, 8 October 2012, Meas Voeum, 09.44.28 to 09.46.18 [“I told him that about 500 people were detained in Rovieng location, and they later on were asked to be released, but I have no idea what happened to the people in Preah Vihear.”]; **E3/424** Meas Voeum OCII Statement, at ENG 00421072 [“Approximately 500 people were arrested and detained in the security centre in Rovieng District.”].
- 737 **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401497 [“we had at the most companies, but after several months of fighting and sweeping them away, the enemy was smashed. We were mighty, militarily mighty and politically mighty, both inside and outside the country.”]; **E3/749** *Revolutionary Youth*, August 1975, at ENG 00532683 [“After their war of aggression was defeated...the American imperialists still actively continue to carry out their various dark maneuvers to wreck our Kampuchean nation and people.”]; **E3/759** *Revolutionary Flag*, April 1976, at ENG 00517853 [“[w]e liberated Phnom Penh...imperialist ringleaders were all expelled from our country, their servants of every type were liquidated permanently and disappeared. This is the first result of the Great, Magnificent Victory...”]; **E3/742** *Revolutionary Flag*, April 1977, at ENG 00478495 [“These enemies of all types strive to build espionage...huge, historic victory for the Party, the revolution, the Army, and our people over the enemy after 17 April 1975.”], 00478496 [“As for the enemies...agents...been smashed...smash them even more so they cannot raise their heads...we will create the preconditions for us to attack the enemy...and in future years and we will achieve additional major victories.”], 00478501 [“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,...“Y[un]” and their running dogs...permanently clean.”]; **E3/727** *Revolutionary Flag*, May - June 1978, at ENG 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.”]; **E3/746** *Revolutionary Flag*, July 1978, at ENG 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.”], 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.”], 00428303 [“Even more particularly, in the great mass movement to attack and smash...bringing about a strategic victory for the nation, the people, the Party and the revolution.”].
- 738 **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401497 [“after several months of fighting and sweeping them away, the enemy was smashed. We were mighty, militarily mighty and politically mighty, both inside and outside the country.”]; **E3/759** *Revolutionary Flag*, April 1976, at ENG 00517853 [“[w]e liberated Phnom Penh...imperialist ringleaders were all expelled from our country, their servants of every type were liquidated permanently and disappeared. This is the first result of the Great, Magnificent Victory...”].
- 739 **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401497.
- 740 **E3/742** *Revolutionary Flag*, April 1977, at ENG 00478496.
- 741 **E3/746** *Revolutionary Flag*, July 1978, at ENG 00428291; see also **E3/727** *Revolutionary Flag*, May - June 1978, at ENG 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.”].
- 742 **E3/5** *Revolutionary Flag*, August 1975; **E3/730** *Revolutionary Youth*, December 1975; **E3/729** *Revolutionary Youth*, October 1975, at ENG 00357922; **E3/731** *Revolutionary Youth*, August

1975; **E3/748** *Revolutionary Flag*, October - November 1975; **E3/728** *Revolutionary Youth*, September 1975; **E3/4** *Revolutionary Flag*, July 1976; **E3/10** *Revolutionary Flag*, September - October 1976; **E3/193** *Revolutionary Flag*, August 1976; **E3/25** *Revolutionary Flag*, December 1976 - January 1977; **E3/760** *Revolutionary Flag*, June 1976; **E3/166** *Revolutionary Flag*, February - March 1976; **E3/759** *Revolutionary Flag*, April 1976; **E3/733** *Revolutionary Youth*, May 1976; **E3/732** *Revolutionary Youth*, April 1976; **E3/734** *Revolutionary Youth*, July 1976; **E3/755** *Revolutionary Youth*, September 1976; **E3/757** *Revolutionary Youth*, November 1976; **E3/756** *Revolutionary Youth*, October 1976; **E3/735** *Revolutionary Youth*, January 1976; **E3/753** *Revolutionary Youth*, June 1976; **E3/137** *Revolutionary Flag*, November 1977; **E3/193** *Revolutionary Flag*, August 1977; **E3/135** *Revolutionary Flag*, June 1977; **E3/139** *Revolutionary Flag*, November 1977; **E3/743** *Revolutionary Flag*, July 1977; **E3/742** *Revolutionary Flag*, April 1977; **E3/140** *Revolutionary Flag*, December 1977 - January 1978; **E3/11** *Revolutionary Flag*, September 1977; **E3/768** *Revolutionary Youth*, March 1977; **E3/770** *Revolutionary Youth*, May 1977; **E3/772** *Revolutionary Youth*, September 1977; **E3/773** *Revolutionary Youth*, September 1977; **E3/748** *Revolutionary Flag*, May - June 1978; **E3/746** *Revolutionary Flag*, July 1978; **E3/744** *Revolutionary Flag*, February 1978; **E3/749** *Revolutionary Flag*, September 1978; **E3/745** *Revolutionary Flag*, March 1978; **E3/726** *Revolutionary Youth*, January - February 1978; **E3/766** *Revolutionary Youth*, November 1978; **E3/774** *Revolutionary Youth*, March - April 1978; **E3/765** *Revolutionary Youth*, October 1978.

E3/118 FBIS, *International Media Reports for April 1975*, 1 April - 30 April 1975, at ENG 00166953 ["Beloved brother countrymen, youths, pupils, students, schoolteachers and functionaries: Now is the time!...All the super traitors have fled the country...under temporary enemy control."].

E3/143 FBIS, *DK Media Reports for September 1977*, 1 September - 30 September 1977, at ENG 00168723 ["...our Cambodian people and Revolutionary Army have striven...[to]...protect our national independence...by smashing all maneuvers of enemies of all stripes."].

E3/11 *Revolutionary Flag*, September 1977, at ENG 00486230.

E3/1173 DK Order entitled "Instructions from 870 (Number 02-76)," 27 February 1976, at ENG 00525781.

E3/1110 Report on the meeting of Committee of Commerce held on 25 - 26 July 1976, 26 July 1976, at ENG 00583829.

E3/763, **E3/764** CPK Directive entitled "Guidance of the Central Committee of the CPK on the Party's Policy towards Mised Persons who have joined the CIA, served as Yuon agents, or joined the KGB and opposed the Party, Revolution, People and Democratic Kampuchea," 20 June 1978, at ENG 00275219.

E3/1061 Report from Roeunto Uncle 89 entitled "DK Military Report on the situation in the Northeast Zone," 24 March 1977, at ENG 00538730.

E3/2424 Reports between sub-district and district offices and Kraing Ta Chan Security Office, 18 August 1977 - 9 July 1978, at ENG 00322217.

E3/952, **E3/511**, **E3/953** Telegram 04 from Central Zone Secretary Ke Pauk to Pol Pot, 2 April 1976, at ENG 00182658.

E3/742 *Revolutionary Flag*, April 1977, at ENG 00478496.

E3/746 *Revolutionary Flag*, July 1978, at ENG 00428291; **E3/175** Letter from North Zone Secretary Se to 870 Committee, July 1978, at ENG 00583931.

E3/970, **E3/971** Report from Sou Met to Duch, 30 May 1977.

E3/147 FBIS, *DK Media Reports for January 1977*, 3 - 27 January 1977, at ENG 00168467.

E3/9 Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396454.

E3/857 DK Report by Ministry of Foreign Affairs entitled "Working with the Committees of Every Unit," 12 September 1977, at ENG 00355487.

E3/746 *Revolutionary Flag*, July 1978, at ENG 00428291.

E3/746 *Revolutionary Flag*, July 1978, at ENG 00428291.

E3/746 *Revolutionary Flag*, July 1978, at ENG 00428289.

E3/746 *Revolutionary Flag*, July 1978, at ENG 00428289.

E3/763, **E3/764** CPK Directive entitled "Guidance of the Central Committee of the CPK on the Party's Policy towards Mised Persons who have joined the CIA, served as Yuon agents, or joined the KGB and opposed the Party, Revolution, People and Democratic Kampuchea," 20 June 1978, at ENG 00275217.

E3/871 Telegram 21 from Chhon to Pol Pot Report from Sao Phim *alias* So Vanna *alias* Chhon, Secretary of the East Zone, to Saloth Sar *alias* Pol Pot and copied to Nuon Chea, Son Sen *alias* Khieu *alias* 47, Ieng Sary *alias* Van, Office and Archive, 21 March 1976, at ENG 00185241.

E3/817 DK Government Meeting Minutes entitled "Minutes of Council of Ministers," 22 April 1976, at ENG 00143467["In summary, we have the capability of being fully independent. The enemy cannot attack us from outside. Their aim is to attack the leadership apparatus by dark means. Therefore, we must

raise the spirit of revolutionary vigilance even higher.”]; **E3/817, E3/818** DK Government Meeting Minutes entitled “Minutes of Council of Ministers,” 22 April 1976, at ENG 00143460-73; **E3/225** CPK Meeting Minutes entitled “Minutes of Meeting regarding Propaganda Works,” 1 June 1976, at ENG 00182723 [“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.”]; **E3/225**, CPK Meeting Minutes entitled “Minutes of Meeting regarding Propaganda Works,” 1 June 1976, at ENG 00000837-51, 00182715-24.

765 **E3/558** Nuon Chea OCIJ Statement Transcript, 19 September 2007, at ENG 00148699[“The Military Committee had the task of national defense and purging internal enemies.”].

766 **E3/793** DK Military Meeting Minutes entitled “Minutes of the Meeting of Secretaries and Economics of Divisions,” 16 May 1976, at ENG 00184820; **E3/795** DK Military Meeting Minutes entitled “Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions, Secretaries and Deputy Secretaries of Divisions, Secretaries and Deputy Secretaries of Regiments,” 2 August 1976, at ENG 00656578 [“II. On the duty of defending the country...imperative to pay attention to purging no-good elements completely from the Party, the Core Organizations and our male and female combatants...”]; **E3/795** DK Military Meeting Minutes entitled “Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions, Secretaries and Deputy Secretaries of Divisions, Secretaries and Deputy Secretaries of Regiments,” 2 August 1976, at ENG 00183959-61, 00656569-79; **E3/797** DK Military Meeting Minutes entitled “Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and Independent Regiments,” 18 August 1976, at ENG 00234458-59 [“no-good elements must be definitely screened [purged]. [Our] principle and standpoint must be...that external enemies are not able to harm us...Trivial squabbles must be settled thoroughly clean-cut.”]; **E3/797** DK Military Meeting Minutes entitled “Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and Independent Regiments,” 18 August 1976, at ENG 00183964-65, 00234456-59; **E3/798** DK Military Minutes entitled “Minutes of the Meetings of Secretaries and Deputy Secretaries of Divisions and Independent Regiments,” 30 August 1976, at ENG 00183968 [“2. Measures: B. It is imperative to conduct further purges of no-good elements...It is imperative to be conscientious about stop and check measures.”]; **E3/798** DK Military Minutes entitled “Minutes of the Meetings of Secretaries and Deputy Secretaries of Divisions and Independent Regiments” 30 August 1976 at ENG 00183966-69; **E3/799** DK Military Meeting Minutes entitled “Minutes of Plenary Meeting of the 920th Division,” 7 September 1976, at ENG 00184781 [“...toward Vietnam...monitor the enemy situation closely so if the Party orders an attack, we can attack. If they roll up again, we will attack absolutely so they will never attack again.”]; **E3/799** DK Military Meeting Minutes entitled “Minutes of Plenary Meeting of the 920th Division,” 7 September 1976 at ENG 00184777-81; **E3/813** DK Military Meeting Minutes entitled “Meeting of 164 Comrades,” 9 September 1976, at ENG 00657356 [“shoot at the aircraft until we become well trained and can master it well. After the artillery unit finishes their training, we can bring the sample aircraft from them to this training.”]; **E3/813** DK Military Meeting Minutes entitled “Meeting of 164 Comrades,” 9 September 1976, at ENG 00234009-10, 00657354-56; **E3/811** DK Military Meeting Minutes entitled “Minute of the Meeting with the Organization's office, 703, and S-21,” 9 September 1976, at ENG 00178150 [“Measures 1. Heighten the outlook of revolutionary vigilance...ever strong class hatred...increase its surveillance of enemy situations...The 170s should be rounded up in one place.”]; **E3/811** DK Military Meeting Minutes entitled “Minute of the Meeting with the Organization's office, 703, and S-21,” 9 September 1976, at ENG 00178149-50; **E3/800** DK Military Meeting Minutes entitled “Minute of Divisional and Independent Regiment Secretary - Under Secretary's Meeting,” 16 September 1976, at ENG 00184340 [“Measures: 1. View on conflict: Have a good grasp of this conflict...included by beating drum after the day on which the whole country was liberated. 3. Must trace, guard, and check thoroughly.”]; **E3/800** DK Military Meeting Minutes entitled “Minute of Divisional and Independent Regiment Secretary - Under Secretary's Meeting,” 16 September 1976, at ENG 00184338-41; **E3/822** DK Military Meeting Minutes entitled “Meeting of Division 290 and Division 170,” 16 September 1976, at ENG 00381485-86 [“Plan of Action: 1. Do things in line with our experience...Divisions have to have people in [our] hands, control warehouse, control weapons, watch out and do not let the enemy steal weapons from us.”]; **E3/822** DK Military Meeting Minutes entitled “Meeting of Division 290 and Division 170,” 16 September 1976; **E3/809** DK Military Meeting Minutes entitled “Minutes of the Meeting of Secretaries and Logistics of Divisions and Independent Regiments,” 19 September 1976, at ENG 00183979 [“2. Assignment Measures...Select carefully the elements against the revolution. Don't be reluctant. d) For the sea, must take thorough protective measures as planned in our last meeting.”]; **E3/801** DK Military Meeting Minutes entitled “Minutes of the Meeting on Production Work,” 30 September 1976, at ENG 00597952-54 [“1. The Situation of the Enemies (All divisions report).”]; **E3/801** DK Military Meeting Minutes entitled “Minutes of the Meeting on Production Work,” 30 September 1976, at ENG 00184821-23, 00597952-60;

E3/13 DK Military Meeting Minutes entitled “Minutes of the Meeting of Secretaries and Deputies of Divisions and Independent Regiments,” 9 October 1976, at ENG 00183992 [“III. Our Measures...Our duties are to defend the Party, the revolution, the Party's line on socialist revolution, the Party Statutes and the Party's leading Organization, which is the progenitor of the Party line.”]; **E3/13** DK Military Meeting Minutes entitled “Minutes of the Meeting of Secretaries and Deputies of Divisions and Independent Regiments,” 9 October 1976, at ENG 00183982-94; **E3/815** DK Military Meeting Minutes entitled “Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and Regiments,” 18 October 1976, at ENG 00877016-17 [“2. Measures: 1. The view and stance of high revolutionary vigilance...in order to prevent enemies from the outside from bombing and emplacing their forces.”]; **E3/815** DK Military Meeting Minutes entitled “Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and Regiments,” 18 October 1976, at ENG 00233918-20, 00877015-19; **E3/802** DK Military Meeting Minutes entitled “Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and Independent Regiments,” 11 November 1976, at ENG 00876992-93 [“2. Our measures: 1. View: Must our train guard units...Must screen/purge and grasp the biographies of guard units, patrol unit, and intervention units in Phnom Penh to be really clean and guaranteed.”]; **E3/802** DK Military Meeting Minutes entitled “Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and Independent Regiments,” 11 November 1976, at ENG 00184824-25, 00876991-94; **E3/803** DK Military Meeting Minutes entitled “Minutes of the Plenary Meeting of Divisions,” 21 November 1976, at ENG 00656377-86 [“Reporting on internal enemy and external enemy.”]; **E3/803** DK Military Meeting Minutes entitled “Minutes of the Plenary Meeting of Divisions,” 21 November 1976, at ENG 00184826-28, 00656376-92; **E3/804** DK Military Meeting Minutes entitled “Minutes of the Meeting of Secretaries and Logistics of Divisions and Independent Regiments,” 15 December 1976, at ENG 00233718 [“enemies are still active embedding inside our Army...Our measures: Must closely grasp the problems of screening and purifying our Army...”]; **E3/804** DK Military Meeting Minutes entitled “Minutes of the Meeting of Secretaries and Logistics of Divisions and Independent Regiments,” 15 December 1976, at ENG 00233710-21; **E3/805** DK Military Meeting Minutes of Division 920 entitled “Minutes of Meeting of Division 920,” 16 December 1976, at ENG 00923161 [“Re: Our measures: 1. We will absolutely not let any enemy to come in...If there is no chance of winning, do not yet launch the attack.”]; **E3/805** DK Military Meeting Minutes of Division 920 entitled “Minutes of Meeting of Division 920,” 16 December 1976, at ENG 00185237; **E3/806** DK Military Meeting Minutes of Division 801, “DK Military Meeting Minutes entitled “Minutes of the Meeting of Division 801,” 16 December 1976, at ENG 00874987-88 [“Comments by Brother 89. 1. Enemy Situation...army must be educated and screened to make them clean.”]; **E3/807** DK Military Meeting Minutes entitled “Secretaries and Deputy Secretaries of Divisions and Independent Regiments,” 11 March 1977, at ENG 00183955 [“III. A Number of Miscellaneous Matters 1. In purging the army...Be careful about no-goods hiding out to conduct activities.”]; **E3/807** DK Military Meeting Minutes entitled “Secretaries and Deputy Secretaries of Divisions and Independent Regiments,” 11 March 1977, at ENG 00183949-55.

767 **E3/811** DK Military Meeting Minutes entitled “Minute of the Meeting with the Organization's office, 703, and S-21,” 9 September 1976, at ENG 00933849.

768 **E3/811** DK Military Meeting Minutes entitled “Minute of the Meeting with the Organization's office, 703, and S-21,” 9 September 1976, at ENG 00933849 [“As for the matter of organization, Comrades Pàng and Khâmi have to see heavy tasks, strive to provide political and ideological education constantly and grasp the personal histories and ideology constantly.”].

769 **E3/13** DK Military Meeting Minutes entitled “Meeting of Secretaries and Deputies of Divisions and Independent Regiments,” 9 October 1976, at ENG 00183993 [“It is imperative to purge no-good elements absolutely in the sense of an absolute class struggle.”].

770 **E3/1094** Report from M-401 to Angkar, 4 August 1978, at ENG 00143624 [“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.”].

771 **E3/1110** Report on the meeting of Committee of Commerce held on 25 - 26 July 1976, 26 July 1976, at ENG 00583829.

772 **E3/12** “Decision of the Central Committee Regarding a number of Matters,” 30 March 1976, at ENG 00182809 [“The right to smash, inside and outside the ranks...All this to strengthen our state authority...to be decided by the Standing Committee. - The Center Military, to be decided by the General Staff.”]; **E3/12** “Decision of the Central Committee Regarding a number of Matters,” 30 March 1976, at ENG 00182809-14.

773 **E3/1094** Report from M-401 to Angkar, 4 August 1978, at ENG 00143624 [“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.”]; **E3/1094** Report from M-

401 to Angkar, 4 August 1978, at ENG 00315368-83; **E3/1077** Telegram Number 324 entitled "Respectfully Presented to Beloved Committee 870," 10 April 1978, at ENG 00340540 ["In Sector 103, we carry out the purge of the hiding-burrowing-enemy... The purge of the enemy in this Sector 103 has made people very happy."]; **E3/401** Pech Chim OCIJ Statement, at ENG 00381024-25["For the decision...that related to the people of District 105, which was sent...If there were some names...crossed by the red ink, it meant that the sector level had decided that these names were to be purged. To purge meant to kill."].

774 **E3/2012** Report from the Educational Office of District 105, at ENG 00276596 ["Concerning the issue of all the prisoners who were arrested from the ChiengTomg commune (Iron smith commune), they are to be interrogated in order to find out their whole networks, then smash them."]; **E3/2012** Report from the Educational Office of District 105, 30 July 1977, at ENG 00276593-97; **E3/4098** Report to the Party on the confessions of prisoners, at ENG 00322114; **E3/918** Telegram 254, Respectfully Presented to Beloved Committee 870, at ENG 00182757-58["Sectors and Districts should take the measures of searching the enemy and attack the enemy at the entrance gate when we can grasp the enemy trick."]; **E3/5524** [REDACTED] OCIJ Statement, at ENG 00426300-01.

775 **E3/5204** [REDACTED] OCIJ Statement, 12 August 2008, at ENG 00242083; **E3/5311** [REDACTED] OCIJ Statement, 19 August 2009, at ENG 00373368-69; **E3/5234** [REDACTED] OCIJ Statement, 13 January 2009, at ENG 00288207; **E3/5265** [REDACTED] OCIJ Statement, 14 January 2009, at ENG 00282347; **E3/5527** TCW-641 OCIJ Statement, 9 December 2009, at ENG 00423723; **E3/5543** TCCP-67 OCIJ Statement, 29 September 2009, at ENG 00387501.

776 **E3/357** TCW-29 OCIJ Statement, at ENG 00242931-33["[I]t was clear at that time that when someone was marked as having been arrested, this meant that the person had also been killed. Those who had the power to arrest also had the power to decide on execution."];

777 **E3/1120** Telegram 100 from San to Nhim Telegram from Brother San of Office 560 to MuolSambat *alias* Ruos Nheum, reporting situation in Sector 5, regarding internal enemies, arrests and food shortages. Copied to Saloth Sar *alias* Pol Pot, Nuon Chea, Ieng Sary *alias* Van, Penh Thuok *alias* Vorn Vet *alias* Vorn, Son Sen *alias* Khieu *alias* 47, 6 November 1977; **E3/915** Telegram 00 from Division 164 Secretary Meas Mut to M-870 Report from Meas Mut to Office 870 - copied to Saloth Sar *alias* Pol Pot, Nuon Chea, Ieng Sary *alias* Van, Penh Thuok *alias* Vorn Vet *alias* Vorn, Son Sen *alias* Khieu *alias* 47, 1 April 1978, at ENG 00184995["These detainees should be kept or sent..."]; **E3/928**, **E3/929** Report from Division 164 Secretary Meas Mut Report from Meas Mut of Division 164 - copied to Saloth Sar *alias* Pol Pot, Nuon Chea, Ieng Sary *alias* Van and Documentation, 1 April 1978; **E3/942** Telegram 54 from Sarun to Nuon Chea, 23 April 1978, at ENG 00296220 ["Concerning this matter, please help with your opinion on the level at which this must be kept or be sent."].

778 **E3/763**, **E3/764** CPK Directive entitled "Guidance of the Central Committee of the CPK on the Party's Policy towards Mised Persons who have joined the CIA, served as Yuon agents, or joined the KGB and opposed the Party, Revolution, People and Democratic Kampuchea," 20 June 1978, at ENG 00623528, 00275217.

779 **E3/763**, **E3/764** CPK Directive entitled "Guidance of the Central Committee of the CPK on the Party's Policy towards Mised Persons who have joined the CIA, served as Yuon agents, or joined the KGB and opposed the Party, Revolution, People and Democratic Kampuchea," 20 June 1978, at ENG 00623528, 00275217 ["failing which "the Party and the Kampuchean people must eliminate them."].

780 **E3/26** Nuon Chea Interview, 25 May 2009, at ENG 00329515.

781 **E3/4001R**, Documentary Film entitled "Enemies of the People," at 00.48.00.

782 **E3/4001R** Documentary Film entitled "Enemies of the People," at 01.02.20, 00.48.00.

783 **Testim ony: E3/429** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00403925 ["From the moment I was appointed head of S-21... evacuated and executed...policy regarding the Cham people was the same as the policy regarding the Vietnamese or the Chinese...the subject was never raised."]; **E1/58.1** Transcript, 3 April 2012, Kaing Guek Eav *alias* Duch, 10.03.31 to 10.07.45 ["Cambodian treated the Cham as the minority group. In Sihanouk regime, they called them "Khmer Islam"; but in Pol Pot regime, they called them "Islam People". Still, they were regarded as the minority group."], 10.06.02 to 10.07.45 ["From 1945 to 1954, the People's Communist Party gathered Cham people to join the revolution. There were Mr. Ly (phonetic) and Tang An (phonetic), who were Muslims, who were invited to join the forces. But later on, they isolated the Cham forces."], 10.07.45 ["From - from 1970 to 1975, the Cham were still isolated..... evacuate all Muslim people...have them tempered in - there, and to make sure that they abandoned their religion..."]; **E1/88.1** Transcript, 19 June 2012, Yun Kim, 11.53.18 to 11.54.58 ["With regard to religion... no one was allowed to practice these religions. ...were forced to eat pork."], 11.54.58 ["So far as I know, it happened everywhere...very strict policy where the Cham people were denied ...to

have them.”]; **E144.1** Transcript, 14 November 2012, Pe Chuy Chip Se, 09.25.24 to 09.27.54 [“I knew that after 1975 the Cham people were evacuated to my village.....Cham people were living a terrible life back then.”], 09.27.54 to 09.30.18 [“In regards to the discrimination against the 17 April People...forced to engage in hard labour, to do the harvesting or carrying soil...engage in difficult tasks or work.”] **E1/149.1** Transcript, 6 December 2012, Hun Chhunly, 15.43.12 to 15.46.08 [“However, by the end of 1976, a lot of people died. As for the Islam population who settled there, half of them died. And for the sick Cham people who could not go to work, their ration would be cut, and they were also forced to eat pork.”]; **E1/223.1** Transcript, 15 July 2013, Stephen Heder, 15.12.17 to 15.14.57 [“Q.You talked about the different policies ... intensified particularly from September-October 1975, and even more so thereafter into '76, '77 and '78, becoming increasingly severe.”], 15.14.57 [“Some -- again, starting as early as 1973, I would call it kind of active discouragement, maybe compulsive discouragement of the practice of religion...depending on the location and depending on the issue.”]; **E1/93.1** Transcript, 20 July 2012, David Chandler, 15.48.38 to 15.49.26 [“So, in other words, the Constitution itself, by indirection, after first making a phrase that would be pleasing to an overseas audience...one of the things that set the Cham aside.”], 15.52.38 [“I think they knew who the Chams were already. ... not trying to conceal themselves. They were known to...know who they were. But the pork was just to further humiliate...”], 16.02.14 to 16.03.42 [“By the end of 1978, the Khmer Rouge certainly had a policy of exterminating the Cham.”]. **Accused & Senior Leaders:** **E3/27** Khieu Samphan OCIJ Statement, at ENG 00539265; **E3/453** Duch OCIJ Statement, at ENG 00147584; **E3/355** Duch OCIJ Statement, at ENG 00242881; **E3/5763** Duch OCIJ Statement, at ENG 00164363. **CPK Documents:** **E3/259** DK Government Statement entitled “Constitution of Democratic Kampuchea,” 6 January 1976, at Article 20; **E3/952** Telegram 04 from Central Zone Secretary Ke Pauk to Pol Pot, 2 April 1976, at ENG 00182658; **E3/154** Telegram 15 from Chhon to Brother Pol, 30 November 1975, at ENG 00185064; **E3/178** Report from Sector 5 Committee to M-560ex, 21 May 1977, at ENG 00342709; **E3/182**, **E3/183**, **E3/1612**, **E3/1733** CPK Standing Committee Minutes, 9 October 1975, at ENG 00183393; **E3/2624** United Front for the Construction and Defence of the Fatherland of Kampuchea, *The Destruction of Islam in Former Democratic Kampuchea*, at ENG 00032979. **Witnesses:** **E3/3976** Affonco Denise OCIJ Statement; **E3/5194** [REDACTED] OCIJ Statement, at ENG 00274707-08; **E3/5255** [REDACTED] OCIJ Statement, at ENG 00250047; **E3/5275** TCW-29 OCIJ Statement; **E3/375** TCW-29 OCIJ Statement, at ENG 00360753-55, 59, 62-64; **E3/1568** TCW-92 and TCW-223 Statements, at ENG 00419369, 371-372, 374-375, 399, 406, 407-411; **E3/5253** [REDACTED] OCIJ Statement; **E3/5290** [REDACTED] OCIJ Statement, at ENG 00340171-72; **E3/5203** TCCP-37 OCIJ Statement, at ENG 00242090-92; **E3/5256** TCW-239 OCIJ Statement, at ENG 00251303-07; **E3/5192** [REDACTED] OCIJ Statement; **E3/5195** TCW-269 OCIJ Statement, at ENG 00242095; **E3/5289** [REDACTED] OCIJ Statement, at ENG 00340181-82; **E3/35** TCW-297 OCIJ Statement, at ENG 00346154-55, 00346157-58; **E3/5665** [REDACTED] Statement; **E3/5655** [REDACTED] Statement, at ENG 00053243; **E3/5529** TCW-412 OCIJ Statement, at ENG 00421085; **E3/390** [REDACTED] Statement, at ENG 00436874-75; **E3/2781** Audio Recording entitled “Interview with [REDACTED]” (Tape2), at ENG 00436856-57; **E3/2780R** Audio Recording entitled “Interview with [REDACTED]” (Tape1), 7 August 1990, at ENG 00436856-57; **E3/5207** [REDACTED] OCIJ Statement, at ENG 00242077-78; **E3/5193** TCCP-98 OCIJ Statement, at ENG 00274704; **E3/4625** Nou Mouk (Nou Mao) & others Statements; **E3/4650** [REDACTED] Statement; **E3/5676** [REDACTED] Statement, at ENG 00053305, 07-08, Q19-21; **E3/5209** TCW-585 OCIJ Statement, at ENG 00242067-69; **E3/367** Sao Sarun OCIJ Statement, at ENG 00278694; **E3/5261** [REDACTED] OCIJ Statement; **E3/5208** [REDACTED] OCIJ Statement, at ENG 00235139; **E3/5301** [REDACTED] OCP Statement, at ENG 00210481-83; **E3/5680** [REDACTED] Statement; **E3/5693**; **E3/5302** TCW-641 OCP Statement, at ENG 00210485, 87-90; **E3/1692** TCW-641 OCIJ Statement, at ENG 00242086-87; **E3/5527** TCW-641 OCIJ Statement, at ENG 00423722-24; **E3/5252** TCW-641 OCIJ Statement, at ENG 00235515-17; **E3/5204** [REDACTED] OCIJ Statement, at ENG 00242081-82; **E3/5216** TCW-657 OCIJ Statement, at ENG 00225497; **E3/5288** [REDACTED] Statement, at ENG 00336290; **E3/5257** TCW 709 Statement, at ENG 00251018, 21-22; **E3/5206** [REDACTED] OCIJ Statement; **E3/5694** [REDACTED] Statement; **E3/1678** [REDACTED] OCIJ Statement, at ENG 00353493; **E3/5625** [REDACTED] OCIJ Statement, at ENG 00282345; **E3/5528** [REDACTED] OCIJ Statement, at ENG 00421619; **E3/5196** TCW-688 OCIJ Statement, at ENG 00223088-89. **Complaint:** **E3/5322** [REDACTED] Complaint; **E3/5326** [REDACTED] Complaint; **E3/5421** [REDACTED] Complaint; **E3/5355** [REDACTED] Complaint; **Video & Audio Record:** **E3/2969R** Audio Recording entitled “Cham interviews of [REDACTED] and [REDACTED]” **E3/2966R** Audio Recording entitled “Cham Interview #12 and #10;” **E3/2965R** Audio Recording entitled “Cham Interview #13 and #12;” **E3/2963R** Audio Recording entitled “Cham Interview;” **E3/3921R** Video excerpt entitled “The Land of Silence.” **Int'l Media Reports:** **E3/2411** *Le Monde, Cambodia Nine Months Down the Road (Le Monde)*, 18 February 1976; **E3/2533** ECCC-OCIJ, *Report of the Execution of Rogatory Letter*, 30 October 2008;

Reports: **E3/4521** Amnesty International, *Submission from Amnesty International under Commission on Human Rights Decision 9 (XXXIV)*, 14 July 1978; **E3/3170** ECCC-OCP, *Schedules 1-105*, 18 July 2007; **E3/1495** FBIS, *Chen Yung-Kuei leaves Eastern for Central Region and Chen Yung-Kuei Visits Central Region 6 Dec*, 7-8 December 1977, at ENG 00168330-35; **E3/4527** Heder Stephen, *Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes: Cambodian Accountability in Comparative Perspective*, March 2003; **E3/2060** UN Commission on Human Rights, *Analysis Prepared on Behalf of the Sub-Commission by its Chairman of Materials*, 30 January 1979; **E3/4519** So Farina, *Oral History of Cham Muslim women in Cambodia under the KR Regime*, June 2010. **Books:** **E3/1593** Ben Kiernan, *The Pol Pot Regime: Race, Power, and Genocide in Cambodia Under the Khmer Rouge, 1975-79*, at ENG 00104205-07, 00104314-15, 00104322-28; **E3/20** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, at ENG 00181917-19; **E3/1820** François Ponchaud, *Cambodia: Year Zero*, at ENG 00182050-51; **E3/3555** Hean Sokhom, *Ethnic Groups in Cambodia*, at ENG 00489295,00489321,00489333,00489424; **E3/2653** Ysa Osman, *The Cham Rebellion: Survivors' Stories from the Villages*; **E3/1822** Ysa Osman, *Oukoubah: Justice for the Cham Muslims under the Democratic Kampuchea Regime*, at ENG 0078441, 450-453, 467, 0078526, 0078532, 0078543, 0078559, 0078567-68, 570-572; **E3/2649** Henri Locard, *Kompong Cham: West Bank of the Mekong, Old North Region, Zone or Sectors 41 & 42*, 31 May 2007, at ENG 00208396, 404; **E3/2630** DC-Cam, *Mapping the Killing Fields of Cambodia, 1997: Khet Kampong Cham*, 1997, at ENG 00208323; **E3/2654** Analytical Report by OCP entitled "ECCC-OCP Mission Report: Operation Riverland," 8 August 2008, at ENG 00211166-67, 69; **E3/2631** Analytical Report by CGP Mapping Team entitled "Report on CGP Mapping Team Visit to Kampong Cham Province," 17 October 1995, at ENG 00208307-08; **E3/2652** Map entitled "Indochina Ethnolinguistic Groups," at ENG 00327660.

⁷⁸⁴ **Testimony:** **E1/91.1** Transcript, 18 July 2012, David Chandler, 11.05.07 to 11.06.06 ["Then we get to the targeting of specific sectors of the country. I think the Vietnamese were probably targeted from the - from the beginning...I would say...perhaps, for the targeting of Vietnamese, which began very, very soon."]; **E1/93.1** Transcript, 20 July 2012, David Chandler, 15.14.06 to 15.15.46 ["...whole groups of people were set aside as special victims -- special targets, especially adaptable to attack: the Vietnamese, former Lon Nol - former Lon Nol people, Buddhist monks."]; 16.02.14 to 16.03.42 ["By the end of 1978, they had a policy of eliminating the Vietnamese. It's a policy -- their public statements began to refer to the "puch" -- or the race, the Cambodian race."]; **E1/95.1** Transcript, 24 July 2012, David Chandler, 11.16.16 to 11.17.27 ["We've discussed several stages, '75 to April '76; changes in the -- people who were being purged, the entrance of Vietnam as a serious actor on the scene...the changes of focus from one set of enemies to another."]; **E1/96.1** Transcript, 25 July 2012, David Chandler, 09.40.57 to 09.42.33 ["...the purges were very seldom racially based and it's hard to say even that the murders of ethnic Vietnamese in the country in 1978 can be termed as purges....what the regime did to the Vietnamese seems to me to qualify as genocide..."]; **E1/146.1** Transcript, 23 November 2012, Chau Ny, 11.36.38 to 11.37.48 ["A. There were something else. I was also told that as a Khmer Krom, I had to hide my background as a Khmer Krom."]; 11.36.38 to 11.37.48 ["Because I felt that I would be killed and concealing my identity would spare me from being executed. And I changed my family name also."]; 14.92.53 to 14.31.35 ["Based on what I saw, and what I observed, the Khmer Rouge people when they were in the forest, they did not discriminate against any race, or ethnic minority, but once they took complete control of Phnom Penh, I realized the Khmer Rouge discriminated against people."]; 14.33.40 to 14.35.20 ["[A]fter the liberation in 1979, ... I went inside Tuol Sleng prison ... And there, I saw the Khmer Rouge slogan, which was written on the wall -- "don't say that you are the Khmer Krom so that you could be spared." That's how I saw it there."]; **E1/200.1** Transcript, 4 June 2013, Soeun Sovandy, 11.35.52 to 11.38.18 ["they told me that those people who had been rounded up were taken to do the plantation or farming somewhere else. But in reality those people were all killed; they accused them of being Vietnamese."]; 11.49.08 to 11.51.10 ["upon knowing that they were from Kampuchea Krom, then they would classify them or group them in one particular group...that group of people ... were executed"]; 11.51.10 to 11.52.32 ["They tried to segregate between the 17 April People, the 18 April People, and Kampuchea Krom People...At that time, there was a sense of hatred against those with Vietnamese action."]. **Accused & Senior Leaders:** **E3/196** Nuon Chea Statement, 30 July 1978; **E3/108**, **E3/122** Nuon Chea, Khieu Samphan Statements, 9 - 11 June 2006; **E3/562** Khieu Samphan Statement, 15 April 1978; **E3/349** Pol Pot Speech, 17 January 1978, at ENG S 00012703-05, 11; **E3/5720** Pol Pot Statement, at ENG S 00017561,00017564-65; **E3/211** Ieng Sary Statement, 22 April 1978; **E3/553** Ieng Sary Statement, 17 December 1978; **E3/543** Ieng Sary Statement, 17 December 1996; **E3/169** Ieng Sary, Khieu Samphan Statements, 17 April 1978; **E3/657** Ieng Thirith Statement, 1980. **CPK:** **E3/776** CPK Publication entitled "Building and Further Improving the stance of Analysing all Problems and Phenomena by following the Party's Class Stance," 17 April 1975 - 7 January 1979; **E3/759** *Revolutionary Flag*, April 1976, at ENG

00062747-49; **E3/807** DK Military Meeting Minutes entitled "Secretaries and Deputy Secretaries of Divisions and Independent Regiments," 1 March 1977, at ENG 00183951; 00183954; **E3/871** Telegram 21 from Chhon to Pol Pot, 21 March 1976; **E3/742** *Revolutionary Flag*, April 1977, at ENG 00478502, 00478450-51; **E3/1025** Telegram 34 from Chhean entitled "To Respected and Beloved Brother," 29 April 1977; **E3/2435** DK Letter from Ang Ta Saom Commune to District Angkar, 26 April 1977; **E3/2438** DK Communication by Yi "List of Kampuchea Krom people from Kus Commune," 29 April 1977; **E3/2441** DK Report from Saen to Angkar, 14 May 1977; **E3/877** Telegram 54 from Chhan to Office 870, 20 May 1977; **E3/2443** Report from Chorm to District Office; Report from Onn to An, 5 June 1977, at ENG 00184010-11; **E3/2447** Reports between communes, district offices and Kraing Ta Chan Security Office, 6 September 1977; **E3/170** *Revolutionary Flag*, October - November 1977; **E3/892** Telegram 60 from Chhon to M-870, 29 October 1977; **E3/725** *Revolutionary Flag*, December 1977 - January 1978; **E3/915** Telegram 00 from Division 164 Secretary Meas Mut to M-870, 31 December 1977; **E3/244** Telegram 16 from Chhon to Pâr, 23 January 1978; **E3/248**, **E3/249** Telegram 47 from Sao Sarun to Office 870, 1 January 1978; **E3/723** CPK Directive entitled "Instructions of 870," 3 January 1978, at ENG 00183995; **E3/741** CPK Directive entitled "Instructions of 870," 3 January 1978, at ENG 00296006-08; **E3/1359** FBIS, *DK Media Reports for January 1978*, 5 January 1978, at ENG 00169538; **E3/1257** *Phnom Penh Domestic Service, Pol Pot on the Conflict with Vietnam*, 19 January 1978, at ENG S 00008675; S 00008925; **E3/726** *Revolutionary Youth*, February 1978, at ENG 00278714; 00278733; **E3/744** *Revolutionary Flag*, February 1978, at ENG 00464065; **E3/2424** DK Report from Chhoeun to District Police, 27 July 1978; **E3/1094** Report from M-401 to Angkar, 4 August 1978, at ENG 00315368, 74; **E3/23** DK Government document "Black Paper," September 1978, at ENG 00082514-19, 00082520-24, 00082543-5, 00082551-54; **E3/747** *Revolutionary Flag*, August 1978; **E3/1387** DK-Press Agency, *Press Agency Report No. 22 (1978)*, 26 December 1978; **E3/722** CPK Publication from Office 870 entitled "Announcement of Steady and Absolute Combat Against the Yuon Enemy Aggressors and Expansionist Land-Grabbers," 1 January 1979, at ENG 00183666. **Witness: E3/5 275 TCW-29** OCII Statement; **E3/375 TCW-29** OCII Statement; **E3/5181 TCW-63** OCII Statement; **E3/5180 TCW-63** OCII Statement; **E3/5179 TCW-63** OCII Statement; **E3/5178 TCW-63** OCII Statement; **E3/5498**

OCII Statement; **E3/5546 TCCP-6** OCII Statement; **E3/5231** OCII Statement, at ENG 00279250 ["witness informed the majority of Khmer Krom in Rumlech village were killed in 1977"]; **E3/1568** TCW-92 and TCW-223 Statement, at ENG 00419372, 00419408-09; **E3/362** Chhouk Rin OCII Statement, at ENG 00268896["The CPK carried out a (sic) inflexible policy of killing Khmer-Vietnamese citizens from Hanoi, and in 1973 and they fought the Vietcong situated on Khmer soil."]; **E3/5587** OCII Statement; **E3/474** Ek Hen *alias* Chea OCII Statement; **E3/436 TCCP-36** OCII Statement, at ENG 00414569-70; **E3/5260** OCII Statement, at ENG 0032716; **E3/5544 TCCP-55** OCII Statement, at ENG 00377834-36; **E3/5547 TCCP-58** OCII Statement, at ENG 00388620; **E3/5243** OCII Statement, at ENG 00225491-92; **E3/5251** OCII Statement, at ENG 00235495-96; **E190.1.58** OCP Statement, at ENG 00210520; **E3/351** OCII Statement; **E3/390** Statement; **E3/5668** Statement; **E3/4650** Statement; **E3/5177** OCII Statement; **E3/5563** OCII Statement; **E3/352** OCII Statement; **E3/79** OCII Statement; **E3/5691**, **E3/5692** Statement; **E3/5187 TCW-546** OCII Statement, at ENG 00274178; **E3/5511** OCII Statement; **E3/5246** OCII Statement, at ENG 00234112; **E3/384** Sao Sarun Statement, at ENG 00348375; **E3/5506** OCII Statement, at ENG 00398865; **E3/5610 TCW-634** OCII Statement, at ENG 00492920-21 ["admitting that she was a member of the Bakan district committee, but denying that she was Secretary"]; **E3/5613** OCII Statement; **E3/1692 TCW-641** OCII Statement, at ENG 00242088; **E3/5276** OCII Statement; **E3/428** Sokh Chhien OCII Statement; **E3/5615 TCW-677** OCII Statement, at ENG 00508565; **E3/5248** OCII Statement, at ENG 00235147; **E3/5230** OCII Statement, at ENG 00279241-43 ["in 1979, saw pits in 400-500 meter square area in Tuol She Nhaev that contained 'thousands of bodies' 'piled on top of one another'"]; **E3/5244** TCW-718 OCII Statement, at ENG 00233301; 00233299; **E3/5588** OCII Statement; **E3/5501 TCW-743** OCII Statement, at ENG 00373309-11; **E3/5603 TCW-750** OCII Statement, at ENG 00491349, 00491353-54. **Complaint: E3/5339** Complaint; **E3/5325 TCW-327** Complaint; **E3/5449** Complaint; **E3/5345** Complaint; **E3/5421** Complaint, at ENG 00481040. **Rogatory Report: E3/2398** ECCC-OCII, Report of the Execution of Rogatory Letter, 7 July 2008; **E3/4169** ECCC-OCII, Report of the Execution of Rogatory Letter, 26 September 2008; **E3/2535** ECCC-OCII, Report of the Execution of Rogatory Letter, 5 December 2008; **E3/2536** ECCC-OCII, Report of the Execution of Rogatory Letter, 12 December 2008; **E3/2541** ECCC-OCII, Report of the

Execution of Rogatory Letter, 2 February 2009; **E3/2543** ECCC-OCIJ, Report of the Execution of Rogatory Letter, 25 February 2009; **E3/2544** ECCC-OCIJ, Report of the Execution of Rogatory Letter, 7 April 2009; **E3/2393** ECCC-OCIJ, Report of the Execution of Rogatory Letter, 2 May 2009. **International Report: E3/2657** French Ministry of Foreign Affairs, *Cambodia, one year later*, 26 April 1976; **E3/3515** Vietnam Ministry of Foreign Affairs, *Facts and Documents on Democratic Kampuchea's Serious Violations of the Sovereignty and Territorial Integrity of the Socialist Republic of Viet Nam*, January 1978; **E3/1249** BBC SWB, *Confession of a captured SRV Sailor*, 29 January 1978; **E3/2303** Los Angeles Times, *Vietnam Steps up Cambodian War*, 13 April 1978; **E3/1389** BBC SWB, *Phnom Penh Rally Marks 17th April Anniversary*, 18 April 1978; **E3/1802** US Government, *Submission from the Government of the United States of America under Commission on Human Rights Decision 9*, 14 August 1978; **E3/4162** Pol Pot, BBC SWB, *Cambodian Home and Foreign Policy: Party Anniversary Speech by Pol Pot and Anniversary Banquet: Sihanouk Present*, 29 September 1978. **Report: E3/930**, **E3/931** Report from Teng, Chief of Office 15, to Comrade Brother Office 703, 26 October 1975; **E3/805** Division 920, DK Military Meeting Minutes entitled "Minutes of Meeting of Division 920," 16 December 1976; **E3/1079** Report from Reuan to Uncle 89, 25 December 1976; **E3/928**, **E3/929** Report from Division 164 Secretary Meas Mut, 1 April 1978; **E3/863** Report from Nhim Secretary of Northwest Zone to Angkar 870, with additional report from M-560, 17 May 1978; **E3/1392** Ieng Sary, Khieu Samphan, *The Revolutionary Army of Kampuchea at the Front Continue to Smash the Vietnamese Aggressors Until their Final Defeat*, 11 December 1978; **E3/2630** DC-Cam, *Mapping the Killing Fields of Cambodia, 1997: Khet Kampong Cham*, 1997; **E3/4522** DC-Cam, *Mapping the Killing Fields of Cambodia 1997: Khet Banteay Meanchey*, 29 April 1997; **E3/2067** DC-Cam, *Banteay Meanchey Province with attachment entitled Site Form*, 20 August 1998; **E3/3170** ECCC-OCP, *Schedules 1-105*, 18 July 2007. **Articles: E3/4089** Christian Science Monitor, *The Brutal Revolution of Once Gentle Cambodia*, 13 September 1978; **E3/4524** Elizabeth Do, *Treatment of the Vietnamese Minority in Democratic Kampuchea from a Comparative Perspective*, 3 June 2010; **E3/2589** Khun Mon, *A Cambodian-Vietnamese Couple Under The Khmer Rouge*, May 2005; **E3/2310** Ben Kiernan, *Khmer Bodies with Vietnamese Minds - Kampuchea's Eastern Zone 1975-1978*, 1979, at ENG S 00048070; **E3/2413** Ewa Tabeau and They Kheam, *Khmer Rouge Victims in Cambodia: A Critical Assessment of Major Estimates*, 30 September 2009, at ENG 00385309-11. **Books: E3/20** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, at ENG 00237839, 00237947-48-50, 00238138; **E3/2376** Nayan Chanda, *Brother Enemy: The War after the War*, at ENG 00192295-98, 00192301-02; **E3/1686** David Chandler, *A History of Cambodia*, at ENG 00422746-65; **E3/1684** David Chandler, *Voices from S-21: Terror and History in Pol Pot's Secret Prison*, at ENG 00192750-53, 877-78; **E3/1664** Colm Sara & Sim Soriya, *Khmer Rouge Purges in the Mondul Kiri Highlands*; **E3/29** Craig Etcheson, *The Rise and Demise of Democratic Kampuchea*, at ENG 00393374-78; **E3/1362** FBIS, *Historical Precedents for Expansionism*, 4 May 1978, at ENG 00169988; **E3/3346** Alexander Hinton, *Why Did They Kill?*, at ENG 00431439, 53-56, 59, 60-62; **E3/3993** Raoul Marc Jennar, *Khieu Samphan and les Khmers Rouges*; **E3/2118** Henry Kamm, *Cambodia: Report from a Stricken Land*, at ENG 00394394-96, 103; **E3/3304** Ben Kiernan, *Genocide and Democracy in Cambodia*, at ENG 00430368, 99; **E3/1593** Ben Kiernan, *The Pol Pot Regime: Race, Power, and Genocide in Cambodia under the Khmer Rouge, 1975-1979*, at ENG 00104205, 00104207, 00104231, 00104414, 00104381, 00104391; **E3/2812** Henri Locard, *Le Petit Livre Rouge de Pol Pot (Pol Pot's Little Red Book)*, at ENG 00394807-10; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396580, 00396577; **E3/1821** Marek Sliwinski, *Le Génocide Khmer Rouge – Une Analyse Démographique*, at ENG 00643294, at FRE 00103925, at KHM 633831; **E3/3555** Hean Sokhom, *Ethnic Groups in Cambodia* at ENG 00489827-28, 55-56; **E3/833** Notebook of S-21 Interrogator Mam Nai, 16 January - 25 July 1978, at ENG 00242259; **E3/2589** Sorya Simm, *A Cambodian - Vietnamese Couple Under The Khmer Rouge*, at ENG 00224672-73.

⁷⁸⁵ **Testimony: E1/182.1** Transcript, 23 April 2013, Chhouk Rin, 09.45.15 to 09.47.14 ["...all Buddhist monks had to be conscripted as soldiers in 1973...it happened in pagodas at Kampot province when monks had to be defrocked and drafted in 1973."]; **E1/142.1** Transcript, 8 November 2012, Dr. Campbell, 15.13.15 to 15.14.12 ["As leaders we are accused of forced labour and not providing treatment for patients and crimes against Buddhism, the monks, the Catholics, the prohibition of religious practice including demolition of monasteries and pagodas."]; **E1/51.1** Transcript, 20 March 2012, Duch, 09.09.51 to 09.11.51 ["Those soldiers were Lon Nol's soldiers. They were arrested from Ang Proleung Pagoda because Lon Nol used that pagoda as a retreat base."], 11.18.14 to 11.21.24 ["In 1972...religion was no ...Pagodas were destroyed when the enforcement -- metal bars were used for other purpose."], 11.28.26 to 11.29.35 ["...the execution of the head monks ... head monks or monks were executed or disrobed..."], 13.55.47 to 13.58.13 ["... And people were executed and buried near some pagodas."], 14.04.14 to 14.06.24 ["...when I was in charge of the chief and I led the interrogation that You Peng Kry told me that

Mat -- Nat, rather, was a brilliant person, that this monkship failed. That's what he told me.”]; **E1/113.1** Transcript, 23 August 2012, Em Oeun, 14.02.08 to 14.05.22[“...I loved Buddhism and I was bestowed with the authority to smash the religion... That was the overall picture of the destruction of Buddhism.”]; **E1/115.1** Transcript, 27 August 2012, Em ...CPK had an intention to oppose religion because they never valued the importance of religion in the society.”]; **E1/149.1** Transcript, 6 December 2012, Hun Chhunly, 11.27.20 to 11.32.12[“...by 1976 all monks had been asked to leave the pagodas... the order from the Upper Echelon.”], 11.45.43 to 11.48.23[“...Later on I met a former Buddhist monk who told me that Khmer Rouge had taken the monk when he was in his robe, and he disappeared ever since.”], 11.52.16 [“...from the New Year of 1976, all Buddhist monks were dispelled from the pagodas.”]; **E3/127.1** Transcript, 1 October 2012, Khiev En, 14.13.28 to 14.16.20 [“In relation to the defrock of monks, I testified about this with the investigators who interview me. At that -- I told him that there were a situation of the defrock of monks.”]; **E1/90.1** Transcript, 21 June 2012, Khiev Neou, 09.20.28 to 09.23.00 [“I had been a monk ... we tried to practice Buddhism, but if we were not allowed to -- to do so, then we had to comply with them. At that time, I was 42 years old.”]; **E1/66.1** Transcript, 23 April 2012, Saloth Ban *alias* So Hong, 10.27.41 [“The situation was as follows: at that time, there were planes; they were locally called the "pig cage" planes, and the situation was terrible. ... robes of the monks, they would be shot at.”]; **E1/71.1** Transcript, 2 May 2012, Pean Khean, 14.25.40 [“.... Back then, in the regime, had you ever seen monks in pagodas? A. Before Phnom Penh was liberated, there were normal pagodas and activities....”], 14.27.29 [“Q. What happened after 1975?...pagodas were removed and there were no priests. Q. Do you know where monks were taken to? A. I don't know, but I heard people saying that monks were defrocked or disrobed.”]; **E1/156.1** Transcript, 8 January 2013, Sa Vi, 14.19.25 [“My question to you is: Did you know that pagodas were still functional at that time? A. There was - there were some pagodas, but there were no Buddhist monks. Khsach Sar Pagoda was the name of the pagoda I still remember, and it was the place where soldiers took refuge”], 14.21.21 [“Q. Did you know where the Buddhist monks had gone to? A. I asked the villagers about this, and they told me that all Buddhist monks were defrocked by 1973 or '74 already.”]; **E1/191.1** Transcript, 8 May, 2013, Philip Short, 11.55.42 [“... And the fact that they wished to eliminate the Buddhist religion is, again, normal. It happened in other communist societies. No communist regime wants an ideological competitor, which is what religion gives.”]; **E1/192.1** Transcript, 9 May, 2013, Philip Short, 09.13.19 [“There was no central directive, either, to loot libraries, scientific laboratories and research institutes, and to burn Buddhists and Western books. Nonetheless, it happened.”]; **E1/221.1** Transcript, 11 July 2013, Steve Heder, 14.33.53 [“I also interviewed some people who said that there had been executions on the spot ... Buddhist nuns who had been killed there.”]; **E1/222.1** Transcript, 11 July 2013, Steve Heder, 09.25.16 [“Belief and religion, for both Cambodians and other ethnics, were prohibited. Buddhism and Khmer superstition were prohibited as well.”], 11.51.23 [“CPK policy vis-à-vis urban-based members of the country-wide Buddhist sangha (community of monks) mirrored that toward the urban population as a whole...treating them as the equivalent of bandasak”], 09.12.05 [“When I went up to the pagoda, where I saw the bodies of the nuns... So, both the town and the pagoda were empty - virtually empty”]; **E3/438** Khiev En OCII Statement, at ENG 00375876 [“Q.Did you know that at that time the Khmer Rouge defrocked the Buddhist monks or forced them to leave monkhood? A: I knew about that issue because in my village the monks were defrocked or forced to leave monkhood.”]; **E3/361** Chhouk Rin OCII Statement, at ENG 00766450 [“In the beginning, I was ordained as a monk, but I entered the forest after the Americans bombed Watt Trapeang Chrey ... I became a soldier in Company 1 of the Front army in Kampong Trach District...”]; **E3/5757** Kaing Guek Eav *alias* Duch OCII Statement, at ENG 00186652[“...one after another, for instance, the use of trickery to arrest soldiers, to arrest government officials, to arrest the Supreme Patriarch Monk Huot Tath ,and take them to be killed.”]; **E3/5759** Kaing Guek Eav *alias* Duch OCII Statement, at ENG 00197748[“The words of You Pengkry *alias* Mon, when he said "The Supreme Monk Huot Tath had three or four secret wives" led me to the impression...orders from above to smash the Supreme Monk as well.”]; **E3/15** Kaing Guek Eav *alias* Duch OCII Statement, at ENG00251373 [“The new theory on the special class of Khmer society ...prepare to finally abolish all of the Lon Nol's armed forces and defrock all monks.”], ENG00251384 [“Immediately after 17 April, - Some top monks, who had led Buddhism, may have been smashed discreetly... Buddha statues and Dharma books were successively destroyed by various means.”]; **E3/1573** Kaing Guek Eav *alias* Duch OCII Statement, at ENG 00198919 [“...we note another document indicating the involvement of S21 in the smashing of old society monks and members of the royal family (OERN 00068682). It lists ten former monks and six members of the royal family detained and executed in 1976-1978.”]; **E3/454** Kaing Guek Eav *alias* Duch OCII Statement, at ENG 00147607 [“They are angry and condemn the CPK for having programmed their children to act in a way different from Buddhism and forced them to do work that could not be confused with that of anyone else (parents of Comrade Huy, Rithy Panh).”]; **E3/1580** Kaing

Guek Eay *alias* Duch OCIJ Statement, at ENG 00177589 ["To sum up, there was most certainly a lag between theory and practice ... including action such as turning pagodas into pigsties or torture centres, but I do not contest such action."]; **E3/5522** [REDACTED] OCIJ Statement, at ENG 00426286 ["Initially who was chairman of the Kraing Ta Chan office? ... I was useless because I was a Buddhist layman and was not decisive toward the prisoners."]; **E3/5515** [REDACTED] OCIJ Statement, ENG 00410250 ["Q: How about religions? A33: The Khmer Rouge started disrobing monks since 1975; ... elderly monks were assigned to make *banki* (earth moving basket); some monks dug canals, and some others farmed paddies."]; **E1/82.1** Transcript, 6 June 2012, Sao Sarun, 11.39.53 ["Q. And after the 17th of April 1975, were people in Mondulkiri allowed to practice Buddhism at those three pagodas?"]; 11.42.16 ["A. No, they were not allowed to practice it, because from April 1975, in Mondulkiri province, pagodas were closed, and even the Mondulkiri province itself were heavily bombarded... pagodas were all destroyed by aerial bombardments."]; **E3/472** [REDACTED] OCIJ Statement, at ENG 00205031 ["At Tuol [Tumpoung] Ta Rit, the Chairman of Commerce, ordered me to destroy Buddha statues and stupas inside Watt Tuol Tumpoung."]; **E3/5216** TCW-657 OCIJ Statement, ENG 00225498 ["There were discriminations against Buddhism"]; **E3/5519** TCW-666 OCIJ Statement, at ENG 00414079 ["Q. In the Khmer Rouge time, what happened with the monks? A53. In Khmer Rouge time, they did not believe in Buddha, but in Angkar and monks were disrobed and sent to work as soldiers."]. **Accused & Senior Leaders:** **E3/597**, **E3/598** Ieng Sary Statement, 15 January 1972. **CPK Documents:** **E3/1391** FUNK Publication entitled "Political Programme of the National United Front of Kampuchea," 3 May 1970; **E3/259** DK Government Statement entitled "Constitution of Democratic Kampuchea," 6 January 1976, at ENG 00184838; **E3/788** CPK Publication entitled "Lenin, About the State, 1976," 1976; **E3/99** CPK Publication entitled "Follow-up of implementation of the political line in mobilizing the National Democratic Front Forces of the Party (Document No. 6)," 22 September 1975, at ENG 00244275; **E3/135** *Revolutionary Flag*, June 1977, at ENG 00142907. **Witnesses:** **E3/1568** TCW-92 Statement, at ENG 00419369-72; **E3/5586** [REDACTED] OCIJ Statement, at ENG 00434910-12; **E3/5133** [REDACTED] OCIJ Statement, at ENG 00223201; **E3/1568** TCW-223 Statement, at ENG 00419399, 00419406-08, 406; **E3/507** Khiev Neou OCIJ Statement, at ENG 00358141; **E3/5130** [REDACTED] OCIJ Statement, at ENG 00223180-81; **E3/5296** [REDACTED] OCIJ Statement, at ENG 00358145-47; **E3/5132** [REDACTED] OCIJ Statement, at ENG 00223190-91; **E3/367** Sao Sarun OCIJ Statement, at ENG 00278694; **E3/5560** [REDACTED] OCIJ Statement, at ENG 00377169; **E3/5291** TCW-726 OCIJ Statement, at ENG 00375894-96. **Complaint:** **E3/5550** [REDACTED] Statement, 8 January 1986; **E3/5549** [REDACTED] Statement, 6 January 1986; **E3/5548** [REDACTED] Statement, 9 January 1986; **E3/2952** [REDACTED] Statement, June 1986; **E3/4590** Ponchaud Francois Statement, 1975 - 1979; **E3/3976** Denise Affonço OCIJ Statement, 3 June 2009; **E3/5239** TCW-39 OCIJ Statement, 3 December 2008; **E3/5523** TCCP-85 OCIJ Statement, 9 December 2009; **E3/5131** [REDACTED] OCIJ Statement, 14 November 2007; **E3/428** [REDACTED] OCIJ Statement, 19 August 2009; **E3/5499** [REDACTED] OCIJ Statement, 22 August 2009; **E3/5481** [REDACTED] Complaint, 9 February 2010. **Video:** **E3/2345R** DC-Cam, Video entitled "DC-Cam 2004," 2004; **E3/3126R** DRS Film, Video entitled "Deacon of Death, Looking for Justice in Today's Cambodia," 2004; **E3/3114R** PRK, Video entitled "20 May 2002," 20 May 2002; **E3/2337R** TV5, Video entitled "Day of Hatred," 2002. **Rogatory Report:** **E3/2416** ECCC-OCIJ, Report of the Execution of Rogatory Letter, 24 February 2009; **E3/3077** ECCC-OCIJ, Rogatory Letter Completion Report, 30 December 2009. **Int'l Media Report:** **E3/3378** Chicago Tribune, *Cambodia: Extermination of a Society*, 20 November 1977; **E3/3387** Chicago Tribune, *A Nation in Agony*, 10 September 1978; **E3/2658** French Newspapers, *Un ambassadeur de France Pourrait Visiter le Cambodge and Les réfugiés Khmers au Vietnam Parlent*, October 1977; **E3/2411** Le Monde, *Cambodia Nine Months Down the Road*, 18 February 1976; **E3/3391** Los Angeles Times, *Cambodia Strives for Self-Sufficiency and Independence, at Great Human Cost*, 29 December 1978; **E3/3388** New York Times, *The Agony of Cambodia*, 19 November 1978; **E3/3389** Wall Street Journal, *Tales of Terror: Cambodian Refugees Tell a Story of Hunger, Repression and Death*, 22 November 1978. **Int'l Communication:** **E3/2666** Telegram 565 from Jean-Louis Toffin, French Embassy in Thailand, to French Minister of Foreign Affairs; entitled "Testimony of Brigadier-général Sor-Buon, former general in the Khmer National Armed Forces (FANK)," 23 June 1975; **E3/2675** International Communication from French Ministry of Foreign Affairs entitled "Chronique cambodgienne (1er août-1er octobre 1978)," 1 December 1978; **E3/195** Communication by the US embassy in Phnom Penh to the US State Department and several embassies, entitled "Khmer Report - April 9, 1974," 9 April 1974; **E3/482** Triviere Leon, *China and Cambodia*, November 1975; **E3/3329** Telegram from the US Embassy in Vientiane to the US Secretary of State entitled "Lao Newspaper Story On Conditions In Khmer Rouge Zone In Cambodia," 10 August 1974. **Reports:** **E3/4521** Amnesty International, *Submission from Amnesty International under Commission on Human Rights Decision 9 (XXXIV)*, 14 July 1978; **E3/1806** Canadian Government,

Further Submission from the Government of Canada under Commission on Human Rights Decision 9, 8 September 1978; **E3/2622** DK-Military, *Genocide in Treang District*, 1983; **E3/1804** Francois Ponchaud, *Submission from International Commission of Jurists under Commission on Human Rights incl. Some General Indications Concerning Violations of Human Rights in Democratic Kampuchea between 1975 and 1978*, 16 August 1978, at ENG 00087527; **E3/4527** Stephen Heder, *Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes: Cambodian Accountability in Comparative Perspective*, March 2003; **E3/2307** Socialist Thought and Practice, *Kampuchea - Socialism Without a Model*, 19 April 1978 - 24 April 1978, at ENG 00046706; **E3/2306** Tanjug, *A Yugoslav Journalist's Impressions on his Visit*, 29 April 1978, at ENG 00010086; **E3/1805** Norwegian Government, *Submission of the Government of Norway under Commission on Human Rights Decision 9*, 18 August 1978; **E3/2621** Unknown, *Pol Pot Genocide in Batie District*, 7 January 1979; **E3/3319** United Kingdom Government, *Human rights violations in Democratic Kampuchea*, 14 July 1978, at ENG 00420605; **E3/2060** United Nations Commission on Human Rights, *Analysis Prepared on Behalf of the Sub-Commission by its Chairman of Materials*, 30 January 1979, at ENG 00078662-63. **Books:** **E3/20** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, at ENG 00237894-95, 00237969; **E3/1686** David Chandler, *A History of Cambodia*, at ENG 00422697; **E3/2818** Ian Harris, *Buddhism Under Pol Pot*, at ENG 00176681-82; 00176709-13, 00176721-22; 00176731-36, 00176769; 00176771-73, 00176776; 00176779-81, 84, 86-88; 00176793-95, 00176809; **E3/3346** Alexander Hinton, *Why did they kill?*, at ENG 00431569-70; **E3/3304** Ben Kiernan, *Genocide and Democracy in Cambodia*, at ENG 00430295, 00430398; **E3/1593** Ben Kiernan, *The Pol Pot Regime: Race, Power, and Genocide in Cambodia under the Khmer Rouge, 1975-79*, at ENG 00104205-07; **E3/2812** Henri Locard, *Le Petit Livre Rouge de Pol Pot (Pol Pot's Little Red Book)*, at ENG 00394744, 800-02; **E3/3993** Jennar Raoul Marc, *Khieu Samphan and les Khmers Rouges*.

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Accused: **E3/16**, **E3/3855** Khieu Samphan, *Considerations on the History of Cambodia from the Early Stage to the Period of Democratic Kampuchea*, October 2007, at ENG 00498271-73 [stating that Koy Thuon had been “confined to a house under the monitoring of the Standing Committee” from April 1976 to January 1977, as a result of the Siem Reap explosion and allegations of sexual misconduct]; **E3/37** Khieu Samphan Statement, 14 December 2007, at ENG 00156754; **E3/453** Duch Statement, at ENG 00147583 [indicating that decisions to arrest Central Committee members were taken by the whole Standing Committee]; **E3/451**, **E3/526** Duch Statement, 5 May 2008, at ENG 00204355; **E3/454** Duch Statement, at ENG 00147604; **E3/106** Duch Statement, at ENG 00177634; **E3/455** Duch Statement, at ENG 00149916; **E3/60** Duch Statement, at ENG 00195606; **E3/61** Duch Statement, at ENG 00195575; **E3/429** Duch Statement, at ENG 00403922; **E3/1570** Duch Statement, at ENG 00154191, 00154194-95; **E3/355** Duch Statement, at ENG 00242874-78 [stating that Koy Thuon was under house arrest for 8 months]; **E3/451**, **E3/526** Duch Statement, at ENG 00204355; **E3/5772** Duch Statement, at ENG 00209177; **E3/65**, **E3/504** Duch Statement, at ENG 00147519; **E1/6.1** Transcript, 31 March 2009, Duch, 1.46.35; **E3/347** Duch, UNHCHR Statement, 4 - 6 May 1999, at ENG 00002494-557; **E1/20.1** Transcript, 18 May 2009, Duch, 13.53.18 [“stating that an ‘arrest en masse’ of the North Zone was initiated by the Standing Committee”], 13.50.47, 11.27.37; **E1/32.1** Transcript, 15 June 2009, Duch, 9.57.30 [“the key people who were arrested were decided by the Standing Committee and S-21 had to arrest them”], 10.07.30; **E1/33.1** Transcript, 16 June 2009, Duch, 09.59.20 - 10.05.52, 10.18.13, 10.26.56 - 10.33.16; **E1/80.1** Transcript, 25 November 2009, Duch, 11.09.01. **CPK Documents:** **E3/12** CPK Directive entitled “Decision of the Central Committee Regarding a Number of Matters,” 30 March 1976, at ENG 00182809; **E3/1612**, **E3/182**, **E3/183** CPK Standing Committee Meeting Minutes, 9 October 1975, at ENG 00183393; **E3/232** CPK Standing Committee Minutes, 8 March 1976, at ENG 00182628, 30-31; **E3/233**, **E3/234** CPK Standing Committee Minutes, 13 March 1976, at ENG 00182649; **E3/846** Commerce Committee draft letter to the Ministry of Commerce entitled “Ten-day periodic report 19-10-76,” 24 October 1976, at ENG 00234229, at FRE 00623089, at KHM 00021305-10; **E3/235**, **E3/236** CPK Standing Committee Minutes, 19-21 April 1976, at ENG 00183416; **E3/476** Map, *Democratic Kampuchea in 1976*, at ENG 00295143; **E3/239** Telegram from Ke Pauk to Office 870, 30 April 1977, at ENG 00069529 [stating that Brother Se had been assigned “to grasp the situation in Ampil district,” after an incident in which enemies had thrown grenades into the district office]; **E3/241** Telegram from Sè (Zone 801) to Committee 870, 23 August 1977, at ENG 00183627-28; **E3/1091** Telegram 53 from North Zone Secretary Se to Committee 870, 23 August 1977, at ENG 00327793-95; **E3/1144**, **E3/1145** Telegram from Sè to Committee 870, 5 September 1977; **E3/170** CPK, *Revolutionary Flag*, October - November 1977; **E3/985** Telegram from Sè to Committee 870, 10 December 1977; **E3/898** Telegram from Sè to Committee 870, 11 December 1977, at ENG 00183626 [requesting approval to merge Siem Reap district, which consisted primarily of “New People,” with Banteay Srey district, which was mainly “Old People”]; **E3/918** DK Telegram from Sè to Committee 870, 10 January 1978, at ENG 00182758;

E3/995, E3/996, DK Telegram from Sè to Committee 870, 19 March 1978, at ENG 00436995-96; **E3/1001** DK Telegram from Seuang to Uncle Nuon, 31 March 1978; **E3/1073, E3/1074** DK Telegram from Sè to Committee 870, 10 April 1978, at ENG 00293358-59; **E3/1209** Telegram from Sè to Committee 870, 2 May 1978; **E3/875** DK Telegram from Van Rith to Krin and Nath, 10 December 1978, at ENG 00172216; **E3/227** CPK Standing Committee Minutes, 2 November 1975, at ENG 00183409; **E3/229** 22 February 1976, at ENG 00182625; **E3/230** 22 February 1976, at ENG 00182546; Prisoners List; **E3/171** S-21 Biography of Lim Kimary *alias* Vun, 13 February 1976, at ENG 00226076; **E3/2092, E3/2093** S-21 Prisoner List, July 1976, at ENG 00235660-62; **E3/1994** S-21 Prisoner List, 23 September 1976, at KHM 00072564-71; **E3/837** S-21 Prisoner List, 15 September 1976, at KHM 00066054-56; **E3/2094, E3/2095** S-21 Prisoner List, 17 October 1976, at ENG 00184721-22; **E3/1992** S-21 Prisoner List, 5 October 1976, at KHM 00072562-63; **E3/2090, E3/2091** S-21 Prisoner List, 4 October 1976, at KHM 00079322-34; **E3/1988** S-21 Prisoner List, December 1976, at ENG 00232769, 00232772, 00232776, 00232782, 00232786-87; **E3/835** S-21 Prisoner List, 1977, at KHM 00066071-75; **E3/2276** S-21 Prisoner List, 1977, KHM 00040788-89; **E3/1981** S-21 Prisoner List, 1977, at KHM 00066050-53; **E3/1929, E3/2086, E3/2087** S-21 Prisoner List, 1977, at ENG 00235663; **E3/1810** S-21 Biography of Phea Chhay *alias* Sour, January 1977, at ENG 00528408; **E3/2016** S-21 Prisoner List, January 1977, at ENG 00234280; **E3/1999** S-21 Prisoner List, 8 January 1977, at ENG 00233676, 00233679, 00233681-82, 80023366, 00233688; **E3/1810** S-21 Biography of Phea Chhay *alias* Sour, 2 February 1977, at ENG 00528408; 00226076; **E3/1604** S-21 Confession of Koy Thuon *alias* Khuon *alias* Thuch, 4 March 1977, at KHM 00005999-6159; **E3/1986** S-21 Prisoner List, 30 March 1977, at KHM 00066104-21; **E3/2006** S-21 Prisoner List, 31 March 1977, at ENG 00193523-37; **E3/2000** S-21 Prisoner List, 10 March 1977, at ENG 00184707-11; **E3/2005** S-21 Prisoner List, 26 March 1977, at KHM 00064657-71; **E3/2956** S-21 Prisoner List, 27 March 1977, at ENG 00222966 (No. 42) [indicating that Tol entered S-21 on 19 February 1977]; **E3/2956** S-21 Prisoner List, 27 March 1977, at ENG 00222965 (No. 1), 67 (No. 56) [indicating that both Sreng and Taing entered S-21 on 18 February 1977]; **E3/2001** S-21 Prisoner List, 4 March 1977, at ENG 00233755; **E3/2006** S-21 Prisoner List, 31 March 1977, at KHM 00072503-17; **E3/2000** S-21 Prisoner List, 10 March 1977, at ENG 00184707-11; **E3/2001** S-21 Prisoner List, 4 March 1977, at ENG 00233724-29; **E3/2003** S-21 Prisoner List, 4 March 1977, at ENG 00233800-801; **E3/2004** S-21 Prisoner List, 21 March 1977, at KHM 00066076-83; **E3/2005** S-21 Prisoner List, 26 March 1977, at KHM 00064657-71; **E3/2006** S-21 Prisoner List, 31 March 1977, at ENG 00193523-37; **E3/3858** S-21 Execution Log, 12 May 1977, at KHM 00009195-98; **E3/839** S-21 Prisoner List, 18 May 1977, at KHM 00065931-32; **E3/840** S-21 Prisoner List, 27 May 1977, at KHM 00072578; **E3/841** S-21 Prisoner List, 28 May 1977, at KHM 00072579-81; **E3/842** S-21 Prisoner List, 2 June 1977, at ENG 00233797-98; **E3/2011** S-21 Execution Log, 20 June 1977, at ENG 00290177-94; **E3/972** S-21 Prisoner List, 1 June 1977, at ENG 00219406; **E3/3859** S-21 Execution Log, 3 July 1977, at KHM 00009274-76; **E3/1551** S-21 Prisoner List, August 1977, at KHM 00072558 (KHM); **E3/836** S-21 Prisoner List, 22 September 1977, at KHM 00066058-60; **E3/1949** S-21 Prisoner List, October 1977, KHM 00082795-814; **E3/1949** S-21 Prisoner List, October 1977, at KHM 00082799 (No. 92); **E3/1949** S-21 Prisoner List, October 1977, at KHM 00082799 (No. 101); **E3/1949** S-21 Prisoner List, October 1977, at KHM 00082799 (No. 95); **E3/1949** S-21 Prisoner List, October 1977, at KHM 00082799 (No. 97); **E3/1949** S-21 Prisoner List, October 1977, at KHM 00082799 (No. 105); **E3/843** S-21 Prisoner List, 12 October 1977, at ENG 00233841-42; **E3/1983** S-21 Prisoner List, 17 October 1977, at KHM 00066092-97; **E3/1985** S-21 Prisoner List, November 1977, at KHM 00066098; **E3/1921** S-21 Prisoner List, 31 December 1977, at KHM 00066100; **E3/1982** S-21 Prisoner List, 1978, at KHM 00066084-91; **E3/2025** S-21 Prisoner List, 2 February 1978, at ENG 00184712, 14-15; **E3/2194** S-21 Prisoner List, 30 March 1978, at KHM 00086721-24; **E3/2033** S-21 Prisoner List, 4 April 1978, at KHM 00072536-43; **E3/2032** S-21 Prisoner List, 4 April 1978, at KHM 00072544-50; **E3/2033** S-21 Prisoner List, 4 April 1978, at KHM 00072536-43; **E3/2034** S-21 Prisoner List, 5 April 1978, at KHM 00039972-79; **E3/2199** S-21 Prisoner List, 6 April 1978, at KHM 00039980-88; **E3/2200** S-21 Prisoner List, 7 April 1978, at KHM 00088594-601; **E3/1922** S-21 Prisoner List, 7 April 1978, at KHM 00039876-91; **E3/1654** S-21 Prisoner List, 8 April 1978, at ENG 00234234, 36, 38, 39, 41-43; **E3/2202** S-21 Prisoner List, 9 April 1978, at KHM 00086868-70; **E3/2203** S-21 Prisoner List, 9 April 1978, at KHM 00086903-05; **E3/1937** S-21 Prisoner List, 9 April 1978, at ENG 00233803, 05, 08; **E3/1926** S-21 Prisoner List, 11 April 1978, at KHM 00039852-60; **E3/1925** S-21 Prisoner List, 11 April 1978, at KHM 00039963-71; **E3/1977** S-21 Prisoner List, 25 April 1978, at KHM 00065924-25; **E3/1935** S-21 Prisoner List, 28 April 1978, at KHM 00039861-68; **E3/1940** S-21 Prisoner List, 30 April 1978, at ENG 00334987; **E3/1939** S-21 Prisoner List, 30 April 1978, at KHM 00039844-51; **E3/2034** S-21 Prisoner List, 5 April 1978, at KHM 00039972-79; **E3/2035** S-21 Prisoner List, 6 April 1978, at ENG 00233863, 65-70; **E3/2021** S-21 Prisoner List, March 1978, at KHM 00079319-20; **E3/2029** S-21 Prisoner List, 30 March 1978, at KHM 00072551-55 (KHM); **E3/1991** S-21

Prisoner List, 18 May 1978, at KHM 00065923; **E3/1941** S-21 Prisoner List, May 1978, at KHM 00039927-53; **E3/1943** S-21 Prisoner List, May 1978, at KHM 00040147-53; **E3/2100**, **E3/2101** S-21 Prisoner List, May 1978, at KHM 00019233-49; **E3/2217** S-21 Prisoner List, 2 May 1978, at KHM 00086884-85; **E3/2218** S-21 Prisoner List, 2 May 1978, at KHM 00088656-62; **E3/2135**, **E3/2136** S-21 Interrogation Log, 4 May 1978, at ENG 00182913-14, 24-25, 29-30, 33; **E3/1947** S-21 Prisoner List, 5 May 1978, KHM 00039954-62; **E3/1673** S-21 Prisoner List, 7 May 1978, at KHM 00088649-55; **E3/1948** S-21 Prisoner List, 9 May 1978, at KHM 00040163-64; **E3/1951** S-21 Prisoner List, 10 May 1978, at ENG 00233743; **E3/1952** S-21 Prisoner List, 11 May 1978, at KHM 00040144-46; **E3/2211** S-21 Prisoner List, 11 May 1978, at KHM 00086859-64; **E3/2221** S-21 Prisoner List, 12 May 1978, at KHM 00088673-81; **E3/2223** S-21 Prisoner List, 16 May 1978, at KHM 00088663-72; **E3/1953** S-21 Prisoner List, 18 May 1978, at ENG 00233845-46; **E3/1945** S-21 Prisoner List, 25 May 1978, at ENG 00233790; **E3/1942** S-21 Prisoner List, 28 May 1978, at ENG 00183856; **E3/1958** S-21 Prisoner List, 29 May 1978, at KHM 00040168-72; **E3/2019** S-21 Prisoner List, 27 May 1978, at ENG 00234285-86; **E3/1975** S-21 Prisoner List, 27 May 1978, at ENG 00234290; **E3/2100**, **E3/2101** S-21 Prisoner List, May 1978, at KHM 00019233-49; **E3/1959** S-21 Prisoner List, June 1978, at KHM 00040043-50; **E3/1962** S-21 Prisoner List, 2 June 1978, at ENG 00184723; **E3/1979** S-21 Prisoner List, 23 June 1978, at ENG 00234291; **E3/1965** S-21 Prisoner List, 10 June 1978, at KHM 00052901-05; **E3/1966** S-21 Prisoner List, 13 June 1978, at ENG 00234252; **E3/2010** S-21 Prisoner List, July 1978, at KHM 00040080-91; **E3/2022** S-21 Prisoner List, July 1978, at KHM 00040125-34; **E3/1997** S-21 Prisoner List, July 1978, at KHM 00040098-99; **E3/1987** S-21 Prisoner List, 24 July 1978, at ENG 00234289; **E3/2201** S-21 Prisoner List, 9 August 1978, at KHM 00086871; **E3/1957** S-21 Prisoner List, 27 September 1978, at ENG 00234281; **E3/1967** S-21 Prisoner List, 2 September 1978, at ENG 00234228; **E3/2023** S-21 Prisoner List, 2 September 1978, at ENG 00234326; **E3/1998** S-21 Prisoner List, October 1978, at KHM 00040102-24; **E3/1995S**-21 Prisoner List, 22 November 1978, at ENG 00234287-88; **E3/1532** S-21 Biography of Ing Sok, 29 December 1978, at ENG 00235659; **E3/1533** S-21 Biography of Phal Va *alias* Nat, 30 December 1978, at ENG 00242035; **E3/1993** S-21 Prisoner List compiled by the PRK Tribunal, August 1979, at KHM 00064826-43; **E3/1809** S-21 Biography of Leng Malis, at ENG 00234363; **E3/838** S-21 Prisoner List, undated, at KHM 00065926-27; **E3/342** OCP Revised S-21 Prisoner List, at ENG 00329880 [Nhoek Chhât *alias* Chhi, former messenger of Koy Thuon], ENG 00329970 [San, former messenger of Koy Thuon] and ENG 00329927 [Phon Vanny *alias* Nin, former messenger of Nhem]; **E3/342** OCP Revised S-21 Prisoner List, at ENG 00329596-330129: for example, Chan Sinat, Battalion 701, arrested on 14 November 1977, at 519; Cheam Phen *alias* Sin, Battalion 702, arrested on 14 November 1977, at 828; Chhuon Ourn, Tank Logistics Office, arrested on 17 September 1977, at 1323; Dip Rin, Battalion 701, arrested on 14 November 1977, at 1812; Dy Leng *alias* Pheap, Battalion 704, arrested on 4 October 1977, at 1935; Hang Bo, Chief of Division 174 Hospital, arrested on 17 September 1977, 2205; Kaen Yorn *alias* Ean, Battalion 901, arrested on 14 November 1977, at 3120; Lay Sin *alias* Sao, Battalion 601, arrested on 6 October 1971, at 4569; Lor Yoeun *alias* Seat, Battalion 701, arrested on 14 November 1977, at 4958; Penh Vath *alias* Phon, Battalion 702, arrested on 14 November 1977, at 7382; Sak Man *alias* Voeun, Secretary of Battalion 702, arrested on 15 September 1977, at 8507; Say Sy Thuor *alias* Hun, Battalion 702, arrested on 14 November 1977, at 8999; Sieng Thon *alias* Tha, Battalion 701, arrested on 2 October 1977, at 9267; Yap Yorn *alias* Sor, Chief of Division 174 Logistics, arrested on 19 September 1977, at 12008; **E3/342** OCP Revised S-21 Prisoner List, at ENG 00329596-330129, 00329775, for example, Ré Sim *alias* Reap, Secretary of Regiment 601, arrested on 20 September 1977, no. 8215, at ENG 00329953; Sak Man *alias* Voeun, Secretary of Battalion 702, Regiment 601, arrested on 20 September 1977, no. 8469, at ENG 00329964; Ang Kân *alias* Kol, Deputy Secretary of Battalion 702, Regiment 601, arrested on 3 October 1977, no. 71, at ENG 00329599; Phlaok Auth *alias* Kha, Secretary of Battalion 704, Regiment 601, arrested on 20 September 1977, no. 7556, at ENG 00329924; Lun In, Secretary of Battalion 705, Regiment 601, arrested on 3 October 1977, no. 4956, at ENG 00329811; Chan Sen *alias* Lim, Secretary of Regiment, arrested on 25 September 1977, no. 517, at ENG 00329618;; **E3/342** OCP Revised S-21 Prisoner List, at ENG 00329596-330129; **E3/342** OCP Revised S-21 Prisoner List, at ENG 00329719; **E3/342** OCP Revised S-21 Prisoner List, at ENG 00329838; **E3/342** OCP Revised S-21 Prisoner List, at ENG 00329596-330129: Chea Noeng, Member of Central Zone Ammunition, Division 174, arrested on 25 September 1977, at 712; Chhun Ran *alias* Yorn, Chief of Division's Steelworks, arrested on 25 September 1977, at 1287; Mao San, Deputy Chief of Division 174 Iron Melting Group, arrested on 26 September 1977, at 5410; **E3/342** OCP Revised S-21 Prisoner List, at ENG 00329964 (no. 8469), 0030092 (no. 11407); **E3/1532** S-21 Biography of Ing Sok, at ENG 00235659; **E3/2926** OCP S-21 Prisoners coming from the Old Nord Zone / Central Zone, at KHM/ENG 00333779-95; **E3/2956** S-21 Prisoner List, at ENG 00222966-67 (Nos. 38-56); **E3/342** OCP, Revised S-21 Prisoner List, at KHM/ENG 00329596-30129: Nhim Chhon *alias* Hang, Deputy Chief of Security for

Sector 41, arrested on 20 March 1977 (No. 6501, at ENG 00329878); Yauk Ham *alias* Bun, Deputy Secretary for Sector 42, arrested on 16 March 1977 (No. 11913, at ENG 00330114); Meas Sok *alias* Sao, Head of Security for Sector 42, arrested in March 1977 (No. 5582, at ENG 00329839); Nuon Roeun *alias* Tieng, Deputy Secretary of Sector 42, arrested on 2 October 1977 (No. 6803, at ENG 00329891); Korm (Kuam) Chan, Sector 43 Secretary, arrested on 19 September 1977 (No. 4166, at ENG 00329777); Ruos Noeun *alias* Seang, Member of Sector 43, arrested on 21 June 1978 (No. 8336, at ENG 00329959); **E3/342** OCP, Revised S-21 Prisoner List, at KHM/ENG 00329660 (No. 1480); **E3/342** OCP Revised S-21 Prisoner List, at ENG 00329902, No. 7054 [Pa Phâl *alias* Sot, Chief of Siem Reap Province, entered S-21 on 21 February 1977]; **E3/342** OCP, Revised S-21 Prisoner List, at ENG 00329660, 66; **E3/342** OCP, Revised S-21 Prisoner List, for example, Chan Saun, Secretary of Santuk District, arrested on 16 August 1977 (No. 513, at ENG 00329618); Khoem Chhum, Secretary of Staung District, arrested on 16 August 1977 (No. 3665, at ENG 00329755); Mâk Saun *alias* Meas, Secretary of Kompong Svay District, arrested on 16 August 1977 (No. 5230, at ENG 00329823); Iv Nae *alias* Hoeun, Secretary of Kompong Svay District, arrested on 19 November 1977 (No. 3041, at ENG 00329728); Nhem Chhean *alias* Loeun, Deputy Secretary of Prek Prâsâb District, arrested on 19 November 1977 (No. 6419, at ENG 00329875); Nuon Roeun *alias* Tieng, Secretary of Chomkar Léu District, arrested on 2 October 1977 (No. 6803, at ENG 00329891); **E3/342** OCP Revised S-21 Prisoner List, at ENG 00329615 (No. 461) [indicating that Tol entered S-21 on 18 February 1977]; **E3/342** OCP Revised S-21 Prisoner List: Pheng Sun *alias* Chey or Laom, Chief of Central Zone Commerce, arrested on 3 October 1977 (No. 7523, at ENG 00329923); Hem Soth *alias* Sean, Chief of Central Zone Industry, arrested on 4 October 1977 (No. 2368, at ENG 00329698); Chan Phat *alias* Phauk, Chief of Central Zone Security, arrested on 26 October 1977 (No. 484, at ENG 00329616); Poul Poeun *alias* Proeung, Chief of Central Zone Hospital, arrested on 26 October 1977 (No. 7832, at ENG 00329937); Or Laun, Chief of Central Zone Commerce Warehouse, arrested on 14 November 1977 (No. 6967, at ENG 00329898); **E3/342** OCP Revised S-21 Prisoner List: Sun Houen *alias* Im, Chief of Central Zone Security, arrested on 6 July 1978 (No. 10040, at ENG 00330032); Khong Sok *alias* Nei, Chairman of Central Zone Industry, arrested on 14 March 1978 (No. 3692, at ENG 00329756); **E3/342** OCP, Revised S-21 Prisoner List: for example, Uon Ay *alias* Soeun, Secretary of Prey Chhor District, arrested on 26 February 1977 (No. 11493, at ENG 00330095); Chuon Ol *alias* Meas, Secretary of Kang Meas District, arrested on 26 February 1977 (No. 1668, at ENG 00329668); Nuon Ieng *alias* Suor, Secretary of Prek Prasap District, arrested on 24 February 1977 (No. 6767, at ENG 00329890); Uon Thuon *alias* Pan, Secretary of Sandan District, arrested on 21 March 1977 (No. 11500, at ENG 00330096); **E3/2926** OCP S-21 Prisoners coming from the old North Zone/Central Zone, at ENG/KHM 00333779-95; **E3/342** OCP Revised S-21 Prisoner List, at ENG 00329876, No. 6439; **E3/342** OCP Revised S-21 Prisoner List, at ENG 00329941, No. 7939; **E3/342** OCP Revised S-21 Prisoner List, at ENG 00330069, No. 10883; **E3/342** OCP Revised S-21 Prisoner List, at ENG 00330112, No. 11879; **E3/342** OCP Revised S-21 Prisoner List, at ENG 00329884, No. 6646 [Nou An *alias* Hean]; **E3/342** OCP Revised S-21 Prisoner List, at ENG 00329619, No. 550; **E3/342** OCP, Revised S-21 Prisoner List, at ENG 00329617, No. 503; **E3/342** OCP, Revised S-21 Prisoner List, at ENG 00329816 (no. 5055); **E3/342** OCP, Revised S-21 Prisoner List, at ENG 00329596-30129; **E3/342** OCP, Revised S-21 Prisoner List, at ENG 00329729 (no. 3076); **E3/2926** OCP S-21 Prisoners coming from the old North Zone/Central Zone, at KHM/ENG 00333779-95; **E3/342** OCP Revised S-21 Prisoner List, at ENG 00329605, No. 220; **E3/342** OCP Revised S-21 Prisoner List: In addition to Secretary Hâng, other Sector 103 cadre who were sent to S-21 included the Sector Deputy Secretary Mob Chhoeuy *alias* Don *alias* Duch, arrested on 22 April 1978 (No. 5754, at ENG 00329846), and Sector public works cadre Bou Sea and So Nguon Seng *alias* Kae, arrested on 16 January 1978 (No. 229, at ENG 00329605); **E3/342** OCP Revised S-21 Prisoner List, at ENG 00329678, No. 1911 and at ENG 00329603, No. 177; Duong Thoeun *alias* Seng *alias* Neng and Bin Chheang *alias* Ly; **E3/342** OCP Revised S-21 Prisoner List. For example, Sâr Thai Seng, Engineer of State Agriculture Research Section, arrested on 1 January 1977 (No. 8869, at ENG 00329982); Kheng Kim Chhai *alias* Chhay, Chief of Welding Group, State Agriculture, arrested on 8 January 1977 (No. 3478, at ENG 00329747); Ieng Dim *alias* Vann, Chief of Saw Mills, State Agriculture, arrested on 17 March 1977 (No. 2834, at ENG 00329719); Han Kim Huot *alias* Bang, Chief of Agricultural Office, arrested on 23 March 1977 (No. 2189, at ENG 00329690); Mao Thân *alias* Thun, Chief of Animal Raising Section, Ministry of Agriculture, arrested on 7 July 1977 (No. 5431, at ENG 00329832); **E3/342** OCP Revised S-21 Prisoner List: Phok Chhay *alias* Touch, arrested on 14 March 1977 (No. 7600, at ENG 00329926); Mei Chan Bo *alias* Bo, arrested on 17 February 1977 (No. 5607 at ENG 00329840), 00329743; **E3/2002** S-21 Prisoner List, at ENG 00234276-77; **E3/2008** S-21 Prisoner List, at KHM 00065928; **E3/2267** S-21 Prisoner List, at KHM 00088759; **E3/2279** S-21 Prisoner List, at KHM 00040796-97; **E3/1996** S-21 Prisoner List, at KHM 00088522-23, at ENG 00088522-23-ET; **E3/1989** S-21 Prisoner List, undated, (KHM); **E3/1990** S-21 Prisoner List, at KHM 00065929; **E3/2956**

S-21 Prisoner List, at ENG 00222965-68; **E3/1978** S-21 Prisoner List, at KHM 00066064; **E3/1984** S-21 Prisoner List, undated, at KHM 00072556; **E3/1980** S-21 Prisoner List, undated, at KHM 00066057; **E3/81** Photograph, Koy Thuon at S-21, at ENG P 00005253; Confession:/1892 S-21 Confession of Chea Non *alias* Suong, at ENG 00096949-93 (Excerpts), KHM 00012692-957; **E3/1604** S-21 Confession of Koy Thuon *alias* Khuon *alias* Thuch, at KHM 00005709-832, 5999, 6757-956, at ENG 0096779-813, 00486362-63 (Excerpts); **E3/1148** Letter of Comrade Pon on the confession of Koy Thuon, at ENG 00419126; **E3/1881** S-21 Confession of Phorn, at KHM 00084133-54; **E3/1891** S-21 Confession of Sbauv Him *alias* Euan, at ENG 00096819-20 (Summary), KHM 00017526-945; **E3/1550** S-21 Confession of Hu Nim *alias* Phoas, Minister of Propaganda, at ENG 00249844-45 (Excerpts), KHM 00008921-9001; **E3/2464** S-21 Confession of Chun Chhum *alias* Taing; **E3/1870** S-21 Confession of Non Suon *alias* Chey Suon *alias* Saen, at ENG 00096849 [note from S-21 interrogator Pon to former Minister of Agriculture Non Suon stating that his “detention was decided on by the Standing Committee of the Party Centre and not by some other level or part of the Party”]; **E3/1780**, **E3/2791** S-21 Confession of Chan Chakrey *alias* Nov Mean, 1 June 1976, at ENG 00183019-85 (Excerpts), at KHM 00030985-2842 [arrested on 19 May 76]; **E3/2494** S-21 Confession of Suos Neou *alias* Chhouk *alias* Men *alias* VIII, 29 July 1976, at KHM 00318531-9337 [arrested on 31 August 1976]; **E3/1868** S-21 Confession of Men San *alias* Ney Saran *alias* Ya, at KHM 00009497-682, FRE 00282377-90 (Excerpts) [arrested on 20 September 1976]; **E3/4248** S-21 Confession of Chey Suon *alias* Saen, at ENG 00753682-3704, KHM 00021539-2788 [arrested on 1 November 1976]; **E3/1641** S-21 Confession of Tann Try *alias* Chhoeurn, 17 February 1977, KHM 00084726-93; **E3/1604** S-21 Confession of Koy Thuon *alias* Khuon *alias* Thuch, 19 February 1977, at ENG 00006159 [annotation indicating that “He confessed when we punched/drilled a hole in one side.”]; **E3/1625** S-21 Confession of Seu Vasi *alias* Deuan, 19 February 1977, at KHM 00011673-925, ENG 00183220-21 (Excerpts); **E3/1625** S-21 Confession of Seu Vasi *alias* Deuan, KHM 00011673-925, 00183208-19 (Excerpts) [arrested on 13 February 1977]; **E3/2797** S-21 Confession of Chor Chhan *alias* Sreng, at KHM 00070431 [bearing the date 17 February 1977]; **E3/2462** S-21 Confession of Chan Mon *alias* Töl, at KHM 00297662 [indicating that Tol entered S-21 on 18 February 1977]; **E3/1753** S-21 Confession of Koy Thuon, 19 February 1977, at ENG 00178180-82; **E3/1754** S-21 Confession of Pa Phall *alias* Sot, Secretary of Sector 106, at KHM 00029853-30108 [arrested on 21 February 1977]; **E3/2797** S-21 Confession of Chor Chhan *alias* Sreng, Deputy Secretary of New North Zone, at KHM 00070431-84 [arrested on 27 February 1977]; **E3/1827** S-21 Confession of Tauch Phoeun *alias* Phîn, Minister of Public Affairs, at ENG 00183385-92 (Excerpts), 00018729-9081 (KHM) [arrested on 17 February 1977]; **E3/1753** S-21 Confession of Koy Thuon *alias* Khuon *alias* Thuch, 19 February 1977, at ENG 00178180-81; **E3/1604** Corroboration in S-21 Confession of Koy Thuon *alias* Khuon *alias* Thuch, 4 March 1977, at ENG 00005999 (KHM), at ENG 00486362 (Excerpts); **E3/1878** S-21 Confession of Phok Chhay *alias* Touch, 14 March -16 April 1977, at KHM 00227290-417; **E3/1827** S-21 Confession of Tauch Phoeun *alias* Phîn, 24 March 1977, at KHM 00018729-19081; **E3/2485** S-21 Confession of Prak Sum *alias* Beng, 29 March 1977, at KHM 00297206-99; **E3/2486** S-21 Confession of Prak Sam *alias* Beng, 5 April 1977, at KHM 00309979-10758; **E3/1550** S-21 Confession of Hu Nim *alias* Phoas, Minister of Propaganda, 10 April - 6 July 1977, at KHM 00003117-22, 6658-6711, 8921-9001, at ENG 00249844; **E3/2498** S-21 Confession of Yang Pov (Yong Peou), 2 May 1977, at KHM 00319741-20023; **E3/1832** S-21 Confession of Tiv Ol *alias* Penh, May - September 1977, at KHM 00030802-984, at ENG 00183816 (Summary); **E3/2011** S-21 Execution Log, 20 June 1977, at ENG 00290179 (No. 41); **E3/1856** S-21 Confession of Maen Mol *alias* Men Sakhan *alias* Mol, 22 September 1977, at KHM 00035810-62, 00036641-8133; **E3/1833** S-21 Confession of Tong Hai *alias* Nget You *alias* Hong, 5 April 1978, at KHM 00064672-74, 00184327-37; **E3/1897** S-21 Confession of So Chea *alias* So Choun, 25 March 1978, IS Annex C, KHM 00084155-642 (KHM); **E3/2470** S-21 Confession of Bou Phat *alias* Heng, 26 July 1978, at ENG 00296573-7021; **E3/2798**, **E3/2799** S-21 Confession of Khoem Chhum, 11 September 1978, at ENG 00221809 (Summary); **E3/2792**, **E3/2793**, **E3/2794** S-21 Confession of Chan Sam *alias* Kang Chap *alias* Sae, 25 October 1978, at ENG 00223036,42 (Excerpt); **E3/1867** S-21 Confession of Nai Chheun, 27 December 1978, ENG 00234254-75; Witnesses: **E3/375 TCW-29** Statement, at ENG 00360751-52; **E3/5647** [REDACTED] Statement, at ENG 00184108-10 (Summary), at KHM 00054371-427; **E3/5647** [REDACTED] Statement, 7 December 2002, at ENG 00184109-10 (Summary), KHM 00054371-427; **E3/421** Chhouk Rin OCIJ Statement, at ENG 00414058-60 [“Nuon Chea talked about the enemy burrowing from within by referring to a number of cadres in the Eastern Zone who were involved with Vietnam. He required cleansing all enemy burrowing from within.”]; **E3/5492** [REDACTED] OCIJ Statement; **E3/5652** [REDACTED] Statement, at ENG 00184221-22 (Summary), at KHM 00058313-35; **E3/474** Ek Hén Statement, at ENG 00205050; **E3/4635** Ek Hén *alias* Chea Statement; **E3/416** [REDACTED] OCIJ Statement; **E3/5150 TCW-231** OCIJ Statement; **E3/5532 TCW-231** OCIJ

Statement; **E3/5656** [REDACTED] Statement, at ENG 00184096-97 (Summary), at KHM 00054095-111; **E3/4627 TCW-257** Statement, at ENG 00223474; **E3/2782, E3/ 2783** [REDACTED] Autobiography, at ENG 00089705-06, 13-14; **E3/35 TCW-297** Statement, at ENG 00346148-49, 51-52, 57-58, 61-62 [son of [REDACTED] states that purges were carried out by Southwest cadre “down to the village” level]; **E3/467 TCW-295** Statement, at ENG 00205072-73; **E3/3962** [REDACTED] OCIJ Statement; **E3/380** Kim Vun Statement, at ENG 00365645; **E3/5496** [REDACTED] Statement, at ENG 00346954-55; **E3/4660, E3/5659 TCW-325** Statement, at ENG 00089762-63; **E3/238** CPK Standing Committee Minutes, 28 February 1976, at ENG 00424112; **E3/2820** [REDACTED] Statements, in Rogatory Report, 25 June 2009, at ENG 00381359; **E3/3959** Kung Kim Statement, at ENG 00278684; **E3/376** [REDACTED] Statement, at ENG 00278690; **E3/470** [REDACTED] Statement, at ENG 00205008-09; **E3/5529 TCW-412** Statement, at ENG 00421084; **E3/424** Meas Voeun Statement, at ENG 00421071, 72-73 [testimony of former Sector 103 Secretary]; **E3/5287** [REDACTED] Statement, at ENG 00330775-77; **E3/5159** [REDACTED] Statement; **E3/5641** [REDACTED] Statement; **E3/4625** Nou Mouk (Nou Mao) & others Statements; **E3/4650** [REDACTED] Statement; **E3/64/CORR-2, E3/64/CORR-3, E3/64/CORR-4** Norng Sophâng Statement, at ENG 00334044; **E3/5671** [REDACTED] Statement, at ENG 00183446-47 (Summary), KHM 00019550-74; **E3/400** Pech Chim Statement, at ENG 00379172 [stating that Kang Chap led a force of 100 Southwest cadre to the old North Zone in February 1977]; **E3/403** Pech Sokha Statement, at ENG 00403009; **E3/5165** [REDACTED] Statement, at ENG 00195388; **E3/471** [REDACTED] Statement, at ENG 00223336; **E3/168** Prak Yut Statement, at ENG 00346075; **E3/163** Prak Yut Statement, at ENG 00364078-79; **E3/164** Prak Yut Statement, at ENG 00407796-97; **E3/163** Prak Yut Statement, at ENG 00364078-79, 81; **E3/5675** [REDACTED] Statement, at ENG 00184225-26 (Summary), ENG 00061194-217 (KHM); **E3/4606 TCW-547** Statement, at ENG 00414069-70; **E3/420 TCW-547** Statement, at ENG 00422379-82; **E3/5781** Prum Sou Statement, at ENG 00352006-07; **E3/4594** [REDACTED] Statement, at ENG/KHM 00008249-362; **E3/4594** [REDACTED] Statement, at ENG 00182989-93 (Summary), ENG/KHM 00008249-62; **E3/469** Ruos Suy Statement, at ENG 00205111; **E3/379** Sâ Siek Statement, at ENG 00323331; **E3/5677** [REDACTED] Statement, at ENG 00184087 (Summary), KHM 00053936-61; **E3/5149** [REDACTED] OCIJ Statement; **E3/5152** [REDACTED] Statement, at ENG 00205081; **E3/71 TCW-639** Statement, at ENG 00288636; **E3/5280** [REDACTED] OCIJ Statement; **E3/5709** [REDACTED] Statement; **E3/5252 TCW-641** Statement, at ENG 00235515-17; **E3/4623 TCW-648** Statement, at ENG 00184140-42 (Summary), KHM 00055219-77; **E3/472 TCW-648** Statement, at ENG 00205029-32; **E3/4624 TCW-696** Statement, at ENG 00184143-46 (Summary), KHM 00055278-328; D125/147 TCW-648 Statement, at ENG 00239068; **E3/5276** [REDACTED] OCIJ Statement; **E3/344** Suon Kanil Statement, at ENG 00384426-28; **E3/411** Suon Kanil Statement, at ENG 00390076 [Southwest forces took control of the committees “from the Sector down to the cooperative,” taking over “about 90% of the Central Zone [leadership]”]; **E3/5682** [REDACTED] Statement, at ENG 00184093-94 (Summary), KHM 00054029-49; **E3/5248** [REDACTED] OCIJ Statement; **D231/24** [REDACTED] Statement, at ENG 00346978; **E3/5683** [REDACTED] Statement; **E3/464** [REDACTED] Statement, at ENG 00226113 [identifying Sot as “chief of Siem Reap sector”]; **E3/5224** [REDACTED] Statement, at ENG 00239073-74; [REDACTED] Statement to S.Heder, at ENG 00210139; **E3/5224** [REDACTED] OCIJ Statement; **E3/5223** [REDACTED] Statement, at ENG 00239008-09; **E3/5687 TCW-788** Statement, at ENG 00183450-52 (Summary), KHM 00019592-614; **E3/5497** [REDACTED] Statement, at ENG 00345959-61; **E3/4665** [REDACTED] Civil Party Application, at ENG 00156857; **E3/5686** [REDACTED] Statement; **Rogatory Reports: E3/3887** CIJ Rogatory Report, 30 March 2008, at ENG 00176452-53. **Reports: E3/2378** DC-Cam, *DK Prison*, 23 August 2006; **E3/1804** François Ponchaud, *Submission from International Commission of Jurists under Commission on Human Rights incl. Some General Indications Concerning Violations of Human Rights in Democratic Kampuchea between 1975 and 1978*, 16 August 1978; **E3/3862** Jarvis Helen, *Report on CGP Survey Visit to Siem Reap Province*, 21 October 1995; **E3/1805** Norwegian Government, *Submission of the Government of Norway under Commission on Human Rights Decision 9*, 18 August 1978; **E3/3885** ECCC-OCIJ, *Report of Rogatory Letter*, 20 March 2008. **Academic Articles: E3/3543** Slocomb Margaret, *Chikreng Rebellion: Coup and its Aftermath in Democratic Kampuchea*, 2006. **Books: E3/3346** Alexander Hinton, *Why Did They Kill?*, at ENG 00431580; **E3/1870** Ben Kiernan, *The Pol Pot Regime*, at ENG 00104343-45, 00104354, 00104358-59; **E3/1870** Ben Kiernan, *The Pol Pot Regime*, at ENG 00104223, 353; **E3/1684, E3/1685, E3/1693** David Chandler, *Voices from S-21*, at ENG 00192725; **E3/1593** Ben Kiernan, *The Pol Pot Regime: Race, Power, and Genocide in Cambodia under the Khmer Rouge, 1975-79*; **E3/1684, E3/1685, E3/1693** David Chandler, *Voices from S-21: Terror and History in Pol Pot's Secret Prison*; **E3/1757** Michael Vickery, *Cambodia 1975-1982*, at ENG 00397051-52, 00397054; **E3/9** Philip Short, *Pol Pot: The History*

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of a Nightmare, at ENG 00396562-63; **E3/48, E3/2115** Stephen Heder and Brian Tittmore, *Seven Candidates for Prosecution*, at ENG 00393553.

E1/105.1 Transcript, 9 August 2012, Ong Thong Hoeung, 10.01.28 - 10.05.19 ["Q. During the time of your stay, did you witness any marriage celebration? Or wedding organization? A. In general, and not only at K-15, that applies throughout the country, those who came from overseas did not have the rights to marry the local women."]; **E1/110.1** Transcript, 20 August 2012, Sa Siek, 15.11.31 - 15.12.38 ["... if my superior was a female person then the other man who loved me would propose the marriage through my superior... There was no any other people who organized the marriage festivity for us, but it was the Angkar."]; **E1/113.1** Transcript, 23 August 2012, Em Oeun, 15.53.21 - 15.55.36 ["And at that time the situation was that pressing because they actually suppressed us to get married and they actually arranged that marriage for me, and I had to get married to someone whom I did not love at all."]; **E1/126.1** Transcript, 25 September 2012, Noem Sem, 10.47.18 - 10.49.52 ["Q. Thank you. At the time of the marriage, did you know Lin alias Ken or had you seen Lin prior to your marriage, or was that the first time you were seeing him? A. I had known him briefly before we got married."]; 10.59.40 - 11.01.25 ["Q. ... Who decided on your marriage with Khan Lin, alias Ken? A. At that time, the superior from my husband's side proposed to my superior - that is, Hu Nim - for me to get married."]; 11.02.02 - 11.03.41 ["Q. Were other marriages organized at the same time, or was this the only marriage organized then? A. There were two couples at the time. It was Sao, alias Trea, and his wife and my couple."]; 15.03.59 - 15.05.20 ["Was there any particular policy, as far as marriages were concerned? A. The word "Angkar" refers to the leadership. The marriage was organized by them. And, usually, they were known as Angkar."]; **E1/201.1** Transcript, 5 June 2013, Chhim Sotheara, 14.12.34 - 14.14.05 ["To be more specific, she was rape -- raped during the Khmer Rouge period. She was raped and then she was tortured, as well, and her dramatic experience was so painful and she has hidden it with herself."]; **E1/197.1** Transcript, 27 May 2013, Yos Phal, 15.37.03 - 15.39.19 ["... Angkar would prohibit me from marrying her because I was the son of Angkar and it was up to Angkar to organize the marriage... And the unit chief said if I did not follow the instruction, then I would be killed."]; **E1/197.1** Transcript, 27 May 2013, Sou Sotheavy, 09.51.41 - 09.54.22 ["I had to force myself to have my hair cut so that I looked like a man and I had to mingle with men and I was forced to get married."]; **E1/179.1** Transcript, 10 April 2013, Francois Ponchaud, 13.46.40 - 13.48.24 ["I got a lot of accounts regarding the marriage arranged by Angkar. Women who rejected the marriage with Khmer Rouge soldiers who were handicapped committed suicide. Those women committed suicide."]; **E1/183.1** Transcript, 24 April 2013, Chuon Thi, 09.59.13 - 10.01.15 ["... if you love someone you had to request the marriage. So I was married only - I was married during that period as well... And of course, the marriage was arranged in respective units."]; **E1/191.1** Transcript, 8 May 2013, Philip Short, 11.28.50 - 11.29.50 ["Q... Can you give the Court examples... that were used as means to force people to obey Angkar and to marry based on the instruction of Angkar? A. The possibility of not obeying did not arise because to disobey Angkar would lead to death..."]; **E1/192.1** Transcript, 9 May 2013, Philip Short, 15.49.10 - 15.50.56 ["... the forced marriages, the insistence at the grassroots that couples who had married should produce children... so that Cambodia would become stronger and its production greater; all that is wholly consistent."]; **E1/90.1** Transcript, 21 June 2012, Khiev Neou, 13.59.39 ["Did people get married voluntarily?... A... we needed authorization from the upper echelon."]; 14.02.29 ["Q. Did you ever attend any marriages during the period from 1975 to 1979? A. I think I didn't see other marriages. I saw my own marriage, because Ta Mok organized this marriage for me -- for my couple. However, the head of the department had to help pronounce this. Q. With regard to your marriage arranged by Ta Mok, did your spouse know you before the marriage? A. She knew me, but not very clearly."]; 14.03.53 ["Q. Did your parents or your wife's parents and relatives and the families attend the marriage? A. It was a separate marriage; no family members, no parents, only members at the department -- at the office or the unit came to attend the -- the marriage."]; **E1/80.1** Transcript, 4 June 2012, Sar Kimlomouth, 13.51.32 ["the marriages that you observed, were any relatives of the people participated or whether the -- it was a traditional ceremony with the "achar" participating? A. No, it was not a traditional marriage. At that time, tradition was no longer there. It was like a form of meeting and the parents there attending the marriage ceremony. There was no music or it was not a traditional type of marriage."]; **E1/82.1** Transcript, 6 June 2012, Sao Sarun, 14.02.10 ["Can you describe for the Chamber what the Party's policy on marriage was during the DK regime? A. The organization of the wedding ceremony for the combatants took place in multiple couples at the time or some other times they may arrange the marriage one couple at a time. And in most cases, we also ask their parents whether or not they approve of the marriage. And we also ask individual bride and groom as well whether or not they love each other."]; 14.04.04 ["It was those who were at the upper level who decided to arrange... the marriage for them"]; 14.16.29 ["Q. Could people be married during the Democratic Kampuchea regime without the approval and involvement of Angkar? A. Well, there must be approval from their unit and

they had to report it to the upper authority in that unit before the wedding was organized.”]; **E1/85.1** Transcript, 12 June 2012, Sao Sarun, 10.24.03 [“In 1975 I was forced into marriage. Later on, I became pregnant with my first daughter. One week following delivery of my child, I was sent into the rice fields even though I was not ready to do so.”], 11.30.21 [“In fact in 1978, while on assignment on Kraol Mountain -- I was in charge of cutting wood -- the head of the unit, Rin, forced me to marry Ein (phonetic), who was from the same ethnic group as myself. I was very afraid and I could not contest the order because anyone who challenged an order was arrested. During the wedding, there were 18 couples who stood in two rows. Each person had to declare their consent to the marriage.”]; **E1/88.1** Transcript, 19 June 2010, Yun Kim, 13.35.07 [“Sometimes the military propose to the cooperative, requesting, for example, 30 women to be married to soldiers.”], 13.36.37 [“As for the organizations of the marriage, I’ve heard that the women wore a number each and then they would be arranged to marry a soldier.”], [“mass marriage”]; **E1/88.1** Transcript, 20 June 2010, Yun Kim, 10.17.32 [“I noticed were that the women, the bride and the groom, they wore number each, and there were about 10 couples at a time. So women bearing number 1 had to get married to a man bearing the number 1, so on and so forth.”], [“I only attended and that’s what I observed in this multi-couple marriage arrangement by having the bride and the groom wearing a number each.”]; **E1/51.1** Transcript, 20 March 2012, Kaing Guek Eav *alias* Duch, 11.08.25 [“However, we were asked to be very careful to make sure that, when we get married, we can have our children and to make sure that one plus one equals two. This ideology, it means that we should refrain from getting married with girls or women who were evacuees”].

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Accused & Senior Leaders: **E3/1586** Ieng Sary Statement, 11 October 1977, at ENG 00079815 [“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 millions in 10 years’ time”]; **E3/680** Ieng Sary Statement, 1 December 1980; **E3/5715** Pol Pot Statement, 5 August 1978; **E3/1591** Ieng Thirith Statement, 2 November 1979, at ENG S 00015914 [Ieng Thirith states that “the population increased between 1975-1979 as many babies were born”]. **CPK Documents:** **E3/775** CPK Publication entitled “Revolutionary and Non-Revolutionary World News Regarding the Matter of Family Building,” 02 September 1975, at ENG 00417940-47; **E3/748** *Revolutionary Flag*, October - November 1975, at ENG 00495808; **E3/25** *Revolutionary Flag*, December 1976 January 1977, at ENG 00491435; **E3/2424** Reports between sub-district and district offices and Kraing Ta Chan Security Office, 9 July 1978 - 18 August 1977, at ENG 00322223; **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486262 [“We must continue striving to raise rapidly the people’s standard of living and improve their health, because we need to increase our Kampuchean population to 15 to 20 million over the next 10 years”]. **Witness Statements:** **E3/5255** [REDACTED] OCJ Statement, at ENG 00250047; **E3/5647** [REDACTED] OCJ Statement, at ENG 00184109; **E3/5221** [REDACTED] OCJ Statement, at ENG 00239491; **E3/5508** [REDACTED] OCJ Statement, at ENG 00403042; **E3/5498** [REDACTED] OCJ Statement, at ENG 00384406-09; **E3/5577** [REDACTED] OCJ Statement, at ENG 00374058-59; **E3/5231** [REDACTED] OCJ Statement, at ENG 00279253-54; **E3/5184** [REDACTED] OCJ Statement, at ENG 00225528; **E3/5571** [REDACTED] At OCJ Statement, at ENG 00359919; **E3/414** [REDACTED] OCJ Statement, at ENG 00374042; **E3/3976** Denise Affonco OCJ Statement, at ENG 00346935; **E3/408** [REDACTED] OCJ Statement, at ENG 00404732-33; **E3/5295** [REDACTED] OCJ Statement, at ENG 00351368; **E3/5212** [REDACTED] Statement, at ENG 00275426; **E3/436** **TCCP-36** OCJ Statement, at ENG 00414567; **E3/5591** [REDACTED] OCJ Statement, at ENG 00426489; **E3/5558** **TCCP-40** OCJ Statement, at ENG 00381009-10; **E3/5789** Kaing Guek Eav *alias* Duch OCJ Statement, at ENG 00414333-36; **E3/5585** [REDACTED] OCJ Statement, at ENG 00421056; **E3/5539** [REDACTED] OCJ Statement, at ENG 00380129; **E3/5559** [REDACTED] OCJ Statement, at ENG 00377369-70; **E3/5510** [REDACTED] OCJ Statement, at ENG 00411492; **E3/5130** [REDACTED] OCJ Statement, at ENG 00223181; **E3/5589** [REDACTED] OCJ Statement, at ENG 00421079; **E3/5590** [REDACTED] OCJ Statement, at ENG 00426479-80; **E3/5251** **TCW-373** OCJ Statement, at ENG 00235496; **E3/5561** **TCCP-73** OCJ Statement, at ENG 00384789-91; **E3/5592** [REDACTED] OCJ Statement, at ENG 00434942; **E3/5311** [REDACTED] OCJ Statement, at ENG 00373370; **E3/5579** **TCW 469** OCJ Statement, at ENG 00373377; **E3/43** Noem Sem OCJ Statement, at ENG 00365659-61; **E3/5521** **TCW-486** OCJ Statement, at ENG 00422328; **E3/5177** [REDACTED] OCJ Statement, at ENG 00272135; **E3/3964** **TCW-507** OCJ Statement, at ENG 00225211; **E3/5642** [REDACTED] OCP Statement, at ENG 00197563; **E3/5515** [REDACTED] OCJ Statement, at ENG 00410247-50; **E3/5222** [REDACTED] OCJ Statement, at ENG 00242159; **E3/384** Sao Sarun OCJ Statement, at ENG 00348373; **E3/5518** **TCW-597** OCJ Statement, at ENG 00413902; **E3/5677** [REDACTED] *alias* Reng Statement, at ENG 00184086-87; **E3/5218** [REDACTED] OCJ Statement, at ENG 00276793; **E3/5562** **TCCP 138** OCJ Statement, at ENG 00400458; **E3/409** **TCCP-142** OCJ Statement, at ENG 00412180-86; **E3/5564** [REDACTED] OCJ Statement, at ENG 00414579; **E3/5254** **TCW-667** OCJ Statement, at ENG 00242363; **E3/4654** [REDACTED] OCJ Statement, at ENG 00400469; **E3/5294** **TCW-678** OCJ Statement, at

ENG 00360115-16, 0360119; **E3/4609** Sou Sotheavy OCII Statement, at ENG 00434883-84; **E3/4637** Sum Alât OCII Statement, at ENG 00242124; **E3/4657** [REDACTED] OCII Statement, at ENG 00353706; **E3/5306** Svay Boramy OCII Statement, at ENG 00345184; **E3/102** TCW-707 OCII Statement, at ENG 00345537-38; **E3/5248** [REDACTED] OCII Statement, at ENG 00235147; **E3/5560** [REDACTED] OCII Statement, at ENG 00377170-71; **E3/5305** TCW-725 OCII Statement, at ENG 00345542-43, 00345228-29; **E3/1678** [REDACTED] OCII Statement, at ENG 00353496; **E3/5499** [REDACTED] OCII Statement, at ENG 00372932-33; **E3/125** [REDACTED] OCII Statement, at ENG 00404465-67; **E3/5687** TCW-788 Statement, at ENG 00186452; **E3/368** Yun Kim *alias* Kham OCII Statement, at ENG 00345194-95; **E3/4611** TCCP-172 OCII Statement, at ENG 00455378-79. **Complaint**; **E3/5649** [REDACTED] Statement; **E3/5656** [REDACTED] Statement; **E3/5584** [REDACTED] Statement; **E3/5548** [REDACTED] Statement; **E3/5712** Pol Pot Statement; **E3/5683** [REDACTED] Statement; **E3/5415** [REDACTED] Complaint; **E3/5337** [REDACTED] Complaint; **E3/5335** [REDACTED] Complaint; **E3/5271** [REDACTED] OCII Statement, 1 February 2009; **E3/47** [REDACTED] OCII Statement; **E3/5299** TCCP-75 OCII Statement; **E3/5281** [REDACTED] OCII Statement; **E3/4608** Sou Sotheavy OCII Statement; **E3/378** TCW-725 OCII Statement; **E3/5528** [REDACTED] OCII Statement. **Rogatory Report**; **E3/4144** ECCC-OCII, Rogatory Letter Completion Report, 28 December 2009. **Int'l Media Report**; **E3/4501** Anderson Jack, Washington Post, *Surviving the Hard Way in Cambodia*, 31 July 1978; **E3/4161** New York Times, *Cambodian Women Recall Nightmare of 2 Escapes*, 23 December 1977; **E3/3390** New York Times, *Holocaust II*, 26 November 1978; **E3/2380**, **E3/2381** PICQ Laurence, Phnom Penh Post, *My Life Under Ieng Sary: Crying Against the Shame and Horror*, 17 October 1996; **E3/4473** Time Magazine, *Tales of Brave New Kampuchea*, 21 November 1977; **E3/3382** Washington Post, *A Story of Terror in Cambodia*, 10 May 1978; **DK Media Report**; **E3/76** FBIS, *DK Media Reports for September 1978*, 1 September - 29 September 1978; **E3/77** FBIS, *DK Media Reports for November 1978*, 1 November - 30 November 1978. **Reports**: **E3/1806** Canadian Government, *Further Submission from the Government of Canada under Commission on Human Rights Decision 9*, 8 September 1978; **E3/3244** Locard Henri, *Preah Vihear: Sector or Zone 103*, 31 May 2007; **E3/3255** Henri Locard, *Northeast: Eisan Region - Zones-Sectors 101, 102, 104, 105, 107, 505, Provinces of Ratanakiri, Mondulakiri, Stung Treng and Kratie*, 14 June 2007, at ENG 00403209; **E3/3474** Kalyanee Mam, *Democratic Kampuchea (1975-1979): Women as Instruments for Social Change*, 09 November 2000, at ENG 00284168-71; **E3/4528** Sokym Em, *Revolutionary Female Medical Staff in Tram Kak District*, November 2002; **E3/3005** US State Department, *Life Inside Cambodia*, 10 May 1976. **Academic Articles**; **E3/2310** Kiernan Ben, *Khmer Bodies with Vietnamese Minds - Kampuchea's Eastern Zone 1975-1978*, 1979; **E3/2312** Kiernan Ben, *Cambodia: The Eastern Zone Massacres*, 1987; **E3/3416** Bridgette Toy-Cronin, *I Want to Tell You' Stories of Sexual Violence During Democratic Kampuchea (1975-1979)*, 18 December 2006, at ENG 00237929, 00454653, 00449475-76, 00449488-94. **Books**: **E3/20** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, at ENG, 00322223, 00237929, 00237934, 00237953, 00237962; **E3/8** David Chandler et al., *Pol Pot Plans the Future: Confidential Documents from Democratic Kampuchea*, at ENG 00104057-60, 00104076; **E3/2634** Khamboly Dy, *A History of Democratic Kampuchea (1975-1979)*, at ENG 00284191-92; **E3/2818** Ian Harris, *Buddhism Under Pol Pot*, at ENG 00176785-86; **E3/2959** Nakagawa Kasumi, *Gender-Based Violence During the Khmer Rouge Regime-Stories of Survivors from Democratic Kampuchea (1975-1979)*, at ENG 00421891-95, 00421919-23; **E3/1593** Ben Kiernan, *The Pol Pot Regime: Race, Power, and Genocide in Cambodia under the Khmer Rouge, 1975-79*, at ENG 00104258-60; **E3/2812** Henri Locard, *Le Petit Livre Rouge de Pol Pot (Pol Pot's Little Red Book)*, at ENG 00394888, 00394900-01, 00394897-98.

789 **E3/118** FBIS, *Phnom Penh Leaders request Cease-Fire, Transfer of Power*, 16 April 1975 at ENG 00166970.

790 **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898268, 00898274.

791 **E3/118** FBIS, *CPNLAF in Central Phnom Penh*, 17 April 1975 at ENG 00166972; **E3/3987** Chicago Tribune, *Inside Cambodia*, 9 May 1975, at ENG 00444899.

792 **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898261, 00898270; **E3/51** London Times Article, *Jon Swain's Diary*, 11 May 1975, at ENG 00003276.

793 **E1/165.1** Transcript, 28 January 2013, Al Rockoff, 10.01.38; **E3/3987** Chicago Tribune, *Inside Cambodia*, 9 May 1975, at ENG 00444899.

794 **E3/118** FBIS, *Kyodo Writer Describes Phnom Penh After Surrender*, 17 April 1975 at ERN 00166976; **E3/3721** Newsweek, *White Flags Over Phnom Penh*, 28 April 1975, at ENG 00002598; **E3/4429** Newsweek, *Cambodia's Purification*, 19 May 1975, at ENG 00445259.

795 **E3/51** London Times Article, *Jon Swain's Diary*, 11 May 1975, at ENG 00003276.

796 **E1/165.1** Transcript, 28 January 2013, Al Rockoff, 10.04.58, 10.19.21, 10.27.47, 10.33.03.

797 **E3/3987** Chicago Tribune, *Inside Cambodia*, 9 May 1975, at ENG 00444899; **E351** London Times
Article, *Jon Swain's Diary*, 11 May 1975, at ENG 00003276.

798 **E3/51** London Times Article, *Jon Swain's Diary*, 11 May 1975, at ENG 00003277.

799 **E3/3987** Chicago Tribune, *Inside Cambodia*, 9 May 1975, at ENG 00444899; **E3/118** FBIS, *AFP Reports*
Khmer Rouge Takeover of Phnom Penh, 17 April 1975, at ENG 00166975; **E1/166.1** Transcript, 29
January 2013, Al Rockoff, 09.49.58.

800 **E3/4429** Newsweek, *Cambodia's Purification*, 19 May 1975, at ENG 00445259.

801 **E3/118** FBIS, *Kyodo Writer Describes Phnom Penh After Surrender*, 17 April 1975, at ENG 00166976.

802 **E3/3987** Chicago Tribune, *Inside Cambodia*, 9 May 1975, at ENG 00444899; **E3/118** FBIS, *AFP Reports*
Khmer Rouge Takeover of Phnom Penh, 17 April 1975, at ENG 00166976; **E3/3721** Newsweek, *White*
Flags Over Phnom Penh, 28 April 1975, at ENG 00002598; **E3/4429** Newsweek, *Cambodia's*
Purification, 19 May 1975, at ENG 00445259; **E3/51** London Times Article, *Jon Swain's Diary*, 11 May
1975, at ENG 00003276.

803 **E3/51** London Times Article, *Jon Swain's Diary*, 11 May 1975, at ENG 00003276.

804 **E1/166.1** Transcript, 29 January 2013, Al Rockoff, 09.48.56; **E1/165.1** Transcript, 28 January 2013, Al
Rockoff, 10.03.23.

805 **E1/165.1** Transcript, 28 January 2013, Al Rockoff, 10.34.50.

806 **E3/118** FBIS, *NUFC Radio on Phnom Penh Liberation, Occupation of U.S. Embassy*, 17 April 1975 at
ENG 00166977.

807 **E3/51** London Times Article, *Jon Swain's Diary*, 11 May 1975, at ENG 00003277; **E3/4429** Newsweek,
Cambodia's Purification, 19 May 1975, at ENG 00445259; **E3/3987** Chicago Tribune, *Inside Cambodia:*
The City is Falling..., 9 May 1975, at ENG 00444900; **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary*
1975, at ENG 00898274.

808 **E3/118** FBIS, "Nationalist Movement" Leader Asks Surrender Over Phnom Penh Radio, 17 April 1975,
at ENG 00166972.

809 **E3/118** FBIS, "Nationalist Movement" Leader Asks Surrender Over Phnom Penh Radio, 17 April 1975 at
ENG 00166973.

810 **E3/118** FBIS, "Nationalist Movement" Leader Asks Surrender Over Phnom Penh Radio, 17 April 1975 at
ENG 00166973.

811 **E3/118** FBIS, *Cambodian Embassy in Bangkok Loses Contact with Phnom Penh*, 17 April 1975, at ENG
00166971.

812 **E3/51** London Times Article, *Jon Swain's Diary*, 11 May 1975, at ENG 00003277; **E3/118** FBIS, *Long*
Boret, Seven Supreme Committee Members Arrive in Thailand, 17 April 1975, at ENG 00166975.

813 **E3/118** FBIS, *Patriarchs Appeal for Cease-Fire, Khmer Rouge to Attend Meeting*, 17 April 1975 at ENG
00166973.

814 **E3/118** FBIS, *Government General Invites Other Side's Envoy to Phnom Penh*, 17 April 1975, at ENG
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815 **E3/118** FBIS, *CPNLAF Representative Tells Government Troops to Surrender*, 17 April 1975 at ENG
00166974.

816 **E3/118** FBIS, *CPNLAF Representative Tells Government Troops to Surrender*, 17 April 1975 at ENG
00166974; **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary* 1975, at ENG 00898274-5

817 **E3/118** FBIS, *CPNLAF Representative Tells Government Troops to Surrender*, 17 April 1975 at ENG
00166974.

818 **E3/118** FBIS, *CPNLAF Representative Tells Government Troops to Surrender*, 17 April 1975 at ENG
00166974.

819 **E3/4429** Newsweek, *Cambodia's Purification*, 19 May 1975, at ENG 00445259; **E3/51** London Times
Article, *Jon Swain's Diary*, 11 May 1975, at ENG 00003278; **E1/166.1** Transcript, 29 January 2013, Al
Rockoff, 10.05.41 to 10.09.42.

820 **E3/118** FBIS, *Government, Armed Forces Surrender Reported 17 April*, 17 April 1975, at ENG
00166974; **E3/4429** Newsweek, *Cambodia's Purification*, 19 May 1975, at ENG 00445259-60.

821 **E3/118** FBIS, *Government, Armed Forces Surrender Reported 17 April*, 17 April 1975, ENG 00166975;
E3/4429 Newsweek, *Cambodia's Purification*, 19 May 1975, at ENG 00445259-60; **E236/1/4/3.1**
Sydney Schanberg, *Cambodia Diary* 1975, at ENG 00898275.

822 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 14.55.30; **E1/121.1** Transcript, 4 September 2012,
Norng Sophang, 09.26.30 to 09.31.03.

823 **E3/118** FBIS, *NUFC Radio on Phnom Penh Liberation, Occupation of U.S. Embassy*, 17 April 1975, at
ENG 00166977; **E3/118** FBIS, *NUFC Radio Reviews Final Liberation of Phnom Penh*, 17 April 1975,
ERN 00166987.

824 **E3/51** London Times Article, *Jon Swain's Diary*, 11 May 1975, at ENG 00003277.
 825 **E1/165.1** Transcript, 28 January 2013, Al Rockoff, 10.29.31.
 826 **E1/165.1** Transcript, 28 January 2013, Al Rockoff, 11.04.42; **E3/2696** Telegram from French Embassy
 Phnom Penh entitled "Message for 'Le Monde' Newspaper," 18 April 1975, at ENG 00486890.
 827 **E3/4429** Newsweek, *Cambodia's Purification*, 19 May 1975, at ENG 00445261; **E236/1/4/3.1** Sydney
 Schanberg, *Cambodia Diary 1975*, at ENG 00898275.
 828 **E3/4429** Newsweek, *Cambodia's Purification*, 19 May 1975, at ENG 00445261.
 829 **E3/4429** Newsweek, *Cambodia's Purification*, 19 May 1975, at ENG 00445261; **E236/1/4/3.1** Sydney
 Schanberg, *Cambodia Diary 1975*, at ENG 00898274.
 830 **E3/3987** Chicago Tribune, *Inside Cambodia*, 9 May 1975, at ENG 00444900.
 831 **E1/201.1** Transcript, 11.09.13 to 11.10.51 ["As Sirik Matak emerged from the embassy, he walked erect
 to the gate... The former prime minister told the Khmer Rouge as they led him away, I'm not afraid, I'm
 ready to account for my actions."]
 832 **E1/203.1** Transcript, 7 June 2013, Sydney Schanberg, 08.47.05 to 08.48.41 ["I saw statements by Khmer
 Rouge leaders acknowledging that they had killed Long Boret and others and Sirik Matak."].
 834 **E3/51** London Times Article, *Jon Swain's Diary*, 11 May 1975, at ENG 00003278.
 835 **E3/51** London Times Article, *Jon Swain's Diary*, 11 May 1975, at ENG 00003278; **E3/4430** Time
 Magazine, *Long March from Phnom-Penh*, 19 May 1975, at ENG 00445391; **E3/2696** Telegram from
 French Embassy Phnom Penh entitled "Message for 'Le Monde' Newspaper," 18 April 1975, at ENG
 00486890-91; **E1/165.1** Transcript, 28 January 2013, Al Rockoff, 11.29.20; **E3/3987** Chicago Tribune,
Inside Cambodia, 9 May 1975, at ENG 00444900.
 836 **E3/51** London Times Article, *Jon Swain's Diary*, 11 May 1975, at ENG 00003278.
 837 **E3/51** London Times Article, *Jon Swain's Diary*, 11 May 1975, at ENG 00003278.
 838 **E3/4429** Newsweek, *Cambodia's Purification*, 19 May 1975, at ENG 00445261; **E3/51** London Times
 Article, *Jon Swain's Diary*, 11 May 1975, at ENG 00003278.
 839 **E3/51** London Times Article, *Jon Swain's Diary*, 11 May 1975, at ENG 00003279; **E3/4429** Newsweek,
Cambodia's Purification, 19 May 1975, at ENG 00445261; **E3/3987** Chicago Tribune, *Inside Cambodia*,
 9 May 1975, at ENG 00444900; **E1/165.1** Transcript, 28 January 2013, Al Rockoff, 11.31.14.
 840 **E3/51** London Times Article, *Jon Swain's Diary*, 11 May 1975, at ENG 00003278.
 841 **E3/4429** Newsweek, *Cambodia's Purification*, 19 May 1975, at ENG 00445261.
 842 **E1/165.1** Transcript, 28 January 2013, Al Rockoff, 11.32.20, 11.51.51.
 843 **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 08.35.58 to 13.34.49; **E1/202.1** Transcript, 6 June
 2013, Sydney Schanberg, 08.37.43 to 13.32.37; **E1/203.1** Transcript, 7 June 2013, Sydney Schanberg,
 08.36.05 to 13.03.46.
 844 **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 09.06.16 to 09.08.25 ["No, I saw what might have
 been a few stragglers, but essentially almost the entire population of over two million were taken out of
 the city on that first day."]; **E1/203.1** Transcript, 7 June 2013, Sydney Schanberg, 09.00.12 to 09.01.49.
 845 **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 09.06.16 to 09.08.25 ["[B]ut essentially almost the
 entire population of over two million were taken out of the city on that first day."].
 846 **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898209-30.
 847 **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898279.
 848 **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898279.
 849 **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898279 ["[A]ny soldier who refuses
 shall be severely punished."].
 850 **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 08.51.59 to 08.54.23 ["But all through the day you
 saw these crowds of people being taken - driven out of the city...and being told to hurry up and leave
 because the Americans were going to come and bomb the city."].
 851 **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 08.54.23 to 08.56.35 ["Q[T]hose people filling the
 street...did they include men, women or children? A. Yes, women, children, all kinds of people."],
 ["Most of them were civilians and some were men who had taken off their uniforms."].
 852 **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898279.
 853 **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 08.54.23 to 08.56.35.
 854 **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 08.49.24 to 08.51.59 ["[O]n the way we saw
 people leaving and we saw people on - being pushed on beds and all kinds of things with bottles of serum
 hanging from the bed and they were all being forced out of the city."]; **E1/202.1** Transcript, 6 June 2013,
 Sydney Schanberg, 08.52.08 to 08.53.15 ["[A] Red Cross doctor, quote: 'They haven't got a humanitarian
 thought in their heads...' 'They threw everyone out, even paralytics, critical cases, people on plasma,

many will die, it was just horrible.”]; **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898279; **E1/202.1** Transcript, 6 June 2013, Sydney Schanberg, 08.53.15 [“They’re like people from another planet...I told them that I’m at their disposal if they wish us to help. I said I had 42 experts waiting in Bangkok to come back and help...They laughed...”]; **E1/202.1** Transcript, 6 June 2013, Sydney Schanberg, 08.56.35 [“A nurse from the hospital says ‘The insurgents ordered nearly all the patients out over the last two days. Those who could not walk’ she said, ‘were pushed up the streets on beds.’”].

855 **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 09.00.38 to 09.03.55 [“No matter how sick they were, they were taken out of the hospitals. The hospitals were empty.”].

856 **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 09.00.38 to 09.03.55 [“I saw no medical care being given by any doctors or nurses. And in one instance, they were told they were being taken to a hospital ... it was a mental institution, only one doctor...that hospital could not have handled that group.”].

857 **E1/202.1** Transcript, 6 June 2013, Sydney Schanberg, 08.56.35 to 08.56.57 [“A nurse from the hospital says ‘the insurgents ordered nearly all the patients out over the last two days. Those who could not walk’ she said, ‘were pushed up the streets on beds.’”]; **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 09.00.38 to 09.03.55; **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898290.

858 **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 08.51.59 to 08.54.23 [“And the avenue that we came out on was scattered with the shoes and sandals that people had lost as they were forced to walk quickly in these huge crowds. So I saw it in many parts of the city.”].

859 **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 08.51.59 to 08.54.23 [“But all through the day you saw these crowds of people being...driven out of the city, not driven in cars but driven like you drive cows, and being told to hurry up...because the Americans were going to...bomb the city.”].

860 **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 09.06.16 to 09.08.25 [“No, I saw what might have been a few stragglers, but essentially almost the entire population of over two million were taken out of the city on that first day.”].

861 **E1/202.1** Transcript, 6 June 2013, Sydney Schanberg, 09.22.55 to 09.24.37 [“Yes, it was clear that they had been looted and it was a ghost town - city - I guess.”].

862 **E1/202.1** Transcript, 6 June 2013, Sydney Schanberg, 08.45.27 to 08.47.07 [“And so people would come back and tell us what they saw. So that’s a reference that I did not personally witness myself. But obviously it was taking place.”]; **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898271.

863 **E1/202.1** Transcript, 6 June 2013, Sydney Schanberg, 09.21.23 to 09.22.55 [“As we head down Phnom Penh’s main thoroughfare, Monivong Boulevard, the city is an eerie site...there are no people, no civilians, only Khmer Rouge soldiers.”].

864 **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 09.00.38 to 09.03.55 [“None. No food or water or any kind of aid that I saw. They were just driving them out like cattle.”].

865 **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898276-77; **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898276-77.

866 **E1/202.1** Transcript, 6 June 2013, Sydney Schanberg, 11.35.53 to 11.36.43 [“Yes, in the beginning we saw bodies by the side of the road and that must have happened on the last push. These were Cambodian soldiers and there were also civilian bodies by the roadsides.”]; **E1/203.1** Transcript, 7 June 2013, Sydney Schanberg, 08.43.27 to 08.45.53 [“[A]nd there were bodies scattered still not picked up, dead bodies. And so there - it was difficult to tell whether they were soldiers or civilians, but we - there were let’s say a dozen or so bodies that I saw.”].

867 **E1/202.1** Transcript, 6 June 2013, Sydney Schanberg, 08.53.15 to 08.55.06 [“Q. [W]ere humanitarian agencies such as the Red Cross or the United Nations, able to provide humanitarian assistance to evacuees at any time following the start of the evacuation? A. No, they were prevented.”].

868 **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 10.40.39, to 10.43.03 [“Well the Khmer Rouge occasionally issued statements and they had called them the “Seven Traitors” and they were to be - they were to be killed and they kept repeating that.”]; **E3/117FUNK** Publication entitled “Khieu Samphan Chairs NUFC Congress Session: Communique Issued,” 26 February 1975, at ENG 00166772-75.

869 **E1/203.1** Transcript, 7 June 2013, Sydney Schanberg, 08.47.05 to 08.48.41 [“I saw statements by Khmer Rouge leaders acknowledging that they had killed Long Boret and others and Sirik Matak.”].

870 **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG 00898275.

871 **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 09.06.16 to 09.08.25 [“[W]hat the people were told was not true. And since I and many others stayed at the French Embassy for two weeks, no bombing occurred.”].

872 **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 09.10.27 to 09.12.05 [“I had no information indicating that the Americans were planning a bombing.”].

873 **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 09.06.16 to 09.08.25 ["No, I mean - I'm saying that what the - what the people were told was not true. And since I and many others stayed at the French Embassy for two weeks, no bombing occurred."].

874 **E1/203.1** Transcript, 7 June 2013, Sydney Schanberg, 09.00.12 to 09.03.19 ["I think that was a false explanation...all they had to do was stop blocking the Mekong River that came from Saigon to Cambodia, because that's where the ships brought in the supplies."].

875 **E1/202.1** Transcript, 6 June 2013, Sydney Schanberg, 11.11.39 to 11.13.56 ["the reason that those materials were not getting into Phnom Penh was that the Khmer Rouge had been successful in cutting off all the entries into the capital, whether on land or from the river, the Mekong."].

876 **E1/203.1** Transcript, 7 June 2013, Sydney Schanberg, 09.00.12 to 09.01.49 ["They controlled the river and that was the primary supply place where we were getting - where they usually got their food and other medicine, etc."].

877 **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 09.17.10 to 09.26.12 ["A few more ships are struggling to make it through. All arrived show rocket and shell damage...at least two tankers were sunk or beached on the way up and that other cargo vessels were forced to turn back..."]. **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 09.47.16 to 09.49.15 ["over several days that they were getting - they were shooting closer and closer into these delivery - supply delivery planes."]; **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975*, at ENG008982311.

878 In their expert report, the demographers estimated that the population of Phnom Penh at 17 April 1975 was somewhere between 1.5 and 2.6 million; **E3/2413** They Kheam, *Demographic Expertise Report*, 30 September 2009, at ENG 00385262.

879 **E3/5133** [REDACTED] OCIJ Statement, at ENG 00223198-201; **E3/5255** [REDACTED] OCIJ Statement, at ENG 0025043-44; **E3/5400** [REDACTED] Complaint, at ENG 00479656; **E3/5546 TCCP-6** OCIJ Statement, at ENG 00387494-95; **E3/5233** [REDACTED] OCIJ Statement, at ENG 00279260; **E3/5278** TCW 79 OCIJ Statement, at ENG 00292821-22; **E3/5231** [REDACTED] OCIJ Statement, at ENG 00279249-50; **E3/5191** [REDACTED] OCIJ Statement, at ENG 00274679-80; **E3/5362** [REDACTED] Complaint, at ENG 00463428; **E3/5286** [REDACTED] OCIJ Statement, at ENG 00338374; **E3/5788** Chum Sokha OCIJ Statement, at ENG 00380711; **E3/414** [REDACTED] OCIJ Statement, at ENG 00374039; **E3/4632** [REDACTED] OCIJ Statement, at ENG 00403117; **E3/5413** [REDACTED] Complaint, at ENG 00480482; **E3/5137** TCW 43 OCIJ Statement, at ENG 00233537; **E3/5532** TCW-231 OCIJ Statement, at ENG 00425233; **E3/5336** [REDACTED] Complaint, at ENG 00453836 (Summary); **E3/5417** [REDACTED] Complaint, at ENG 00480944 (Summary); **E3/5390** [REDACTED] Complaint, at ENG 00479056 (Summary); **E3/419** Ieng Phan OCIJ Statement, at ENG 00411004 [Same record as **E3/419.1**]; **E3/5185** [REDACTED] OCIJ Statement, at ENG 00274164; **E3/5385** [REDACTED] Complaint, at ENG 00477700 (Summary); **E3/5310 TCCP-45** OCIJ Statement, at ENG 00353484; **E3/5414** [REDACTED] Complaint, at ENG 00480585 (Summary); **E3/5422** [REDACTED] Complaint, at ENG 00481064 (Summary); **E3/5407** [REDACTED] Complaint, at ENG 00480208 (Summary); **E3/5273** [REDACTED] OCIJ Statement, at ENG 00290499; **E3/5403** [REDACTED] Complaint, at ENG 00480141 (Summary); **E3/5405** [REDACTED] Complaint, at ENG 00480163 (Summary); **E3/5396** [REDACTED] Complaint, at ENG 00479615; **E3/5556 TCCP-50** OCIJ Statement, at ENG 00377358-59; **E3/5559** [REDACTED] OCIJ Statement, at ENG 00377368; **E3/507** Khiev Neou OCIJ Statement, at ENG 00358141; **E3/5369** [REDACTED] Complaint, ENG 00476944-50; **E3/5404** [REDACTED] Complaint, at ENG 00480152; **E3/5284** TCW-322 OCIJ Statement, at ENG 00315914; **E3/1747** [REDACTED] OCIJ Statement, at ENG 00243009; **E3/509** [REDACTED] OCIJ Statement, at ENG 00282215-16; **E3/5130** [REDACTED] OCIJ Statement, at ENG 00223179-80; **E3/521** [REDACTED] OCIJ Statement, at ENG 00163312-13; **E3/5426** [REDACTED] Complaint, at ENG 00483313; **E3/5419** [REDACTED] Complaint, at ENG 00481004; **E3/5431** [REDACTED] Complaint, at ENG 00483587; **E3/5341** [REDACTED] Complaint, at ENG 00454851; **E3/5590** [REDACTED] OCIJ Statement, at ENG 00426475-76; **E3/376** [REDACTED] OCIJ Statement, at ENG 00278690; **E3/5383** [REDACTED] Complaint, at ENG 00477639; **E3/5272** [REDACTED] OCIJ Statement, at ENG 00290655-56; **E3/5331** [REDACTED] Complaint, ENG 00454057-63; **E3/5412** [REDACTED] Complaint, at ENG 00480411; **E3/5420** [REDACTED] Complaint, at ENG 00481028; **E3/5326** [REDACTED] Complaint, ENG 00451828-36; **E3/5399** [REDACTED] Complaint, at ENG 00479646; **E3/5297** [REDACTED] OCIJ Statement, at ENG 00358612; **E3/5321** [REDACTED] Complaint, at ENG 00451390-97; **E3/5415** [REDACTED] Complaint, at ENG 00480910; **E3/5366** [REDACTED] Complaint, at ENG 00476830; **E3/5363** [REDACTED] Complaint, at ENG 00463483; **E3/5401** [REDACTED] Complaint, at ENG 00480104; **E3/5131** [REDACTED] OCIJ Statement, at ENG 00223184-85; **E3/5423** [REDACTED] Complaint, at ENG 00481179 (Summary); **E3/5342** [REDACTED] Complaint, at ENG 00454868 (Summary); **E3/5432** [REDACTED] Complaint, at ENG 00483661 (Summary); **E3/3970** Pech Srey Phal OCIJ Statement, at ENG 00434929-30; **E3/5277** [REDACTED] OCIJ Statement, at ENG 00292833-34; **E3/5520** [REDACTED] OCIJ Statement, at ENG 00412166; **E3/5425** [REDACTED] Complaint, at ENG 00481228 (Summary);

E3/5408 [REDACTED] Complaint, at ENG 00480279 (Summary); **E3/5416** [REDACTED] Complaint, at ENG 00480922 (Summary); **E3/63** Phy Phuon OCIJ Statement, at ENG 00231410; **E3/5285** [REDACTED] OCIJ Statement, at ENG 00315904; **E3/5406** [REDACTED] Complaint, at ENG 00480184 (Summary); **E3/5132** [REDACTED] OCIJ Statement, at ENG 00223189-90; **E3/5398** [REDACTED] Complaint, at ENG 00479636 (Summary); **E3/5392** [REDACTED] Complaint, at ENG 00479123 (Summary); **E3/5382** [REDACTED] Complaint, at ENG 00477557 (Summary); **E3/379** Sa Siek OCIJ Statement, at ENG 00323323-24; **E3/439** Sakim Lmut OCIJ Statement, at ENG 00425910-11; **E3/5436** [REDACTED] Complaint, at ENG 00483752 (Summary); **E3/5518 TCW-597** OCIJ Statement, at ENG 00413899; **E3/5411** [REDACTED] Complaint, at ENG 00480355 (Summary); **E3/374 TCW-601** OCIJ Statement, at ENG 00336531-32; **E3/5409** [REDACTED] Complaint, at ENG 00480290 (Summary); **E3/5340** [REDACTED] Complaint, at ENG 00454765 (Summary); **E3/5372** [REDACTED] Complaint, at ENG 00477076 (Summary); **E3/5505 TCCP-134** OCIJ Statement, at ENG 00399168-69; **E3/5280** [REDACTED] OCIJ Statement, at ENG 00290514; **E3/5391** [REDACTED] Complaint, at ENG 00479078 (Summary); **E3/5562 TCCP-138** OCIJ Statement, at ENG 00400454-55; **E3/5384** [REDACTED] Complaint, at ENG 00477690 (Summary); **E3/5276** [REDACTED] OCIJ Statement, at ENG 00287354-55; **E3/428** [REDACTED] OCIJ Statement, at ENG 00374949; **E3/5142** [REDACTED] OCIJ Statement, at ENG 00223614-15; **E3/5360** [REDACTED] Complaint, at ENG 00463408 (Summary); **E3/4608** Sou Sotheavy OCIJ Statement, at ENG 00426416; **E3/3961** Sum Chea OCIJ Statement, at ENG 00223345-47; **E3/5388** [REDACTED] Complaint, at ENG 00478810 (Summary); **E3/5274** [REDACTED] OCIJ Statement, at ENG 00292863; **E3/5428** [REDACTED] Complaint, at ENG 00483356 (Summary); **E3/5237** [REDACTED] OCIJ Statement, at ENG 00340206-07; **E3/464** [REDACTED] OCIJ Statement, at ENG 00226107-09; **E3/5437** [REDACTED] Complaint, at ENG 00483763 (Summary); **E3/5427** [REDACTED] Complaint, at ENG 00483324 (Summary); **E3/5366** [REDACTED] Complaint, at ENG 00476819 (Summary); **E3/5402** [REDACTED] Complaint, at ENG 00480116 (Summary); **E3/5219** TCW-732 OCIJ Statement, at ENG 00233465; **E3/5499** [REDACTED] OCIJ Statement, at ENG 00372928; **E3/5229** [REDACTED] OCIJ Statement, at ENG 00250770; **E3/5395** [REDACTED] Complaint, at ENG 00479584 (Summary); **E3/5269 TCW-760** OCIJ Statement, at ENG 00282352; **E3/5429** [REDACTED] Complaint, at ENG 00483405; **E3/5347** [REDACTED] Complaint, at ENG 00461203 (Summary); **E3/4611** TCCP-172 OCIJ Statement, at ENG 00455376-77; **E3/5410** [REDACTED] Complaint, at ENG 00480302 (Summary).

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E1/197.1 Transcript, 27 May 2013, Aun Phally, 10.54.51 to 11.00.48, 11.08.38 to 11.10.47 [“I was born right here in Phnom Penh...In 1975, my family and I were living near the Tao Pi area...[I]t took us about 15 days before we arrived at Preaek Pnov village in Prey Veng province.”]; **E1/136.1** Transcript, 22 October 2012, Chum Sokha, 11.14.23 to 11.17.15, 11.31.47 to 11.34.44 [“[W]e did not go all the way to Tboung Kdei village...[O]ur family...was made to stay at Boeng Antong of Me Sang 15 district before we headed to my hometown [in Tboung Kdei village...Prey Veng province”]; **E3/414** [REDACTED] OCIJ Statement, at ENG 00374039 [“I lived...in my home village of Srah Thkau village...Prey Veng province. On 17 April 1975...I saw my relatives, who had lived in Phnom Penh, being evacuated from the city back to live in the home village with me.”]; **E3/5531** TCW-426 OCIJ Statement, at ENG 00425891 [“Generally, on 17 April 1975 there was an evacuation of people from Phnom Penh to the East Zone.”]; **E3/414** [REDACTED] OCIJ Statement, at ENG 00374039 [“I lived...in my home village of Srah Thkau Village...Prey Veng province...I saw my relatives, who had lived in Phnom Penh, being evacuated from the city back to live in the home village with me.”]; **E3/5555** [REDACTED] OCIJ Statement, at ENG 00364783-84; **E3/5250** [REDACTED] OCIJ Statement, at ENG 00235489 [“In 1975 they had us eat communally, and people evacuated from Phnom Penh came to live in my village [in Prey Veng].”]; **E3/5250** [REDACTED] OCIJ Statement, at ENG 00235489 [“In 1975 they had us eat communally, and people evacuated from Phnom Penh came to live in my village.”]; **E3/5592** [REDACTED] OCIJ Statement, at ENG 00434941 [“I lived in Loek village until 1978...Many people were evacuated from Phnom Penh city to my village.”]; **E3/5526** [REDACTED] OCIJ Statement, at ENG 00400455 [“My family and I decided to go to my wife’s home village in Preaek Chhmuoh...Village, Prey Veng...Province which was approximately 45 kilometres from Phnom Penh.”]; **E3/5542** [REDACTED] OCIJ Statement, at ENG 00373227 [“My mother returned to Tan Nay (Kandal) Village and around 18 or 19 April 1975 my father and my sister In Seth, returned from Phnom Penh because they were evacuated.”]; **E3/5260** [REDACTED] OCIJ Statement, at ENG 00327160 [“Rice was...given to those who had just been evacuated in from Svay Rieng or Phnom Penh...Most of the people from Phnom Penh had a husband or wife whose place of birth was here in this village.”]; **E3/5612** [REDACTED] OCIJ Statement, at ENG 00492898 [“This Beung Rai Pagoda security center was created after the fall of Phnom Penh...I saw they brought the people from Phnom Penh here and detained them in this Pagoda.”]; **E3/5505** [REDACTED] OCIJ Statement, at ENG 00399167 [“During approximately the end of 1973 or early 1974, I was living in Phnom Penh...After 17 April 1975 I returned to my place of birth.”].

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E1/215.1 Transcript, 1 July 2013, Pech Chim, 10.52.51 to 10.54.22, 12.02.45 to 12.05.05 [“I was...a member of the district committee [within District 105], and I received people who were evacuated from Phnom Penh for them to settle in the cooperative.”]; **E1/135.1** Transcript, 19 October 2012, Yim Sovann, 13.55.12 to 13.57.42, 15.11.20 to 15.14.03 [“From the 17 of April 1975 until the 6th of January 1979, I left Phnom Penh and I resided in...Kandal province, and then I left Pouthi Ban commune and I went to live in Kandieng district, Pursat province...”]; **E1/199.1** Transcript, 30 May 2013, Yin Roumdoul, 13.28.38 to 13.34.54 [“After living in Mae Ban village, Vihear Suork commune for a few months, the Khmer Rouge soldiers or a village chief, all the people who were evacuated from Mae Ban village...we stopped in Preaek Prasab, in Khsach Kandal district.”]; **E1/146.1** Transcript, 23 November 2012, Chau Ny, 11.27.52 to 11.31.41, 11.39.25 to 11.41.36 [“My brother and I were leaving Phnom Penh...We walked for about 10 days and then we reach Bati district, Trapeang Sab commune in Takeo province.”]; **E1/141.1** Transcript, 6 November 2012, Mom Sam Ourn, 09.18.02 to 09.19.40, 09.53.14 to 09.55.52 [“Before I was evacuated...I lived in Phnom Penh...[The Khmer Rouge] ordered that my family returned upwards to Preaek Koy...It was in Kandal province, Preaek Koy commune.”]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 10.30.38 to 11.00.06 [“After the Khmer Rouge learned that we were all...17 April People, we were arranged to stay in one place and then we transferred to Sgnok Mountain in Kampong Speu.”]; **E1/89.1** Transcript, 20 June 2012, Khiev Neou, 15.49.55 to 15.51.38, 15.30.44 to 15.33.20 [“Thousands of people were evacuated. You could see a crowd of people everywhere. And I recognized some of the people who were living in Phnom Penh.”]; **E3/5559** [REDACTED] OCIJ Statement, at ENG 00377367-68, KHM 00375523-24, FR 00426409-11 [“The Khmer Rouge soldiers entered my house in 1975 and told us that we had to leave Phnom Penh for three days...I decided to go back to my home village [in Kampot province].”]; **E3/1747** [REDACTED] OCIJ Statement, at ENG 00243009-10, KHM 00206386-88, FR 00243022-23 [“I lived in Phnom Penh until Phnom Penh was liberated by Khmer Rouge...I went to my hometown to look for my father in Ou Chamna...village...Kampot province.”]; **E3/5499** [REDACTED] OCIJ Statement, at ENG 00372928-29, KHM 00368657-59, FR 00426166-68 [“17 April people did come to live in my commune...In the very beginning, the people they evacuated from Phnom Penh were not yet allowed to live with their parents or relatives: they placed them separately first.”]; **E3/5231** [REDACTED] OCIJ Statement, at ENG 00279250 [“[T]he Khmer Rouge...evacuated the people from Phnom Penh along National Highway 2...I walked for two days and two nights before reaching Amboes Village, which was adjacent to Ta Daok Village...Kandal Province.”]; **E3/5217** [REDACTED] OCIJ Statement, at ENG 00231654 [“At Kantuot I saw the people evacuated from Phnom Penh carrying their belongings and coming into the area.”]; **E3/5556** TCCP-50 OCIJ Statement, at ENG 00377358-59, KHM 00373186-88, FR 00452779-81 [“The Khmer Rouge evacuated the population out of Phnom Penh. As for our family, we returned to our home village [in Kandal province].”]; **E3/5130** [REDACTED] OCIJ Statement, at ENG 00223179-80, KHM 00165221, FR 00195762 [“They had us leave Watt Koh in Phnom Penh for Chbar Ampeou, and then had us cross to the opposite bank into Khsach Kandal District to be met at Prek Luong and be placed in Svay Romiet Subdistrict.”]; **E3/5131** [REDACTED] OCIJ Statement, at ENG 00223184-85, KHM 00165226, FR 00195766-67 [“I was at Watt Saravoan, Sangkat 3, Phnom Penh, as a monk...until they evacuated me to my place of birth at Vihear Suor.”]; **E3/5565** [REDACTED] OCIJ Statement, at ENG 00365537 [“The Khmer Rouge soldiers in black clothes and equipped with rifles entered the factory and went to the people’s homes and ordered the people to leave for Sector 25 which was located in Kaoh Thorn District.”]; **E3/5613** [REDACTED] OCIJ Statement, at ENG 00494399 [“I was evacuated from the town...Two or three days later...my father volunteered to return back to Phnom Penh...During that time I stayed in Kien Svay.”]; **E3/5526** [REDACTED] OCIJ Statement, at ENG 00426307-08 [“On that day I was still in Koh Thorn district. I saw many people being evacuated from Phnom Penh.”]; **E3/5237** [REDACTED] OCIJ Statement, at ENG 00223404, 00223406 [“I lived in Trapeang Sva Village, Trea Subdistrict. At that time they called it the Trapeang Sva Cooperative...We lived mixed together. New people came, the people from Phnom Penh.”], 00702906 [“I saw people coming from Phnom Penh. They were evacuated to live among villagers in Trapeang Sva Village.”]; **E3/5219** TCW 732 OCIJ Statement, at ENG 00233465 [“I saw new people come to live in villages -Domrei Slab, Trapeang Sva, Daun Vong and Trapeang Kak...Those new people were evacuated from Phnom Penh and most of them came from the suburbs of Phnom Penh.”]; **E3/5125** [REDACTED] OCIJ Statement, at ENG 00223447 [“Before 1975 I lived in Phnom Penh, but later on, during the Khmer Rouge era I was evacuated back to Koh Khnor.”]; **E3/5513** [REDACTED] OCIJ Statement, at ENG 00223198, 00223200 [“[On 17 April 1975,] I was in Phnom Penh, residing as a monk at Watt Sampeou Meas...It was one month before I reached Watt Ang Rokar [in Takeo province].”]; **E3/5124** [REDACTED] OCIJ Statement, at ENG 00223393 [“They evacuated me from Phnom Penh to Cheung Prey Village.”]; **E3/5510** [REDACTED] OCIJ Statement, at ENG 00411490 [“in 1975 Chinese people came here [to Takeo province] from Phnom Penh.”]; **E3/5590** [REDACTED] OCIJ Statement, at ENG 00426476 [“I walked for half a month

before reaching Chek village in Takeo province.”]; **E3/5523 TCCP 85** OCIJ Statement, at ENG 00434650 [“[T]hey announced that all of us had to leave Phnom Penh...After spending a half month journey, I finally arrived in my birthplace in Khvav village, Prey Ampoak subdistrict, Kirivong district of Takeo province.”]; **E3/5521 TCW-486** OCIJ Statement, at ENG00422319 [“I saw people evacuated from the city; they travelled along the road toward their individual birth districts.”]; **E3/5515** [REDACTED] OCIJ Statement, at ENG 00410245-46 [“Before 17 April 1975, I lived in Paen Meas village...There was evacuation of people from Phnom Penh; when the evacuated people reached the village, they placed those families in schools.”]; **E3/5135** [REDACTED] OCIJ Statement, at ENG 00233132-33 [“I lived in the cooperative in Pen Meas village...Takeo province...There were many new people who were evacuated from Phnom Penh and the provincial town. They were sent to live in each cooperative.”]; **E3/5511** [REDACTED] OCIJ Statement, at ENG00412172 [“Before 1975, I lived in Prey Ta Lei village...Takeo...province...Many people were evacuated from Phnom Penh to this area but I could not estimate the number.”]; **E3/5519 TCW-666** OCIJ Statement, at ENG 00414073-74 [“I was a farmer in Ta So village, Ta Phem commune, Tram Kak district...I saw many people being evacuated from Phnom Penh and these people gathered and were accommodated in Champa...pagoda.”]; **E1/200.1** Transcript, 4 June 2013, Bay Sophany, 09.22.37 to 09.24.19, 09.28.18 to 09.30.27 [“[T]hose Khmer Rouge soldiers began firing shots into the air and chase the people to immediately leave their houses and Phnom Penh...Later on we reached Traeuy Sla...so I decided to stay in that Traeuy Sla village.”]; **E3/5498** [REDACTED] OCIJ Statement, at ENG 00384399 [“After 17 April 1975, I still lived in Sanlong commune...Between 20th and 22nd April 1975, there were many [17 April] people who were evacuated and brought to my commune.”]; **E3/5526** [REDACTED] OCIJ Statement, at ENG 004263 [“On 17 April 1975 I was still in Koh Thorn district. I saw many people being evacuated from Phnom Penh.”]; **E3/5237** [REDACTED] OCIJ Statement, at ENG 00223404, 00223406 [“After 17 April 1965 I lived in Trapeang Sva Village, Trea Subdistrict. At that time they called it the Trapeang Sva Cooperative...We lived mixed together with new people came from Phnom Penh.”]; **E3/1747 TCCP-53** OCIJ Statement, at ENG 00243009-10 [“[M]y family and me...left Phnom Penh on national road 4, on foot...I continued my journey to my hometown...in Ou Chamna...village...Kampot province.”].

882 **E1/145.1** Transcript, 22 November 2012, Or Ry, 15.37.05 to 15.41.50 [“We spent one day and one night before we reach our village...It was at Tboung Damrei village at Kampong Chamlang commune...We...the Phnom Penh people, were considered newcomers.”]; **E1/198.1** Transcript, 29 May 2013, Thouch Phandarasar, 09.24.11 to 09.28.12 [“So the soldiers forced us to move on...And then we had to evacuate this village; they asked us to board trucks to Pursat province, first to Kampong Chhnang and then to Pursat...”]; **E1/145.1** Transcript, 22 November 2012, Meas Saran, 09.31.36 to 09.33.47, 09.51.08 to 09.53.12 [“So, initially, we were instructed to leave Phnom Penh for three days...When I arrived at that village...There were those native villagers and there were other villagers who came from Mongkol Borei and Sisophon.”]; **E1/152.1** Transcript, 12 December 2012, Affonco Denise, 15.23.22 to 15.25.12, 16.21.12 to 16.23.54 [“[T]hey gave us the order to leave Phnom Penh...we had arrived in Pursat.”]; **E3/5286** [REDACTED] OCIJ Statement, at ENG 00338374, KHM 00316510, FR 00486130 [“I lived in Thma Puok for about one month, they then transferred me to live in Phnom Srok in 1975,” “I saw them evacuate people from Phnom Penh to come live in Phnom Srok.”]; **E3/5283** [REDACTED] OCIJ Statement, at ENG 00321196-97 [“Before 17 April 1975, I was a monk...I knew about the evacuation of the people from Phnom Penh. There were hundreds families of the New People evacuated from Phnom Penh.”]; **E3/5185** [REDACTED] OCIJ Statement, at ENG 00274164 [“Before the Khmer Rouge...I was evacuated to Phnom Kraham,” “The people evacuated from Pailin, Battambang, and Phnom Penh were gathered up and organized into teams and units.”]; **E3/5187 TCW-546** OCIJ Statement, at ENG 00274177 [“There were 90 people in Company 4; [they were] people from the village and from the old bases, evacuees from Pailin, Phnom Penh, and Kampong Cham, including the Chinese.”]; **E3/5142** [REDACTED] OCIJ Statement, at ENG 00223614-15 [“Then I walked along following the people headed toward Watt Sleng, and upon reaching Kandal Steung they had us rest there one day. Then they had us go on down to Watt Po Yorm and enter the cooperative there.”]; **E3/5270** [REDACTED] OCIJ Statement, at ENG 00284686-87 [“I know about the evacuation. At that time, three or four families came to live in my house...I know they were evacuated from Phnom Penh, and most of them were Chinese.”]; **E3/5234** [REDACTED] OCIJ Statement, at ENG 00288200 [“[I travelled] to the east near Koh Thom...District, Kandal Province, but did not stay there. Later, I returned and travelled along National Road 5 until I reached Pursat Province.”]; **E3/5238 TCE-16** OCIJ Statement, at ENG 00270670 [“Our house was located near Road 4, in Tuol Kork...[O]ur family ended in the province of Pursat, in the village of Toul Prich.”]; **E3/5588** [REDACTED] OCIJ Statement, at ENG 00426487 [“I lived at Ou Ruessei market in Phnom Penh city...My family and I stayed [at the Royal University of Phnom Penh] for around a week before being sent to Pursat province.”]; **E3/5603 TCW-750** OCIJ Statement, at ENG 00491348 [“I did

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not see any significant events in my birthplace in Rumlech Commune...However...I saw new people evacuated from Phnom Penh and Pursat came to live in local villages.”]; **E3/5229** [REDACTED] OCIJ Statement, at ENG 00250770 [“Before the Khmer Rouge era, I lived in Phnom Penh...The Khmer Rouge evacuated my family to Phnom Kravanh District, Pursat Province.”].

E1/199.1 Transcript, 30 May 2013, Sophan Sovany, 11.09.00 to 11.11.11, 11.14.51 to 11.17.08 [“[M]y family and I were living in Srae Sdok village which was in Quarter 1, part of Phnom Penh...we had to leave Phnom Penh urgently...We almost reached Kampong Thom, but I could not recall the name of that village.”]; **E3/5256** TCW-239 OCIJ Statement, at ENG 00251304 [“There were [new people]. They were evacuees from Phnom Penh.”]; **E3/5257** TCW-709 OCIJ Statement, at ENG 00251014 [“Q: Did the people evacuated here come from anywhere else other than Kampong Cham? A: Yes. Some came from Phnom Penh.”]; **E3/5528** [REDACTED] OCIJ Statement, at ENG 00421618 [“In 1975 my relatives were also evacuated from Phnom Penh to come live here in Damnak Chrey Village.”]; **E3/5294** TCW 678 OCIJ Statement, at ENG 003601111 [“When Phnom Penh was liberated, I stayed at Prek Prosab District of Kampong. At that time, they made me a member of the Prek Prosab District Committee, and I was put in charge of receiving evacuees from Phnom Penh.”]; **E3/5255** [REDACTED] OCIJ Statement, at ENG 00250043, KHM 00239906-07, FR 00277225 [“I lived at Prey Srange Village...Kampong Thom Province...The 17 April 1975 evacuation was from Phnom Penh...Evacuees came to live in my village.”]; **E3/5265** [REDACTED] OCIJ Statement, at ENG 00282345 [“[E]vacuees arrived at my village, probably 20 families...The Cham people who were evacuated there came from...Kampong Cham Province. As for the 17 April people, they came from Phnom Penh.”]; **E3/5267** TCW-760 OCIJ Statement, at ENG 00282351 [“I was evacuated from Phnom Penh and went to live at Kangsao Village, Kampong Thma Subdistrict, Sanhik District, Kampong Thom Province.”]; **E3/5255** [REDACTED] OCIJ Statement, at ENG 00250043 [“I lived at Prey Srange Village, Ballang Subdistrict, Baray District, Kampong Thom Province...The 17 April 1975 evacuation was from Phnom Penh...Evacuees came to live in my village.”]; **E1/89.1** Transcript, 20 June 2012, Yun Kim, 11.15.50 to 11.17.36 [“The New People who were evacuated from Phnom Penh to Sambour district, there were about 100 families of them, but I could not know exactly the number of people.”].

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E3/5233 [REDACTED] OCIJ Statement, at ENG 00279260 [“On 17 April 1975...I saw the evacuees from Kampong Chhnang (Provincial Town), from Sala Lech 5, from Phnom Penh...as they arrived to live in different villages in Kraing Lovea...”]; **E3/4633** TCW 155 OCIJ Statement, at ENG 00412138 [“There were many evacuees from Phnom Penh living in this village. The soldiers gathered these people to live in Tbaeng Khpos pagoda.”] [Same record as **E3/5516**]; **E3/4632** [REDACTED] OCIJ Statement, at ENG 00403117 [“After 17 April 1975, many people evacuated from Phnom Penh, originally from Kampong Chhnang province and various provinces in the country, came to live in the villages in Tbaeng Khpos commune.”]; **E3/4631** TCW-162 OCIJ Statement, at ENG 00275128 [“I saw the people fleeing Phnom Penh arriving in the villages and subdistricts, like Tbeng Khpuos, Svay Chuk, Peam, etc.”]; **E3/5509** TCW 298 OCIJ Statement, at ENG 00403064 [“As far as I know, there were many people evacuated from Phnom Penh coming to live in Krang Lvea commune, but I did not know how many.”]; **E3/5174** TCW 347 OCIJ Statement, at ENG 00231664 [“I did not know which group evacuated the people in Kampong Chhnang and I did not see the evacuation. But I simply saw new and old people arriving and lived in various sub-districts.”]; **E3/4630** Lev Lam OCIJ Statement, at ENG 00274646 [“As long as I knew about 700 to 800 people who were evacuated from Phnom Penh were killed and buried there. When Phnom Penh was evacuated several people were forced to come here and some people were killed.”]; **E3/5507** TCW-422 OCIJ Statement, at ENG 00405447 [“Q: Were there people evacuated from Phnom Penh coming to live in Svay Chuk commune? A3: Yes, there were. They were divided and sent to live in the cooperatives, but I did not know the number of the evacuated people.”]; **E3/5200** [REDACTED] OCIJ Statement, at ENG 00275120 [“I saw many ‘17 April people’ from Phnom Penh walking along the road from Phsar Trach toward Tbeng Khpuos Subdistrict.”]; **E3/5236** [REDACTED] OCIJ Statement, at ENG 00284700 [“I saw the evacuees coming in and out continuously. I say coming in and out mean that when they arrived here, they stopped and rested for a few days, and then continued their journey to other villages.”]; **E3/4634** TCW-610 OCIJ Statement, at ENG 00408405 [“[A]pproximately one or two months after the liberation day of 17 April 1975, there were many evacuated people who departed from Phnom Penh for Odongk and continued the trip to Tbaeng Khpos pagoda...”]; **E3/5199** TCW-651 OCIJ Statement, at ENG 00275111 [“A prisoner was a person accused of being the ‘enemy,’ like the 17 April people, for instance, who were people who had just been evacuated from Phnom Penh into District 12, and the base people.”]; **E3/5517** [REDACTED] OCIJ Statement, at ENG 00413913 [“From what I saw, people from Phnom Penh were evacuated continuously to villages...my troops stationed at Trach market and evacuees were transferred from Trach market to Svay commune and then to Tbaeng Khpos commune.”]; **E3/4654** [REDACTED] OCIJ Statement, at ENG 00400464 [“Then, we were sent to Angk Po

Pagoda in Thmei Village, Kreang Ampil Commune, Samraong Tong District. Kampong Speu province.”].

885 **E3/5186** [REDACTED] OCIJ Statement, at ENG 00274171 [“I was in Phnom Penh, as a Lon Nol soldier. In May 1975, I was evacuated to Ta Am Village, Ta Am Subdistrict, Preah Net Preah...District, Uddor Mean Chey Province.”].

886 **E3/ 5231** [REDACTED] OCIJ Statement, at ENG 00279249-50, KHM 00267729-30, FR 00323660-61 [“[W]hen the Khmer Rouge took control on 17 April 1975, they evacuated the people from Phnom Penh along National Highway 2, telling them they were being evacuated from the city for three days.”]; **E3/5191** [REDACTED] OCIJ Statement, at ENG 00274679-80, KHM 00298941-42, FR 00283894-96 [“[T]he Khmer Rouge informed the citizens that they had to leave Phnom Penh to avoid the American bombing of the capital...They said that the people could come back in three days.”]; **E3/5238 TCE-16** OCIJ Statement, at ENG 00270670, KHM 00280975-76, FR 00486055-56 [“They told us it was going to betemporary evacuation because of expected American bombings. It was an evacuation for our own safety and three days turned into weeks, months.”]; **E3/5556 TCCP-50** OCIJ Statement, at ENG 00377358-59, KHM 00373186-88, FR 00452779-81 [“They did not come to my house, but armed Khmer Rouge soldiers were shouting with loudspeakers from the trucks to tell people to leave only three or four days.”]; **E3/5559** [REDACTED] OCIJ Statement, at ENG 00377367-68, KHM 00375523-24, FR 00426409-11 [“The Khmer Rouge soldiers entered my house in 1975 and told us that we had to leave Phnom Penh for three days. They told us...we would be able to come back to our house in three days only.”]; **E3/509** [REDACTED] OCIJ Statement, at ENG 00282215-16, KHM 00270157-58, FR 00285595-96 [“Ta Yim held a meeting to tell all the troops how, after we had attacked and entered Phnom Penh, we were to tell the people that we had to evacuate the people from the city for three days.”]; **E3/5590** [REDACTED] OCIJ Statement, at ENG 00426475-76, KHM 00420971-73, FR 00434919-21 [“The Khmer Rouge soldiers just told us to leave the city in the fear that planes would drop bombs. They told us to leave only three days and then we could return back.”]; **E3/5523 TCCP-85** OCIJ Statement, at ENG 00434650-51, KHM 00414423-24, FR 00434655-56 [“[Khmer Rouge troops] announced that all of us had to leave Phnom Penh within three days or suffer the bombardment by the Americans.”]; **E3/5131** [REDACTED] OCIJ Statement, at ENG 00223184-85, KHM 00165226, FR 00195766-67 [“They ordered all of us to leave during a three day period; we all had to leave, the monks and the people.”]; **E3/471** [REDACTED] OCIJ Statement, at ENG 00223335-36, KHM 00172079-80; FR 00205016-17 [“They had us evacuate the people, to tell them to leave for just three days...The commander only said to have the people leave, to tell them they were leaving for just two or three days.”]; **E3/5505 TCCP 134** OCIJ Statement, at ENG 00399167-70, KHM 00398494-97, FR 00434411-14 [“A moment later vehicles were buzzing around in front of my house announcing that they were having the people leave their homes for three days...The announcement was that they had leave for only three days”]; **E3/5562 TCCP 138** OCIJ Statement, at ENG 00400454-55, KHM 00390283-84, FR 00422428-29 [“[T]he Khmer Rouge ordered us to leave PhnomPenh for just three days.”]; **E3/5613** [REDACTED] OCIJ Statement, at ENG 00494399-401, KHM 00491045; 00491047-48, FR 00522535-36; 00522538 [“We took a overlooked the street from the floor we were living and heard the announcement of the Khmer Rouge, telling us to leave the town for two or three days because the town will be bombed.”]; **E3/5142** [REDACTED] OCIJ Statement, at ENG 00223614-15, KHM 00204118-19, FR 00529327-28 [“I saw and heard them saying to leave Phnom Penh for three days”]; **E3/4654** [REDACTED] OCIJ Statement, at ENG 00400463-66, KHM 00390311-15, FR 00434834-38 [“All people must leave the city following the announcement of the Khmer Rouge, who announced that people must leave the city for three days for the concern of the American bombardment.”]; **E3/5267 TCW 760** OCIJ Statement, at ENG 00282351-53, KHM 00271403-05, FR 00482929-31 [“The Khmer Rouge also said, ‘Brothers and Sisters, we request that you leave for two or three days. Then you can return.’”]; **E3/4611 TCCP-172** OCIJ Statement, at ENG 00455376-77, KHM 00418484-85, FR 00455383-85 [“Khmer Rouge told me to leave for three days.”].

887 **E3/ 5513** [REDACTED] OCIJ Statement, at ENG 00223198-200, KHM 00165259-61, FR 00702333-35 [“When [the Khmer Rouge] came to tell us, they said to leave for just a week, so there was no need to take much along.”]; **E3/5165 TCW-515** OCIJ Statement, at ENG 00195392, KHM 00186769, FR 00401914 [“My 1st Division also received orders from Commander Oeun to evacuate the people away, saying that they would be gone at the most a week or two, and they would be allowed to return”].

888 **E1/140.1** Transcript, 5 November 2012, Sum Chea, 09.25.04 [“Immediately upon arriving Phnom Penh, the Khmer Rouge soldiers asked people to evacuate the city.”]; **E1/138.1** Transcript, 24 October 2012, Kung Kim, 14.17.15 [“There was a plan to evacuate people out of Phnom Penh. The large majority of people left the city.”]; **E1/193.1** Transcript, 20 May 2013, Ieng Phan, 11.01.28 [“I only heard that after the liberation of Phnom Penh the people were evacuated to the provincial towns...because, at that time, Phnom Penh and provincial towns did not have many people as they were sent further.”]; **E1/108.1**

Transcript, 15 August 2012, Sa Siek, 13.44.08 ["In 1975, in Phnom Penh at the time, Cambodia was liberated...I observed there were male and female soldiers. There were weapons, there were tanks, there were planes, and there were also people being evacuated from Phnom Penh..."].

⁸⁸⁹ **E1/ 165.1** Transcript, 28 January 2013, Al Rockoff, 13.33.37 ["Yes. As for the 17th of April, early evening, the lines of civilians headed north, it was families to include elderly. And as for the sick or infirm being kicked out of hospitals, such as Calmette, I did not see that until the second day."]; **E1/178.1** Transcript, 9 April 2013, Francois Ponchaud, 09.44.59 ["On the 17th of April 1975, the whole population was evacuated from the city."].

⁸⁹⁰ **E3/ 51** London Times, *A Great Caravan of Human Misery*, 18 April 1975, at ENG 00003279; **E3/3363** Time, *A Khmer Curtain Descends*, 5 May 1975, at ENG 00445395; **E3/3365** Los Angeles Times, *Red Forces 'Purifying' Cambodia*, 8 May 1975, at ENG 00445199-200; **E3/4150** Los Angeles Times, *Evacuees Tell of Executions, Kindness*, 8 May 1975, at ENG 00445203.

⁸⁹¹ **E3/ 3004** Embassy Bangkok Report entitled "Khmer Refugee Walks Out from Phnom Penh," June 1975, at ENG 00495556-60; **E3/3006** Embassy Bangkok Report entitled "The New Cambodia," May 1975, at ENG 00495563, 00495565-66, 00495569; **E3/4148** Embassy Bangkok Report entitled "American Talks of Phnom Penh after the Fall," May 1975, at ENG 00413478.

⁸⁹² **E3/ 2703** Telegram from French Embassy entitled "Situation in Phnom Penh, Morning of 19 April," 20 April 1975, at ENG 00488013.

⁸⁹³ **E3/ 2703** Telegram from French Embassy entitled "Situation in Phnom Penh, Morning of 19 April," 20 April 1975, at ENG 00488013.

⁸⁹⁴ **E3/ 2701** Telegram 607 from French Embassy entitled "Request for Immediate General Evacuation," 20 April 1975, at ENG 00488012.

⁸⁹⁵ **E3/ 3002** Photograph, Aerial Images of Phnom Penh, 12-27 April 1975, at ENG 00495444.

⁸⁹⁶ **E1/140.1** Transcript, 5 November 2012, Sum Chea, 10.13.54 to 10.16.01.

⁸⁹⁷ **E1/146.1** Transcript, 23 November 2012, Or Ry, 09:13:40 to 09:15:03 ["My mother said she just delivered the baby and that my elder sister was injured and that we could not really go, but they still insisted."]; **E1/137.1** Transcript, 23 October 2012, Lay Bony, 15.16.50 ["But 20 days afterwards, I -- on the 17 of April 1975, I had to be evicted out of my home and out of the city, as well, just 20 days after I delivered my baby."]; **E1/198.1** Transcript, 29 May 2013, Chheng Eng Ly, 15:53:30 to 15:55:44 ["The elderly people at large - and my mother was no exception to this - they were shocked, and they had no choice but to leave their home, because they were actually forced to leave at gunpoint."].

⁸⁹⁸ **E1/140.1** Transcript, 5 November 2012, Sum Chea, 11.45.05 ["People were not assisted. The assistance we gave to them was purely the announcement...with the whole family members, the hospital patients, and sick and elderly people, including children."].

⁸⁹⁹ **E1/198.1** Transcript, 29 May 2013, Thouch Phandarasar, 09.22.29 ["I saw women give birth in the street and I saw sick people in their beds with their drip on the road under the burning sun and I saw people who couldn't walk."]; **E1/198.1** Transcript, 29 May 2013, Chan Sopheap, 11:18:11 ["When I reached the Monivong Boulevard I was shocked to see the people en masse, I saw people with the drops (sic) on their hand, some died along the road, some were crying for their children and family members."]; **E1/146.1** Transcript, 23 November 2012, Or Ry, 14.11.16 ["I saw the elderly and sick people who were lying on the road and no one could help them."]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 09.44.26 ["I could see that some people, in particular patients, were pushed on the hospital beds, when the IV fluid was still attached to some of them. So, everyone had to move together on just one road and to one direction..."]; **E1/170.1** Transcript, 7 February 2013, Pin Yathay, 11.39.48 to 11.41.18 ["There were even some doctors and nurses...Women carried babies on their hips, the lame limped on crutches. Twice I saw patients in wheeled hospital beds being pushed along by relatives."].

⁹⁰⁰ **E1/170.1** Transcript, 7 February 2013, Pin Yathay, 11.39.48 to 11.41.18.

⁹⁰¹ **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 09.42.29 to 09.45.48 ["And I told myself that I could not leave the city...Some people who protested such a move were beaten with a gun butt, so we had no choice, but we had to leave with just very few family members."]; **E1/145.1** Transcript, 22 November 2012, Meas Saran, 11.14.41 to 11.16.15 ["I did not actually reach the house where my wife was staying on Pasteur Road, so I did not meet her...In fact, there were other families living in that house and I did not meet any of them until the present time."].

⁹⁰² **E1/198.1** Transcript, 29 May 2013, Thouch Phandarasar, 09.24.11 ["And children were forced to leave their parents behind and you know that we worship our parents. Parents are very sacred to us and when we saw parents separate from their children..."]; **E1/198.1** Transcript, 29 May 2013, Chan Socheat, 11:19:59; **E1/148.1** Transcript, 5 December 2012, Kim Vandy, 14.39.07 to 14.42.08 ["The majority of the people were heading outside of the city and only a small number was heading back in...maybe they

were trying to find their relatives or try to find their properties or try to return to their homes to get money.”]; **E1/199.1** Transcript, 30 May 2013, Sophan Sovany, 11.11.11 to 11.13.04 [“People...There was one person from another family who raised their hands to beg the Khmer Rouge to return to the back in order to find their family members but the person was refused by the Khmer Rouge soldiers.”].

E1/198.1 Transcript, 29 May 2013, Chan Socheat, 11.19.59 [“We were not allowed to return to Phnom Penh and we were forced to move further.”]; **E1/148.1** Transcript, 5 December 2012, Kim Vandy, 14.42:08 [“And then that man was on his knees begging the Khmer Rouge soldier, and the Khmer Rouge soldier hit his back with his rifle...And later on, that man walked away in a state of disappointment.”]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 09.55.20 [“But they were stopped by the Khmer Rouge soldiers, who did not allow them to come back. And they were even threatened; they were told that, ‘if you step the line, then you would’ -- they would be killed. They were terrified.”].

E3/2127 Khieu Samphan Statement, 29 December 2003, at ENG 00000928.

E3/26 Nuon Chea Statement, 7 October 2006, at ENG 00329512.

E3/1589 Ieng Sary Statement, 9 May 1977, at ENG 00185419.

E1/145.1 Transcript, 22 November 2012, Or Ry, 15.32.25 to 15.34.04 [“[O]f course my family as the rest of other families did not want to leave.”]; **E1/145.1** Transcript, 22 November 2012, Or Ry, 15.39.42 to 15.41.50 [“We left ‘because we were not allowed to stay’”]; **E1/198.1** Transcript 29 May 2013, Thouch Phandarasar, 09.17.25 to 09.18.20 [“The Khmer Rouge soldiers said to us: we have to leave”]; **E1/166.1** Transcript, 29 January 2013, Al Rockoff, 09.34.27 to 09.35.29 [“Q. So are you saying you haven’t seen any real resistance from civilians in Phnom Penh on the 17th of April? A. The Khmer ‘Kraham’ had the AKs, they had the power...what would you do?”]; **E1/198.1** Transcript, 29 May 2013, Chan Socheat, 11.16.27 to 11.18.11 [“I, as the rest of the Phnom Penh residents, were immediately forced to evacuate from Phnom Penh.”]; **E1/198.1** Transcript, 29 May 2013, Chan Socheat, 11.18.11 to 11.19.59 [“Khmer Rouge soldiers with weapons entered our house and they told us to leave the house”]; **E1/148.1** Transcript, 5 December 2012, Kim Vandy, 14.30.52 to 14.33.25 [“They also shouted that why we were still waiting, why we did not go. They asked us to go in order to avoid the aerial bombardment.”]; **E1/136.1** Transcript, 22 October 2012, Chum Sokha, 11.05.51 to 11.08.42 [“We could not stay because we were required by Angkar to leave, as they made such an announcement repeatedly. So we had to leave.”]; **E1/198.1** Transcript, 29 May 2013, Chheng Eng Ly, 15.50.27 to 15.52.19 [“Black-clad soldiers forced us to leave our house.”]; **E1/198.1** Transcript, 29 May 2013, Chheng Eng Ly, 15.53.30 to 15.55.44 [“I had no choice but to leave my house”]; **E1/198.1** Transcript, 29 May 2013, Chheng Eng Ly, 15.55.44 to 15.57.00 [“We had to move on in accordance with their order until we reached Roka Kaong.”]; **E1/200.1** Transcript, 4 June 2013, Bay Sophany, 09.24.19 to 09.26.25, 11.06.18 to 11.07.47 [“I did not leave my house on my own free will”]; **E1/197.1** Transcript, 27 May 2013, Aun Phally, 11.48.22 to 11.50.32 [“Everyone had to follow the orders by the Khmer Rouge. Where they wanted us to go we had to go.”]; **E1/146.1** Transcript, 23 November 2012, Chau Ny, 11.26.09 to 11.27.52 [“A group of KR soldiers make an announcement asking people to leave PP. At that time I heard gunfire...They ‘shouted that we all had to leave.’”]; **E1/146.1** Transcript, 23 November 2012, Chau Ny, 14.09.10 to 14.11.16 [“Upon having hear that the KR asked us to leave PP, people in the city panicked and had to find way to get out of the city. That happened to every family including mine.”]; **E1/152.1** Transcript, 12 December 2012, Denise Affenco, 14.48.52 to 14.51.00 [“[I]f we hadn’t left they would have taken us for traitors and imperialists and people who were in the pay of the old regime and they would have massacred us.”]; **E1/152.1** Transcript, 12 December 2012, Denise Affenco, 16.00.10 to 16.01.44 [“They went through the streets. They were shouting the orders in the streets and then individually they went to each house and each apartment to repeat the order that we had to evacuate the city.”]; **E1/152.1** Transcript, 12 December 2012, 16.01.44 [“We had absolutely no choice whatsoever. The order was extremely clear. They didn’t give us any choice at all...you had to get up and leave your home.”]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 09.42.29 to 09.44.26 [“At that time we were terrified because we were thinking ‘how we could leave’ The atmosphere was very tense, and the KR soldiers did not allow us to walk freely. We were escorted by armed Khmer Rouge soldiers all along...”]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 09.51.26 [“[N]o one could go anywhere without permission.”]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 10.04.59 to 10.12.07 [“The KR soldiers did not allow us to stay. They always pushed us to go further.”]; **E1/135.1** Transcript, 19 October 2012, Yim Sovann, 15.05.19 to 15.09.44 [“Upper Angkar needs you to leave; if you decide not to do so they will enforce a measure against you, and we have no choice. As we receive a severe threat, we had to prepare and pack our things and leave.”]; **E1/135.1** Transcript, 19 October 2012, Yim Sovann, 15.05.19 to 15.09.44 [“When the Khmer Rouge arrived at any place or location those places or locations were evacuated and the people in the town were all evacuated.”]; **E1/141.1** Transcript, 6 November 2012, Mom Sam Ourn, 09.21.30 to 09.28.48 [“They forced me to leave the city immediately.”]; **E1/141.1** Transcript, 6

November 2012, Mom Sam Oeurn, 09.30.12 to 09.32.34 [“KR soldiers who kept threatening people to move faster, and we were always pointed the guns at any...I would see...dead bodies, pregnant women with difficulties...we were under strict surveillance by the KR soldiers.”]; **E1/141.1** Transcript, 6 November 2012, Mom Sam Oeurn, 09.32.34; **E1/138.1** Transcript, 24 October 2012, Kung Kim, 14.17.15 to 14.18.40 [“There was another special force which were tasked to evict people out of the city...those soldiers who were stationed in PP had to conduct the final search...to ensure that everyone was evicted and left their houses.”]; **E1/138.1** Transcript, 24 October 2012, Kung Kim, 14.20.10 to 14.22.24 [“[KR soldier] When the first wave of people in the city were evacuated, then there was another order to search every house to find those who resist leaving and those people were accused of being enemies.”]; **E1/138.1** Transcript, 24 October 2012, Kung Kim, 14.20.10 to 14.22.24 [“[KR soldier] So once the people were evacuated, there were minority people who stay behind, so we had to ensure that those people left the city as well.”]; **E1/138.1** Transcript, 24 October 2012, Kung Kim, 14.35.12 to 14.37.30 [“After PP liberation and after noting that it is not easy to evacuate the remaining people...it was the plan by the division to our platoon to cut off water supply so that people could no longer access to such water supply.”]; **E1/138.1** Transcript, 24 October 2012, Kung Kim, 12.02.17 [“Our task...we were tasked with cleaning, with removing the remaining people who still remained in their houses and apartments...we received the order to cut the water supply...and had to come down and leave.”]; **E1/137.1** Transcript, 23 October 2012, Lay Bony, 15.30.45 [“They firmly ordered us to leave immediately, that we could no longer stay in our house.”]; **E1/137.1** Transcript, 23 October 2012, Lay Bony, 15.30.45 to 15.32.10 [“we dare not protest because we saw them carrying guns on their shoulder and their attitude was very firm.”]; **E1/178.1** Transcript, 9 April 2013, Francois Ponchaud, 10.24.40 [“I saw the KR soldier in black clothes and they forced us to leave immediately.”]; **E1/200** Transcript, 4 June 2013, Seng Sivuntha, 15.35.38 to 15.37.37 [“I only knew...that the people from Phnom Penh should leave.”]; **E1/199.1** Transcript, 30 May 2012, Po Dina, 15.01.22 to 15.05.38 [“We begged them on our knees that we would not leave the house...Then those soldiers did not listen to us...they threatened our life to. At that time, we had no choice but to leave our house...”]; **E1/199.1** Transcript, 30 May 2013, Sophan Sovanny, 11.09.00 to 11.11.11 [“Immediately two or three militia came to the front of our house and shouted at us that - “What are we waiting for? Why aren’t we...and leave? Everybody’s leaving; why are you still here?” We were scared upon hearing that”]; **E1/199.1** Transcript, 30 May 2013, Sophan Sovany, 11.13.04 [“KR soldiers were standing there on a road forcing us to keep moving. They had their weapons”]; **E1/199.1** Transcript, 30 May 2013, Yim Roumdoul, 13.28.38 to 13.30.03 [“My grandfather who was...The Khmer Rouge shot into our house...but we still remained in the house. It could be a rocket launcher that came into the house. All of us including my parents and my uncle then decided to leave.”]; **E1/199.1** Transcript, 30 May 2013, Nou Hoan, 10.15.45 to 10.18.30 [“when the KR forced people to leave their homes”]; **E1/170.1** Transcript, 7 Feb 2013, Pin Yathay, 14.44.11 to 14.45.27 [“people were ordered to leave the city.”]; **E1/140.1** Transcript, 5 November 2012, Sum Chea, 09.25.04 to 09.27.15, 09.29.44 to 09.31.42 [“[I] immediately upon arriving PP the KR soldiers asked people to evacuate the city...the soldiers to evacuate the whole population of Phnom Penh and that the population had to be moved out...so that the city could be leaned.”]; **E1/140.1** Transcript, 5 November 2012, Sum Chea, 09.33.27 [“our mission was to evacuate all people out of the city.”], 10.12.00 [“We had to do whatever we could to make sure the people left the city.”], 11.45.05 to 11.46.30 [“[T]here were only loudspeaker announcements and that people would be asked to leave the city for a few days - three to seven days. Otherwise, they would be bombed and die. So people were terrified and left.”]; **E1/143.1** Transcript, 12 November 2012, Pe Chuy Chip Se, 15.52.12 to 15.53.21; **E1/150.1** Transcript, 7 December 2012, Hum Chuunly, 09.42.50 to 09.44.08; **E1/137.1** Transcript, 23 October 2012, Sokh Chhin, 15.33.48; **E1/79.1** Transcript, 31 May 2012, Sar Kimlomouth, 09.14.36 to 09.17.43 [“[W]e were told to leave the city.”]; **E1/200** Transcript, 4 June 2013, Seng Sivuntha, 15.35.38 to 15.40.05.

⁹⁰⁸ **E1/ 152.1** Transcript, 12 December 2012, Denise Affonco, 16.01.44 to 16.03.00.

⁹⁰⁹ **E1/ 145.1** Transcript, 22 November 2012, Or Ry, 15.32.25 [“[T]hey threatened to to kill anyone who did not want to leave.”]; **E1/198.1** Transcript, 29 May 2013, Thouch Phandarasar, 09.18.20 [“[W]e became afraid because the soldiers were very aggressive and they asked us right away to prepare our bags to leave.”]; **E1/200.1** Transcript, 4 June 2013, Bay Sophany, 11.10.32 [“They were of stern facial expression, they stared at us, they threatened everyone to leave the house.”], [“I head the loud shouting by the KR chasing people to go away from their house. It was not the gentle voice. And of course this is compounded by the facts that they fired shots in the air.”]; **E1/146.1** Transcript, 23 November 2012, Chau Ny, 11.26.09 [“I heard the screaming of people looking for their relatives and friends in their preparation to leave PP.”]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 09.42.29 [“We pleaded, we asked the soldiers to allow us some more time...But then the soldier told us that we had to leave in the day because, if they came back and then we still stayed at the same place, we would be in big trouble.”],

13.40.57 ["En route when a family member was sick and they wanted to accompany them they were forced, threatened by the KR soldiers and they also fired into the air to them to leave."]; **E1/135.1** Transcript, 19 October 2012, Yim Sovann, 14.14.03 to 14.16.35 ["They gave us only 15 minutes. If we refuse to leave, they will enforce their measure."]; ["The Khmer Rouge soldier told us that if you decide not to leave, you will be shot to death."]; **E1/141.1** Transcript, 6 November 2012, Mom Sam Ourn, 09.23.34 to 09.26.44 ["The KR soldiers came to threaten me to ask me to leave our home. That's why I rushed to the safe to insert the combination, and I was about mid-way through, then I was pointed the gun at any forced to leave the home."]; **E1/141.1** Transcript, 6 November 2012, Mom Sam Ourn, 09.23.34 to 09.26.44 ["They were using some harsh words."]; **E1/141.1** Transcript, 6 November 2012, Mom Sam Ourn, 10.08.40 to 10.09.49 ["I noted that something were pressed on my right shoulder and when I turned around I saw the KR soldier pointing gun at me."]; **E1/141.1** Transcript, 6 November 2012, Mom Sam Ourn, 10.18.30 to 10.20.36 ["On the road] the KR soldiers kept saying that we had to move quickly and we were not allowed to look back, just move forwards. They threatened us, they shouted at us and they asked us to keep walking faster."]; **E1/141.1** Transcript, 6 November 2012, Mom Sam Ourn, 10.18.30 to 10.20.36 ["They asked us to stop talking but keep moving. And when we reached any particular house, then the soldiers would be pointing the guns at the people in the house to come down and join the march...or they would be shot."]; 11.13.55 to 11.23.19 ["My children were all crying. They were crying seeing me kneeling down next to the safe while being held at gunpoint by the KR soldier."]; 11.24.54 to 11.27.31 ["They kept threatening us, forcing us to leave, and I was held at gunpoint...We were constantly held at gunpoint so people had to walk very fast and they had to keep moving."]; **E1/138.1** Transcript, 24 October 2012, Lay Bony, 10.03.59 ["And then my husband and my relatives decided that we had to leave. If we did not go, we were afraid that we would be shot."]; **E1/144.1** Transcript, 14 November 2012, Meas Saran, 15.37.00 to 15.40.14["I saw the KR soldiers carrying guns. They carrying guns with - aiming towards the air in- ready to shoot position and I heard sporadic gunshots here and there."]; **E1/199.1** Transcript, 30 May 2012, Po Dina, 15.01.22 to 15.05.38 ["Then those soldiers...they threatened our life to...we had no choice but to leave our house...I saw a man who had just been killed and that is when I realized that things were very very serious. We were all very afraid."]; **E1/201.1** Transcript, 4 June 2013, Bay Sophany, 11.03.42 ["They chased people from every house and they were about to come to my house. For that reason I had to leave."]; **E1/197.1** Transcript, 27 May 2013, Aun Phally, 11.44.22 ["And other people were treated the same and I could hear gunshots or weapons; the sounds of bullets being fired into the air."]; 11.46.23 ["They climbed upstairs to the third story of the building where we stayed and they pointed the guns at us, asked us to leave and we had to leave."]; **E1/197.1** Transcript, 27 May 2013, Aun Phally, 11.48.22; **E1/145.1** Transcript, 22 November 2012, Or Ry, 15.39.42 ["they chased us away from the house."]; **E1/197.1** Transcript, 27 May 2013, Aun Phally, 11.46.23 ["I saw dead bodies along the road, and these corpses could have been the people who resisted such orders...I saw people fire and pointing guns at others. I think my family saw this and other families also saw this."]; **E1/152.1** Transcript, 12 December 2012, Denise Affonco, 14.48.52 ["I had a school friend, for example who stayed to wait for her husband. Her husband never came back, and she, herself was executed. She was killed on the spot and her brothers and sisters later told me how she died."]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 09.42.29 ["Then the soldiers came to us and warned us to leave the city or we were we would be risk of being shot at."]; 09.44.26 ["Some people who protested such a move were beaten with a gun butt, so we had no choice but we had to leave with just very few family members. And we departed and we never met our family members again since that day."]; 13.44.18 ["While en route I saw guns being fired into the air and people were whipped."]; **E1/135.1** Transcript, 19 October 2012, Yim Sovann, 14.14.03 ["I saw...one of the houses was locked when I returned from the market...they shot the lock and when the people came out they shot the people to death and I ran away from the scene."]; **E1/138.1** Transcript, 24 October 2012, Kung Kim, 15.31.55 ["When we got...to Phnom Penh soldiers...who resisted particularly those - those soldier who were within the group, they did not retreat, so we had to shoot them."]; **E1/199.1** Transcript, 30 May 2013, Yim Romdoul, 14.19.45 ["Then the Khmer Rouge launch a rocket propeller into the house, so I thought that the person were kill and at that time when the exchange of fire erupted I actually flee for my life as well."]; **E1/140.1** Transcript, 5 November 2012, Sum Chea, 10.04.27 ["People had been evacuated very easily under our supervision. But other people who resisted such evacuation ended up being shot. And, indeed, the other groups shot and killed a few people to scare the hell out of other people."]; 10.06.15 ["without mistreating some of the people, we would not manage to empty out the city with populations."]; 10.12.00 ["we had to do whatever we could to make sure the people left the city."].

⁹¹⁰ **E1/ 199.1** Transcript, 30 May 2012, Po Dina, 15.01.22 to 15.05.38.

⁹¹¹ **E1/ 145.1** Transcript, 22 November 2012, Or Ry, 15.32.25 to 15.34.04 ["They carried guns and they used the guns to chase away the people. They threatened to kill anyone who did not want to leave, and that we

all had to leave during the night or overnight, rather.”]; **E1/200.1** Transcript, 4 June 2013, Bay Sophany, 09.24.19 to 09.26.25 [“And I had to leave urgently as we were repeatedly chased and warned by the Khmer Rouge soldiers.”]; **E1/138.1** Transcript, 24 October 2012, Lay Bony, 10.03.59 to 10.05.49 [“And at the time that the soldiers came to our house, they were quite animated. And then my husband and my relatives decided that we had to leave. If we did not go, we were afraid that we would be shot.”]; **E1/199.1** Transcript 30 May 2012, Po Dina, 15.01.22 to 15.05.38; **E1/152.1** Transcript, 12 December 2012, Denise Affonco, 14.48.52 to 14.51.00.

⁹¹² **E1/ 197.1** Transcript, 27 May 2013, Aun Phally, 11.44.22 to 11.48.22 [“Then at around eight o’clock at night there was another group of soldiers who came to our house again, they threatened us to leave our house immediately, they need to reorganize the city.”]; **E1/141.1** Transcript, 6 November 2012, Mom Sam Oeurn, 10.18.30 to 10.20.36 [“These Khmer Rouge soldiers kept saying that we had to move quickly and we were not allowed to look back, just move forwards.”].

⁹¹³ **E1/ 148.1** Transcript 5 December 2012, Kim Vannady, 15.14.26 to 15.17.57 [“But upon hearing the gunshot...And my father later received some information from my mother after he left his work to my uncle’s house. He learned about this later, but I saw what happened to my uncle first.”].

⁹¹⁴ **E1/ 199.1** Transcript, 30 May 2013 Yin Roumdoul, 13.30.03, 13.30.03 to 13.31.54 [“A house...and I recall that there was a soldier from that house, he returned fire. About five minutes later, a group of about five to 10 Khmer Rouge soldiers began firing into that house.”].

⁹¹⁵ **E1/ 198.1** Transcript 29 May 2013, Chheng Eng Ly, 15.53.30 to 15.55.44 [“The elderly people at large - and my mother was no exception to this - they were shocked, and they had no choice but to leave their home, because they were actually forced to leave at gunpoint.”].

⁹¹⁶ **E1/ 135.1** Transcript, 19 October 2012, Yim Sovann, 15.05.19 to 15.09.44.

⁹¹⁷ **E1/ 148.1** Transcript, 5 December 2012, Pech Srey Phal, 09.42.29 to 09.44.26.

⁹¹⁸ **E1/ 152.1** Transcript, 12 December 2012, Denise Affonco, 14.48.52 to 14.51.00.

⁹¹⁹ **E1/145.1** Transcript, 22 November 2012, Or Ry, 15.32.25 [“They carried guns and they used the guns to chase away the people. They threatened to kill anyone who did not want to leave.”]; **E1/198.1** Transcript, 29 May 2013, Thouch Phandasar, 09.20.08 [“Then I heard a gunshot, and then I saw a man who had just been killed and that is when I realized that things were very very serious. We were all very afraid.”], 09.22.29 [“Q. So are...A. The Khmer “Kraham” had the AKs, they had the power. What are you going to do? You’re there with your family, they ask you to leave; what would you do?”]; **E1/198.1** Transcript, 29 May 2013, Chan Socheat, 11.18.11 [“Khmer Rouge soldiers with weapons entered our house and they told us to leave the house.”], 11.18.11 [Then there were shots fired into the air to disperse them..they carried AK-47s and M-16s...”]; **E1/166.1** Transcript, 29 January 2013 Chan Socheat, 09.34.27 [“Khmer Rouge soldiers with weapons entered our house and they told us to leave the house.”]; **E1/148.1** Transcript, 5 December 2012, Kim Vannady, 09.42.29 [“Then the soldiers came to us and warned us to leave the city or we were -- we would be risk of being shot at.”]; **E1/136.1** Transcript, 22 October 2012, Chum Sokha, 15.13.54 [“The Khmer Rouge soldiers wore a fierce impression...And they evenshot at people right in front of me, those who came to get the rice.”], 10.57.09 to 11.01.16 [“[T]hat there was shelling 100 metres or 200 metres away from where I stood; I could see the smoke.”], 15.53.30 to 15.55.44 [“About KR making announcements on the road” “sometimes” “they carried a gun, or sometimes they carried a knife.”] **E1/198.1** Transcript, 29 May 2013, Chheng Eng Ly, 15.53.30, 15.55.44 [“Everyone of them, male and female, were armed.”]; **E1/200.1** Transcript, 4 June 2013, Aun Phally, 11.44.22 [“And other people were treated the same and I could hear gunshots or weapons...They climbed upstairs to the third story of the building where we stayed and they pointed the guns at us, asked us to leave and we had to leave.”]; **E1/197.1** Transcript, 27 May 2013, Chau Ny, 11.44.22, 11.48.22 [“At that time the Khmer Rouge people were armed. They approached the front of my borther’s house and shouted that we all had to leave.”]; **E1/146.1** Transcript, 23 November 2012, Denise Affonco, 11.26.09 to 11.27.52 [“They were armed but they didn’t aim their guns at us.”]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 9.38.59, 9.58.43; **E1/135.1** Transcript, Mom Sam Oeurn, 14.11.17, 14.14.03; **E1/143.1** Transcript, 12 November 2012, Pe Chuy Chip Se, 15.52.12, 15.53.21 [“[A]nd everyone of them carried a gun.”]; **E1/137.1** Transcript, Nou Hoan, 15.28.38, 15.32.10 [“They carried AK-47S and some of them shot into the air.”]; **E1/199.1** Transcript, 30 May 2013, Sum Chea, 10.15.45, 10.18.30.

⁹²⁰ **E145. 1** Transcript, 22 November 2012, Or Ry, 15.31.12 to 15.32.25 [“There was an announcement on the mobile loudspeaker announcing that the people - the Phnom Penh residents had to leave because they prepared to clean the city.”]; **E1/170.1** Transcript, 7 February 2019, Pin Yathay, 09.53.33 to 09.55.45 [“[T]he Khmer Rouge soldiers came to tell us who took refuge at the pagoda; that we had to leave the city as soon as possible because Angkar needed to clean up the city.”]; **E1/198.1** Transcript, 29 May 2013, Thouch Phandasar, 09.18.20 to 09.20.08 [“this Khmer Rouge soldier said to us: ‘We have to leave. You

will only leave for three days because the government is trying to clean-up the city.”]; **E145.1** Transcript, 22 November 2012, Or Ry, 15.31.12 to 15.32.25 [“There was an announcement on the mobile loudspeaker announcing that the people - the Phnom Penh residents had to leave because they prepared to clean the city.”]; **E1/170.1** Transcript, 7 February 2019, Pin Yathay, 09.53.33 to 09.55.45 [“the Khmer Rouge soldiers came to tell us who took refuge at the pagoda; that we had to leave the city as soon as possible because Angkar needed to clean up the city.”]; **E1/198.1** Transcript, 29 May 2013, Thouch Phandarasar, 09.18.20 to 09.20.08 [“[T]his Khmer Rouge soldier said to us: ‘We have to leave. You will only leave for three days because the government is trying to clean-up the city.’”]; **E1/200.1** Transcript, 4 June 2013, Seng Sivutha, 15.35.38 to 15.37.37 [“[P]eople who came to liberate Phnom Penh told the people there to leave it temporarily, that they would have to clean up the capitalist groups first and after they cleansed the city then people will be allowed to return.”]; **E3/396.1** Sum Chea OCII Statement, at ENG 00223345-46; **E3/509** [REDACTED] OCII Statement, at ENG 00282216; **E1/140.1** Transcript, 5 November 2012, Sum Chea, 10.08.35 to 10.13.54; **E3/396.1** Sum Chea OCII Statement, at ENG 00223346.

⁹²¹ **E1/ 136.1** Transcript, 22 October 2012, Chum Sokha, 11.03.24 to 11.05.51 [“they said that they -- there was still enemies in the city and that the Angkar needed to cleanse them from the city.”], 14.26.53 to 14.28.47 [“[M]id-way my grandparents asked Angkar when we would be allowed to be back, and the response was that, after seven days, then we would be allowed to be back after the enemies had been cleared.”]; **E1/198.1** Transcript, 29 May 2013, Chan Socheat, 11.18.11 to 11.19.59 [“Khmer Rouge soldiers with weapons entered our house and they told us to leave the house for three days as they needed to get rid of the enemy.”].

⁹²² **E1. 139.1** Transcript, 25 October 2012, Kung Kim, 10.02.09 to 10.03.51 [“[T]he announcement was to invite the Phnom Penh residents to leave the city temporarily so that they can repair the city.”].

⁹²³ **E1/ 199.1** Transcript, 30 May 2013, Po Dina, 15.01.22 to 15.03.55 [“[T]hey threatened us to leave our house immediately, they need to reorganize the city.”].

⁹²⁴ **E1/ 200.1** Transcript, 4 June 2013, Seng Sivutha, 15.35.38 to 15.37.37 [“[P]eople who came to liberate Phnom Penh told the people there to leave it temporarily, that they would have to clean up the capitalist groups first and after they cleansed the city then people will be allowed to return.”].

⁹²⁵ **E1/ 140.1** Transcript, 5 November 2012, Sum Chea, 10.12.00 to 10.13.54; **E3/396.1** Sum Chea OCII Statement, at ENG 00223346.

⁹²⁶ **E1/135.1** Transcript, 19 October 2012, Yim Sovann, 15.02.48 to 15.05.19 [“They told us to leave and that we do not need to take more property with -- because you were required to leave only for three days to avoid the bombardment from American.”]; **E1/136.1** Transcript, 22 October 2012, Chum Sokha, 11.03.24 to 11.05.51 [“There was a group of soldiers who were speaking on a mobile loud speaker that people had to leave Phnom Penh urgently because very soon there could be an aerial bombardment by the United States.”]; **E1/138.1** Transcript, 24 October 2012, Lay Bony, 10.07.21 to 10.10.54, 10.28.48 to 10.29.53 [“[T]hey did not tell anything besides that the Americans would bomb the city. And of course we were afraid of the bombardments, so we also tried to rush ourselves to leave the city.”]; **E1/140.1** Transcript, 5 November 2012, Sum Chea, 10.13.54 to 10.16.01, 11.45.05 to 11.46.30, 12.07.38 to 12.10.01 [“[W]e kept telling them that they had to move quickly or they would be bombarded by the aerial bombardments.”]; **E1/141.1** Transcript, 6 November 2012, Mom Sam Oeurn, 11.11.59 to 11.13.55 [“[T]he Khmer Rouge pointed a gun, pressed it on my right shoulder, and threatened me to leave my home; otherwise, I would be -- or drums -- rather, bombs would be dropped on us.”]; **E1/144.1** Transcript, 14 November 2012, Meas Saran, 15.28.21 to 15.30.06, 15.43.16 to 15.44.37, 15.58.23 to 15.59.42 [“[T]he hospital quickly. He shouted that we had to leave the hospital immediately because the Americans were about to bombard the area.”]; **E1/145.1** Transcript, 22 November 2012, Meas Saran, 09.48.05 to 09.49.30, 10.38.26 to 10.40.23, 14.18.44 to 14.20.04 [“There were crowds of people and we were told that we had to leave. Everyone had to leave because there would be bombardment.”]; **E1/148.1** Transcript, 5 December 2012, Kim Vandy, 14.30.52 to 14.33.25 [“They asked us to go in order to avoid the aerial bombardment.”]; **E1/152.1** Transcript, 12 December 2012, Denise Affonco, 16.00.10 to 16.01.44 [“The excuse for us leaving our homes was definitely U.S. bombing. They said, ‘The Americans are going to bomb the capital city; we want to take you to safety, and you have to leave your homes.’ That’s it.”]; **E1/166.1** Transcript, 29 January 2013, Al Rockoff, 09.32.23 to 09.33.35 [“Khmer Rouge were going around saying the Americans were going to bomb Phnom Penh. You had to leave.”]; **E1/170.1** Transcript, 7 February 2019, Pin Yathay, 09.53.33 to 09.55.45 [“[W]e had to leave the city as soon as possible because Angkar needed to clean up the city, and also it is important for every one of us safety, because they said they heard the Americans might drop bombs.”]; **E1/178.1** Transcript, 9 April 2013, Francois Ponchaud, 09.49.05 to 09.50.42, 10.12.42 to 10.15.57, 10.23.33 to 10.24.40 [“[W]e were informed or asked to leave the city because they said that Americans would be bombing us again. As I told you, we had been traumatized by

- the bombings, so...people were convinced and we had to leave the city.”], 10.23.33 [“They said, Comrade, leave Phnom Penh City as soon as you can because the American soldiers will bombard the city.”]; **E1/198.1** Transcript, 29 May 2013, Chan Socheat, 11.18.11 to 11.19.59 [“[A]nother group of soldier came to force us to leave urgently as it is imminent that the Americans would drop bombs.”]; **E1/198.1** Transcript, 29 May 2013, Thouch Phandarsar, 09.18.20 to 09.20.08 [“[H]e said. ‘So you have to leave so we can clean-up the city and to avoid the bombing.’”]; **E1/198.1** Transcript, 29 May 2013, Chheng Eng Ly, 15.53.30 to 15.55.44 [“They told us at that time that if we did not leave our house, the American bombardment would be imminent.”]; **E1/199.1** Transcript, 30 May 2013, Sophan Sovany, 11.09.00 to 11.11.11 [“I heard the announcement broadcast on the mobile loud speaker that we all had to leave our house because it was imminent that the Americans would drop bombs.”]; **E1/200.1** Transcript, 4 June 2013, Bay Sophany, 09.24.19 to 09.26.25, 11.02.10 to 11.03.42, 11.06.18 to 11.07.47 [“I had to leave urgently as we were repeatedly chased and warned by the Khmer Rouge soldiers. And they said that the Americans would drop the bomb very soon and that we would only leave for three days.”].
- ⁹²⁷ **E1/ 136.1** Transcript, 22 October 2012, Chum Sokha, 14.28.47 to 14.29.39; **E1/136.1** Transcript, 22 October 2012, Chum Sokha, 15.34.52 to 15.37.10 [“I did not believe that the U.S. planes would bombard Phnom Penh when Phnom Penh fell because they only recently just dropped food for the people in Phnom Penh.”].
- ⁹²⁷ **E1/ 170.1** Transcript, 7 February 2013, Pin Yathay, 09.55.45 to 09.58.18.
- ⁹²⁷ **E1/ 140.1** Transcript, 5 November 2012, Sum Chea, 09.15.42 to 09.18.49, 09.21.07 to 09.23.16, 09.25.04 to 09.31.42 [“Immediately upon arriving Phnom Penh, the Khmer Rouge soldiers asked people to evacuate the city...the division soldiers had to do its best to make sure that the city is emptied of the population.”].
- ⁹²⁷ **E1/ 140.1** Transcript, 5 November 2012, Sum Chea, 10.12.00 to 10.13.54.
- ⁹²⁷ **E1/ 140.1** Transcript, 5 November 2012, Sum Chea, 10.13.54 to 10.16.01 [“[D]id you hear any Khmer Rouge soldiers announcing...that the people had to leave the city because Americans were going to bomb Phnom Penh? A. Yes, I did. And that’s part of their deceitful acts to trick the people to leave”].
- ⁹²⁸ **E1/ 170.1** Transcript, 7 February 2013, Pin Yathay, 09.55.45 to 09.58.18.
- ⁹²⁹ **E1/ 140.1** Transcript, 5 November 2012, Sum Chea, 09.15.42 to 09.18.49, 09.21.07 to 09.23.16, 09.25.04 to 09.31.42 [“Immediately upon arriving Phnom Penh, the Khmer Rouge soldiers asked people to evacuate the city...the division soldiers had to do its best to make sure that the city is emptied of the population.”].
- ⁹³⁰ **E1/ 140.1** Transcript, 5 November 2012, Sum Chea, 10.12.00 to 10.13.54.
- ⁹³¹ **E1/ 140.1** Transcript, 5 November 2012, Sum Chea, 10.13.54 to 10.16.01 [“[D]id you hear any Khmer Rouge soldiers announcing...that the people had to leave the city because Americans were going to bomb Phnom Penh? A. Yes, I did. And that’s part of their deceitful acts to trick the people to leave.”].
- ⁹³² **E1/ 179.1** Transcript, 10 April 2013, Francois Ponchaud, 09.59.35 to 10.01.58 [“It was clear; the Khmer Rouge gave the wrong reason, and it was normal that the dictatorship regime gave the lie - told lies to people. So, the real reason was the ideological reason.”]; **E1/179.1** Transcript, 10 April 2013, Francois Ponchaud, 11.40.07 to 11.41.48 [“Angkar used lies to actually lure people to follow them, and it was a tactic they used at the time to control the situation.”].
- ⁹³³ **E1/ 179.1** Transcript, 10 April 2013, Francois Ponchaud, 11.40.07 to 11.41.48.
- ⁹³⁴ **E1/189.1** Transcript, 6 May 2013, Philip Short, 10.03.32 to 10.05.30 [“The explanation was knowingly false. There was never any possibility of bombing.”]; **E1/189.1** Transcript, 6 May 2013, Philip Short, 10.03.32 to 10.05.30 [“But not only that, the Khmer Rouge knew there was no possibility of bombing.”].
- ⁹³⁵ **E1/189.1** Transcript, 6 May 2013, Philip Short, 10.03.32 to 10.05.30 [“The reason for telling people, you are just going for two or three days, was to make it easier to persuade them to go. Was also to persuade them not to take lots of belongings with them.”]; **E1/190.1** Transcript, 7 May 2013, Philip Short, 14.14.27 to 14.18.20 [“This was part of the program to separate people from their belongings so that everybody became equal.”]; **E1/190.1** Transcript, 7 May 2013, Philip Short, 14.14.27 to 14.18.20 [“Yes, that was the logic of it, that if you took very little with you, it would be worn out, and then you would have the same as everybody else...if everybody has nothing of their own possession, then they are all the same.”].
- ⁹³⁶ **E1/94.1** Transcript, 23 July 2012, David Chandler, 11.00.20 to 11.02.15 [“I can say with pretty much assurance there was no plan to bomb Phnom Penh at the event of -- after the Khmer Rouge victory. Certainly no documents that were ever -- surfaced said anything like that.”].
- ⁹³⁷ **E1/ 146.1** Transcript, 23 November 2012, Chau Ny, 14.13.08 to 14.17.37 [“I didn’t hear any bombs being dropped, but I did hear some gunfire. I never heard any bombs dropped by the American warplanes.”]; **E1/144.1** Transcript, 14 November 2012, Meas Saran, 15.58.23 to 15.59.42 [“I considered what they told us that we had to leave only for three days as the planes would bombard Phnom Penh, but there was no

- bombardment. There was no plane.”]; **E1/145.1** Transcript, 22 November 2012, Meas Saran, 10.38.26 to 10.40.23 [“[A]s it happened no bomb was dropped. And I was thinking that, in fact, they told us a lie.”].
- ⁹³⁸ **E1/ 141.1** Transcript, 6 November 2012, Chum Sokha, 09.28.48 to 09.32.34.
- ⁹³⁹ **E3/2696** Telegram from French Embassy Phnom Penh entitled “Message for ‘Le Monde’ Newspaper,” 18 April 1975, at ENG 00486890.
- ⁹⁴⁰ **E1/ 148.1** Transcript, 5 December 2012, Pech Srey Phal, 09.44.26 to 09.45.48 [“Some people who protested such a move were beaten with a gun butt, so we had no choice, but we had to leave with just very few family members.”]; **E1/148.1** Transcript, 5 December 2012, Kim Vandy, 14.42.08 to 14.43.17 [“And then that man was on his knees begging the Khmer Rouge soldier, and the Khmer Rouge soldier hit his back with his rifle...And later on, that man walked away in a state of disappointment.”].
- ⁹⁴¹ **E1/ 135.1** Transcript, 19 October 2012, Yim Sovan, 14.14.03 to 14.16.35.
- ⁹⁴² **E1/ 138.1** Transcript, 25 October 2012, Kung Kim, 14.32.48 to 14.35.12 [“At different target location, there was no rule or regulation on not shooting people rendered to us.”].
- ⁹⁴³ **E1/ 140.1** Transcript, 5 November 2012, Sum Chea, 10.06.15 to 10.08.35.
- ⁹⁴⁴ **E1/ 138.1** Transcript, 25 October 2012, Kung Kim, 14.20.10 to 14.22.24 [“[A]nother group of soldier came to force us to leave urgently”]; **E1/198.1** Transcript, 29 May 2013, Chan Socheat, 11.18.11, 11.19.59 [“[A]nd then after an hour, other soldiers came”]; **E1/198.1** Transcript, 29 May 2013, Thouch Phandarasar, 09.20.08 [“We hesitated to leave...then there was another group of soldiers”]; **E1/148.1** Transcript, 5 December 2012, Kim Vandy, 14.30.52 to 14.33.25; **E1/135.1** Transcript, 19 October 2012, Yim Sovann, 14.11.17, 14.14.03 [“Initially I saw only one soldier coming to my house, but after - during the time that we were talking, two more Khmer soldiers arrived and everyone of them carried a gun.”]. **E1/137.1** Transcript, 23 October 2012, Lay Bony, 15.28.38 to 15.32.10; **E1/199.1** Transcript, 30 May 2013, Po Dina, 15.01.22 to 15.03.55 [“There was another group of soldiers who came to our house again, they threatened us to leave our house immediately.”].
- ⁹⁴⁵ **E1/ 148.1** Transcript, 5 December 2012, Pech Srey Phal, 09.51.26 [“From the Russian Hospital direction, there were some soldiers escorting the crowd, and at the same time we were escorted by armed Khmer Rouge soldiers all along.”]; **E1/178.1** Transcript, 10 April 2013, Francois Ponchaud, 09.42.18 to 09.44.10.
- ⁹⁴⁶ **E1/ 198.1** Transcript, 29 May 2013, Chheng Eng Ly, 15.55.44 to 15.57.00 [“They were actually shocked, but they were experienced people...So she actually encouraged us to go along, as ordered.”].
- ⁹⁴⁷ **E1/ 198.1** Transcript, 29 May 2013, Chan Socheat, 11.19.59 [“We were not allowed to return to Phnom Penh and we were forced to move further.”]; **E1/199.1** Transcript, 30 May 2013, Nou Hoan, 09.15.48 to 09.18.02 [“And we were forced by Angkar to just keep going, so some of us would have to leave their sick family members behind.”].
- ⁹⁴⁸ **E1/ 148.1** Transcript, 5 December 2012, Kim Vandy, 14.42.08 [“And then that man was on his knees begging the Khmer Rouge soldier, and the Khmer Rouge soldier hit his back with his rifle...And later on, that man walked away in a state of disappointment.”]; **E1/138.1** Transcript, 23 October 2012, Lay Bony, 10.09.24 to 10.14.56 [“And of course we were afraid of the bombardments, so we also tried to rush ourselves to leave the city.”]; **E1/140.1** Transcript, 5 November 2012, Sum Chea, 11.46.30 [“There were soldiers, groups of soldiers...who were deployed protect the city and to make sure that people could not re-enter the city. And it was the - it was true that people could never come back to the city after leaving it.”].
- ⁹⁴⁹ **E1/ 198.1** Transcript, 29 May 2013, Thouch Phandarasar, 09.22.29; **E1/200.1** Transcript, 4 June 2013, Bay Sophany, 11.02.10 to 11.03.42 [“They fired shots into the air and chased us to go away in three days because the Americans would drop bomb.”]; **E1/197.1** Transcript, 27 May 2013, Aun Phally, 11.48.22 [“At that time, I saw people fire and pointing guns at others. I think my family saw this and other families also saw this.”]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 13.44.18 to 13.46.32.
- ⁹⁵⁰ **E1/ 148.1** Transcript, 5 December 2012, Pech Srey Phal, 10.04.59 to 10.12.07 [“[W]hile en route, I saw guns being fired into the air and people were whipped. But an exact scene of beating with a gun butt, I only saw once.”]. **E1/141.1** Transcript, 6 November 2012, Mom Sam Oeurn, 9.32.34.
- ⁹⁵¹ **E1/ 199.1** Transcript, 30 May 2013, Nou Hoan, 09.15.48 to 09.18.02 [“And we were forced by Angkar to just keep going, so some of us would have to leave their sick family members behind.”].
- ⁹⁵² **E1/148.1** Transcript, 5 December 2012, Kim Vandy, 14.42.08 [“And then that man was on his knees begging the Khmer Rouge soldier, and the Khmer Rouge soldier hit his back with his rifle...And later on, that man walked away in a state of disappointment.”]; **E1/170.1** Transcript, 7 February 2013, Pin Yathay, 11.41.18 to 11.43.08 [“He had turned back, in defiance of the soldier’s order, and was about to re-enter his house when the soldier shot him. The soldier had exclaimed: ‘This is what happens to recalcitrance.’”]; **E1/199.1** Transcript, 30 May 2013, Sophan Sovany, 11.11.11 to 11.13.04 [“We did not even pack our belonging yet but we heard a few shots fired into the air nearby our house. We became

- even more scared so we rushed ourselves to leave the house and reach the main road.”]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 09.55.20 [“They said they were returning...But they were stopped by the Khmer Rouge soldiers, who did not allow them to come back...they were told that, “if you step the line, then you would” -- they would be killed.”].
- ⁹⁵³ **E1/ 199.1** Transcript, 30 May 2013, Sophan Sovany, 11.11.11 to 11.13.04 [“People were asking for their relatives...raised their hands to beg the Khmer Rouge to return to the back in order to find their family members but the person was refused by the Khmer Rouge soldiers.”]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 09.55.20 [“They said they were returning...But they were stopped by the Khmer Rouge soldiers...even threatened; they were told that, “if you step the line, then you would” -- they would be killed.”]; **E1/148.1** Transcript, 5 December 2012, Kim Vandy, 14.42.08 [“And then that man was on his knees begging the Khmer Rouge soldier, and the Khmer Rouge soldier hit his back with his rifle...And later on, that man walked away in a state of disappointment.”].
- ⁹⁵⁴ **E1/ 170.1** Transcript, 7 February 2013, Pin Yathay, 11.41.18 to 11.43.08.
- ⁹⁵⁵ **E3/ 5231** [REDACTED] OCIJ Statement, at ENG 00279249-50, KHM 00267729-30, FR 00323660-61 [“The Khmer Rouge forced the people from their houses in Phnom Penh by announcing on megaphones for the people to leave for three days. None of the people wanted to leave, because they regretted the loss of their property.”]; **E3/5191** [REDACTED] OCIJ Statement, at ENG 00274679-80, KHM 00298941-42, FR 00283894-96 [“[T]he Khmer Rouge informed the citizens that they had to leave Phnom Penh...They threatened to smash those who did not obey...The Khmer Rouge troops were everywhere, on the roads and where I stayed.”]; **E3/5238 TCE-16** OCIJ Statement, at ENG 00270670, KHM 00280975-76, FR 00486055-56 [“On April 1975, I was less than one year old at the time, according to my mother, our family was ordered by the victorious Khmer Rouge to leave town.”]; **E3/5133** [REDACTED] OCIJ Statement, at ENG 00223198-200, KHM 00165259-61, FR 00702333-35 [“When Phnom Penh fell, the Khmer Rouge entered at 10 o’clock at night. They had us leave the pagoda, meaning leave Phnom Penh, at once...They said, “Now Angkar is having you leave, Angkar is not letting you stay.”]; **E3/5591** [REDACTED] OCIJ Statement, at ENG 00426487-88, KHM 00418447-48, FR 00455424-26 [“The Khmer Rouge soldiers pointed gun [to us] and handcuffed my father. They threatened us and hit my father who tried to resist them. Finally, we surrendered and they threw us into a truck”]; **E3/5273** [REDACTED] OCIJ Statement, at ENG 00290499, KHM 00282939-40, FR 00355855 [“I heard...the Khmer Rouge soldiers, all well-armed, with folding-stock AKs for instance, ordering people to absolutely leave and saying they would smash those who did not listen...or that aircraft were coming to drop bombs.”]; **E3/5556 TCCP-50** OCIJ Statement, at ENG 00377358-00377359, KHM 00373186-88, FR 00452779-81 [“The Khmer Rouge forced us to leave, and if we did not leave, they would have shot us. They told us to leave just for a while.”]; **E3/5559** [REDACTED] OCIJ Statement, at ENG 00377367-68, KHM 00375523-24, FR 00426409-11 [“We did not want to leave at all but those soldiers looked so vicious and they also had guns. They said that if anyone did not follow their order, they would shoot that person dead.”]; **E3/1747 TCCP 53** OCIJ Statement, at ENG 00243009-10, KHM 00206386-88, FR 00243022-23 [“Khmer Rouge soldiers...were dressed in black and were armed...I was told that those who refused to leave the city were shot dead. Having seen such events, people left the city whether they wanted to go or not.”]; **E3/509** [REDACTED] OCIJ Statement, at ENG 00282215-16, KHM 00270157-58, FR 00285595-96 [“We were to tell the people that there was no need to lock their houses...As for my squad, we threatened the people to make them leave by telling them this, and we did not fire upon the people.”]; **E3/5590** [REDACTED] OCIJ Statement, at ENG 00426475-76, KHM 00420971-73, FR 00434919-21 [“After they took my husband away, the Khmer Rouge soldiers forced me and other villages at gunpoint to move forward with my children or else they would kill us if we did not move.”]; **E3/3959** Kung Kim OCIJ Statement, at ENG 00278682-83, KHM 00270164-65, FR 00486097 [“We had to conduct searches and drive the people away, and there were no rules at all against shooting the people. I never saw anyone who had shot [them] be punished for having done so.”]; **E3/5540** [REDACTED] OCIJ Statement, at ENG 00384414-17, KHM 00373404-08, FR 00426372-75 [“The Khmer Rouge soldiers escorted the evacuees in all the streets of Phnom Penh.”]; **E3/5565** [REDACTED] OCIJ Statement, at ENG 00365537-38, KHM 00363542-43, FR 00426420 [“The Khmer Rouge soldiers in black clothes and equipped with rifles entered the factory and went to the people’s homes and ordered the people to leave for Sector 25 which was located in Kaoh Thom District.”]; **E3/5505 TCCP-134** OCIJ Statement, at ENG 00399167-70, KHM 00398494-97, FR 00434411-14 [“Many people were travelling along the road. At that time, Khmer Rouge troops were standing along the road, and they kept on pointing and telling the people to keep travelling forward.”]; **E3/5562 TCCP-138** OCIJ Statement, at ENG 00400454-55, KHM 00390283-84, FR 00422428-29 [“On [17 April 1975], we were at home while the Khmer Rouge forced people to leave their house in Phnom Penh...if anyone rejected leaving or returned to their houses, the Khmer Rouge would shoot them dead.”]; **E3/5142** [REDACTED] OCIJ Statement, at ENG 00223614-15, KHM 00204118-19, FR 00529327-

28 [“I saw and heard them saying to leave Phnom Penh for three days, and that anyone refusing to leave would be killed. That’s exactly what the soldiers said. I saw the armed soldiers dressed in black.”]; **E3/4654** [REDACTED] OCIJ Statement, at ENG 00400463-66, KHM 00390311-15, FR 00434834-38 [“Those who lived on the National Route 4 and would like to return to Phnom Penh were prohibited by the Khmer Rouge until a few days later.”]; **E3/4608** Sou Sotheavy OCIJ Statement, at ENG 00426415-17, KHM 00418468-70, FR 00437002-04 [“On 17 April 1975, the Khmer Rouge arrived at the Olympic Stadium and ordered people to leave their rooms...Because these four people did not follow their order the Khmer Rouge soldiers started to fire into that room.”]; **E3/4609** Sou Sotheavy OCIJ Statement, at ENG 00434878-79, KHM 00418473-75, FR 00486416-18 [“[A]ll people were forced at gunpoint to walk forwards, and we had to walk away from those soldiers.”]; **E3/546** [REDACTED] OCIJ Statement, at ENG 00233581-82, KHM 00204037-38, FR 00503912-13, 00503915 [“When people were leaving Phnom Penh, I did not see any Khmer Rouge soldiers with them. I only saw them chasing people out of Phnom Penh.”]; **E3/4611** TCCP 172 OCIJ Statement, at ENG 00455376-77, KHM 00418484-85, FR 00455383-85 [“Khmer Rouge ordered people to leave their houses.”].

⁹⁵⁶ **E3/3004** Telegram from US Embassy Bangkok entitled “Khmer Refugee Walks Out from Phnom Penh,” June 1975, at ENG 00495556-61; **E3/3006** Telegram from US Embassy Bangkok entitled “The New Cambodia,” May 1975, at ENG 00495563, 00495565-6; **E3/4148** Telegram from US Embassy Bangkok entitled “American Talks of Phnom Penh After the Fall,” May 1975, at ENG 00413478.

⁹⁵⁷ **E3/3365** Los Angeles Times, *Evacuees Tell of Executions, Kindness*, 8 May 1975, at ENG 00445203; **E3/3363** Time Magazine, *A Khmer Curtain Descends*, 5 May 1975, at ENG 00445395; **E3/51** London Times, *A Great Caravan of Human Misery*, 18 April 1975, at ENG S 00003279.

⁹⁵⁸ **E1/191.1** Transcript, 8 May 2013, Phillip Short, 11.06.45 to 11.08.30.

⁹⁵⁹ **E1/140.1** Transcript, 5 November 2012, Sum Chea, 12.07.38 to 12.10.01 [“After five days, the city was emptied, and no people could be seen hiding in their apartments or houses; everyone had gone.”].

⁹⁶⁰ **E1/138.1** Transcript, 25 October 2012, Kung Kim, 15.12.59 to 15.25.02.

⁹⁶¹ **E1/138.1** Transcript, 25 October 2012, Kung Kim, 14.35.12 to 14.37.30.

⁹⁶² **E1/145.1** Transcript, 22 November 2012, Meas Saran, 10.29.14 to 10.31.46 [“There was no Khmer Rouge coming to give any assistance on that day. There was none of them.”]; **E1/146.1** Transcript, 23 November 2013, Chau Ny, 14.17.37 to 14.20.02 [“No Khmer Rouge soldier assisted us or provided us with any food or assistance. We, all together, the evacuees, had to be on our own.”]; **E1/152.1** Transcript, 12 December 2012, Denise Affonco, 14.55.36 to 14.57.16, 16.03.00 to 16.05.02 [“[T]hey had to head off in whatever direction they were told by the soldiers and they were given no assistance whatsoever. It was extremely hot. They got no help.”]; **E1/199.1** Transcript, Yin Roumdoul, 30 May 2013, 14.20.40 to 14.24.31 [“No, not at all. We did not even have sufficient water to drink let alone the food.”].

⁹⁶³ **E1/135.1** Transcript, 19 October 2012, Yim Sovann, 14.22.25 to 14.25.09 [“We were horrified. There’s no money, no food, no water along the road.”]; **E1/136.1** Transcript, 22 October 2012, Chum Sokha, 11.18.45 to 11.21.27, 11.25.22 to 11.29.20 [“[H]e can carry some rice and do cooking”]; **E1/143.1** Transcript, 12 November 2012, Pe Chuy Chip Se, 15.38.14 to 15.40.57, 15.53.21 to 15.55.43 [“I met one of the evacuees himself, and he told me that he was provided with no food at all and he had to be all on his own and the situation was miserable.”]; **E1/144.1** Transcript, 14 November 2012, Meas Saran, 15.48.30 to 15.51.12 [“And there was no sign indicating that a village chief, for example, in that area would assist us by giving us water or -- or some food. No, there was no such assistance.”]; **E1/145.1** Transcript, 22 November 2012, Or Ry, 15.37.05 to 15.41.50 [“Those families who had young children, the children cried because they were hungry. They had children -- they had money but the money could not be used to buy food...”]; **E1/148.1** Transcript, 5 December 2012, Kim Vandy, 15.40.40 to 15.42.50 [“We lacked everything, food and even a cooking pot.”]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 10.01.52 to 10.06.29 [“We left without bringing sufficient food or belonging with us.”]; **E1/197.1** Transcript, 27 May 2013, Aun Phally, 11.29.52 to 11.32.14 [“Young people, old people alike had to fight to walk and because of the tiredness, lack of food, people found it difficult to move on.”]; **E1/199.1** Transcript, 30 May 2013, Po Dina, 15.07.40 to 15.09.42 [“We did not have food; we did not have spoon or cooking pot or anything at all to prepare our food along the way.”]; **E1/199.1** Transcript, 30 May 2013, Sophan Sovany, 11.13.04 to 11.14.51 [“We could only live by getting food from the market and without having the market how could we obtain food.”]; **E1/199.1** Transcript, 30 May 2013, Yin Roumdoul, 13.31.54 to 13.33.12, 14.20.40 to 14.24.31 [“[B]ut we observed that living there was not acceptable as we did not have food to eat and people died along the road and in the river...”]; **E1/199.1** Transcript, 30 May 2013, Nou Hoan, 10.00.12 to 10.03.48 [“And we actually ran out of rice and food stock as well along the ways.”].

⁹⁶⁴ **E1/135.1** Transcript, 19 October 2012, Yim Sovann, 15.07.19 to 15.09.44 [“During that evacuation, we did not have water to drink. When I was in Vihear Khuon (phonetic) Pagoda, we had to drink water from

the pond, but there was a little water, we had to use it - verylimited water.”]; **E1/136.1** Transcript, 22 October 2012, Chum Sokha, 11.25.22 to 11.29.20 [“And if we could not find drinking water or water to cook the rice, we had to try to locate a pond or a lake nearby so that we can use the water.”]; **E1/137.1** Transcript, 23 October 2012, Lay Bony, 15.38.51 to 15.41.23 [“Upon my first arrival, I was very thirsty due to the heat from the sun, so I asked my husband to look after the two children, and I went to look for water.”]; **E1/141.1** Transcript, 6 November 2012, Mom Sam Ourn, 11.34.22 to 11.37.02 [“Absolutely none. Absolutely none. There was nothing at all.”]; **E1/144.1** Transcript, 14 November 2012, Meas Saran, 15.47.36 to 15.56.58 [“[F]or example, in that area would assist us by giving us water or -- or some food. No, there was no such assistance.”]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 10.01.52 to 10.06.29 [“While en route during the evacuation, the Khmer Rouge soldiers did not give us any food, water, or shelter.”]; **E1/152.1** Transcript, 12 December 2012, Denise Affonco, 16.03.00 to 16.05.02 [“[T]here was absolutely no assistance being given by the Khmer Rouge soldiers, no one was helped. No, there was absolutely no help whatsoever.”]; **E1/199.1** Transcript, 30 May 2013, Sophan Sovany, 11.13.04 to 11.14.51 [“We did not have clean water to drink. We would drink whatever water we could get.”]; **E1/199.1** Transcript, 30 May 2013, Yim Roumdoul, 14.20.40 to 14.24.31 [“No, not at all. We did not even have sufficient water to drinklet alone the food.”]; **E1/200.1** Transcript, 4 June 2013, Seng Sivutha, 14.38.02 to 14.39.49 [“Sometimes I became so exhausted and thirsty under the extreme heat.”].

965 **E1/136.1** Transcript, 22 October 2012, Chum Sokha, 11.27.11 to 11.29.20, 15.38.21 to 15.40.19 [“It was very difficult for my family, in particular for the resting place, because wherever we stopped, we would rest on the ground; we could not go into the people’s houses, we could only rest along the roadside.”]; **E1/145.1** Transcript, 22 November 2012, Or Ry, 15.37.05 to 15.39.42 [“We took the shortcut but we still could not manage to get to the village so we had to stop halfway and we slept in the -- near the lake.”]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 09.55.20 to 09.57.21 [“[W]e spent our night there, on the roadside...[S]o there was no traffic on the road except people, who could really sleep on the roads if they wished.”]; **E1/148.1** Transcript, 5 December 2012, Rech Srey Phal, 10.01.52 to 10.06.29 [“[T]he Khmer Rouge soldiers did not give us any food, water, or shelter...We used tree leaves to cover the ground and we slept on it...No medicine, no food, water, or shelter was given by the Khmer Rouge soldiers.”]; **E1/199.1** Transcript, 30 May 2013, Po Dina, 15.03.55 to 15.05.38 [“We just went on and went on. We slept on the way and we just went on without knowing where we were heading for.”]; **E1/200.1** Transcript, 4 June 2013, Bay Sophany, 09.26.25 to 09.30.27 [“[T]here was empty house to rest.”].

966 **E1/199.1** Transcript, 30 May 2013, Sophan Sovany, 11.13.04 to 11.14.51 [“And there were dead bodies along the road although I did not know when those people died. Also human excrement was everywhere along the road.”]; **E1/199.1** Transcript, 30 May 2013, Nou Hoan, 09.15.48 to 09.18.02 [“And there were flies, flies were everywhere like a cloud of bees. That was the time that there was no public hygienic toilets, so we had to resort to going to the forest to relieve ourselves and we saw waste was everywhere.”].

967 **E1/79.1** Transcript, 31 May 2012, Sar Kimlomouth, 09.19.26 to 09.22.47 [“I did not see anything like that.”]; **E1/135.1** Transcript, 19 October 2012, Yim Sovann, 14.22.25 to 14.27.32, [“No, there was none.”], 15.09.44 to 15.11.20 [“The sick and the elderly people were not treated by any Khmer Rouge at all during the 17 April 1975, so they had to leave on their own.”]; **E1/137.1** Transcript, 23 October 2012, Lay Bony, 15.44.20 to 15.46.22 [“And at that time, my younger daughter was sick and we did not have any medicines for the treatment, so for that my younger daughter got that disease since.”]; **E1/138.1** Transcript, 24 October 2012, Lay Bony, 09.30.03 to 09.34.54 [“When we reached Khsach Kandal, my daughter, who had been ill for a few days already, she had severe diarrhoea, and we did not have enough medicine for her treatment.”]; **E1/141.1** Transcript, 6 November 2012, Mom Sam Ourn, 09.51.35 to 09.53.14 [“And one of my kids, my seventh daughter had ulcer in her ear, and we did not have access to medicine so we did not have any -- we could not be of any help to her.”]; **E1/143.1** Transcript, 12 November 2012, Pe Chuy Chip Se, 15.38.14 to 15.40.57, 15.53.21 to 15.55.43 [“And if the difficulty and suffering he endured was indescribable, particularly they were starving and they did not have access to medicine or health care...”]; **E1/145.1** Transcript, 22 November 2012, Meas Saran, 10.24.06 to 10.25.42 [“At that time, none of the Khmer Rouge medical staff or soldier would be there to take charge of the hospital.”]; **E1/148.1** Transcript, 5 December 2012, Kim Vannady, 14.37.35 to 14.39.07, 15.40.40 to 15.42.50 [“I did not see that those soldiers took care of the wounded...they would shout to the people to move quicker so that the one from behind could follow. But as I observed, they did not pay attention to the sick.”]; **E1/152.1** Transcript, 12 December 2012, Denise Affonco, 16.03.00 to 16.05.02 [“[T]here was absolutely no assistance being given by the Khmer Rouge soldiers, no one was helped. No, there was absolutely no help whatsoever.”]; **E1/170.1** Transcript, 7 February 2013, Pin Yathay, 10.09.02 to

10.11.35 ["Angkar did not care about the welfare or well-being of us or to give us or assisted us with any medicine."]; **E1/199.1** Transcript, 30 May 2013, Yim Roumdoul, 14.22.44 to 14.24.31 ["No, not at all. We did not even have sufficient water to drink let alone the food."]; **E1/199.1** Transcript, 30 May 2013, Nou Hoan, 09.15.48 to 09.18.02 ["The main challenge was the lack of food and the lack of medical treatment. We did not know where to go for food or medicine and the money we had was no longer used."].

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E1/135.1 Transcript, 19 October 2012, Yim Sovann, 14.35.34 to 14.37.39 ["So, we had to travel on foot the whole day and we could not reach that destination, and we were too exhausted at that time."]; **E1/136.1** Transcript, 22 October 2012, Chum Sokha, 11.12.35 to 11.14.23 ["And by that time, Angkar requested to take away that jeep vehicle from us... and that we would not be allowed to use it and that we had to proceed on foot."]; **E1/137.1** Transcript, 23 October 2012, Lay Bony, 15.25.54 to 15.27.36 ["And at that time, it was a very tough day in my life because I had just delivered my baby, and I had to travel on foot."]; **E1/138.1** Transcript, 24 October 2012, Lay Bony, 11.57.13 to 11.59.08 ["[A]nd I had to walk a long distance although I had just delivered my baby."]; **E1/141.1** Transcript, 6 November 2012, Mom Sam Ourn, 11.34.22 to 11.37.02 ["Those who, you know, just stop walking they would be threatened of being shot, so we had to move very quickly, as quickly as possible."]; **E1/143.1** Transcript, 12 November 2012, Pe Chuy Chip Se, 15.36.56 to 15.38.14 ["The evacuation was on foot. There was no -- any vehicles or any means to get out of the city."]; **E1/144.1** Transcript, 14 November 2012, Meas Saran, 15.41.13 to 15.44.37 ["And those people who were walking together with me, they were talking about the bombardment and we just tried to leave as quickly as we could."]; **E1/145.1** Transcript, 22 November 2012, Or Ry, 15.37.05 to 15.41.05 ["We kept walking until we reached our native village."]; **E1/148.1** Transcript, 05 December 2012, Pech Srey Phal, 09.49.46 to 09.51.26, 11.58.54 to 12.00.59 ["During the course of my trip, I saw a lot of people on the road, and people were marching, walking from the Russian Hospital."]; **E1/165.1** Transcript, 28 January 2013, Al Rockoff, 14.26.41 to 14.27.24 ["Q. How were they travelling? Were they travelling on foot; i.e., were they trekking or not? A. Most were on foot."]; **E1/178.1** Transcript, 9 April 2013, Francois Ponchaud, 10.15.57 to 10.17.38 ["I saw people walking along the street. They were marching out of the city. They walked in slow motion. I saw people march along the street but the movement were very slow."]; **E1/197.1** Transcript, 27 May 2013, Aun Phally, 11.29.52 to 11.32.14 ["Young people, old people alike had to fight to walk and because of the tiredness, lack of food, people found it difficult to move on."]; **E1/198.1** Transcript, 29 May 2013, Touch Phandarasar, 09.22.29 to 09.24.11 ["I saw sick people in their beds with their drip on the road under the burning sun and I saw people who couldn't walk."]; **E1/198.1** Transcript, 29 May 2013, Chan Socheat, 11.19.59 to 11.21.48 ["As for my family, we gathered everyone and we kept walking."]; **E1/198.1** Transcript, 29 May 2013, Chheng Eng Ly, 15.32.22 to 15.34.52 ["I was also afraid of my own safety, so I did not say anything, I just went on walking."]; **E1/199.1** Transcript, 30 May 2013, Po Dina, 15.03.55 to 15.05.38 ["But we had to keep on walking. We just went on and went on."]; **E1/199.1** Transcript, 30 May 2013, Yin Roumdoul, 14.22.44 to 14.24.31 ["Some people still had their IVs on their - in their hand and they were still marching out of the city."]; **E1/200.1** Transcript, 4 June 2013, Bay Sophany, 09.26.25 to 09.28.18 ["So we walked crossing Kbal Thnal, crossing through Chbar Ampov and then we were heading toward Traeuy Sla."]; **E1/200.1** Transcript, 4 June 2013, Seng Sivutha, 14.36.30 to 14.39.49, 15.37.37 to 15.40.05 ["So our hands were tied together and she walked us along the way."].

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E1/137.1 Transcript, 23 October 2012, Lay Bony, 15.38.51 to 15.41.23 ["Upon my first arrival, I was very thirsty due to the heat from the sun, so I asked my husband to look after the two children, and I went to look for water."]; **E1/141.1** Transcript, 6 November 2012, Mom Sam Ourn, 11.33.11 to 11.34.22 ["Yes, it was. The day was very hot, and in addition, we were very terrified and we were very worried about our children as well because we were afraid that our children would be separated."]; **E1/144.1** Transcript, 14 November 2012, Meas Saran, 15.41.13 to 15.44.37 ["[A]nd I had to leave among other people, and it was so crowded and it was very hot as we could not move that fast."]; **E1/145.1** Transcript, 22 November 2012, Meas Saran, 10.35.12 to 10.40.23; **E1/152.1** Transcript, 12 December 2012, Denise Affonco, 14.51.00 to 14.52.45, 14.55.36 to 14.57.16 ["It was extremely hot in the streets, and here and there you saw people walking on foot, on bicycles."]; **E1/198.1** Transcript, 29 May 2013, Touch Phandarasar, 09.22.29 to 09.24.11 ["I saw women give birth in the street and I saw sick people in their beds with their drip on the road under the burning sun and I saw people who couldn't walk."]; **E1/199.1** Transcript, 30 May 2013, Nou Hoan, 09.14.07 to 09.15.48 ["There was a huge crowd of people en route and it was in the middle of the dry season and the weather was very hot."]; **E1/200.1** Transcript, 4 June 2013, Bay Sophany, 09.26.25 to 09.28.18 ["And if you can recall, that was the hot season, the hot month in Cambodia, and we had to travel under the heat of the sun."]; **E1/200.1** Transcript, 4 June 2013, Seng Sivutha, 14.38.02 to 14.39.49 ["Sometimes I became so exhausted and thirsty under the extreme heat."].

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E1/140.1 Transcript, 5 November 2012, Sum Chea *alias* Chea, 10.21.02 to 10.26.48.

- 971 **E1/135.1** Transcript, 19 October 2012, Yim Sovann, 14.35.34 to 14.37.39 [“[W]e had to travel on foot...and we could not reach that destination, and we were too exhausted at that time...we could no longer walk on foot because my younger brothers and sister were too exhausted already.”]; **E1/141.1** Transcript, 6 November 2012, Mom Sam Oeurn, 10.11.50 to 10.14.15 [“Perhaps they were too tired to move on and died from exhaustion...and also some people passed out because they were too tired.”]; **E1/170.1** Transcript, 7 February 2013, Pin Yathay, 10.11.35 to 10.13.11, 11.43.08 to 11.44.51 [“I alsosaw people who were too exhausted to move on so they stopped along the side road.”], 11.43.08 to 11.44.51 [“The further we’d travelled from the capital, the more exhaustion claimed the sick, the injured, the lame and the old. . .”]; **E1/197.1** Transcript, 27 May 2013, Aun Phally, 11.29.52 to 11.32.14 [“During the course of the evacuation, I could see that people had a lot of difficulties. Young people, old people alike had to fight to walk and because of the tiredness, lack of food, people found it difficult to move on.”]; **E1/199.1** Transcript, 30 May 2013, Po Dina, 15.03.55 to 15.05.38 [“We went on walking until we felt fainted. I felt fainted and my husband also fainted because we were physically weak.”]; **E1/199.1** Transcript, 30 May 2013, Sophan Sovany, 11.14.51 to 11.17.08 [“We were exhausted.”]; **E1/200.1** Transcript, 4 June 2013, Bay Sophany, 09.26.25 to 09.30.27 [“We kept moving very slowly under the heat of the sun...The journey took us several days before we could leave Phnom Penh...we were chased to go further by the Khmer Rouge soldiers.”]; **E1/200.1** Transcript, 4 June 2013, Seng Sivutha, 14.38.02 to 14.39.49 [“Sometimes I became so exhausted and thirsty under the extreme heat.”].
- 972 **E1/137.1** Transcript, 23 October 2012, Lay Bony, 15.42.27 to 15.46.22 [“[M]y younger daughter had her bowel problem because that was the first time that she ate such food, so her stomach would not be able to sustain such food...we did not have any medicines for the treatment.”]; **E1/138.1** Transcript, 24 October 2012, Lay Bony, 09.30.03 to 09.32.17 [“[M]y daughter...she had severe diarrhoea, and we did not have enough medicine for her treatment...And every one member of our family got ill; we got fever and high temperature.”]; **E1/143.1** Transcript, 12 November 2012, Pe Chuy Chip Se, 15.38.14 to 15.40.57 [“[T]hey did not have access to medicine or health care”], 15.53.21 to 15.55.43 [“As for those who died along the roads, they die of: one, starvation; two, because of diseases and they did not have medicines or they did not have anyone to look up to.”]; **E1/146.1** Transcript, 23 November 2013, Chau Ny, 11.27.52 to 11.29.20 [“At that time, while en route, I observed that there were sick people who fell and sitting on the side of the road.”]; **E1/148.1** Transcript, 5 December 2012, Kim Vannady, 15.40.40 to 15.42.50 [“And my cousin got a fever and there was no medicine for his treatment.”]; **E1/199.1** Transcript, 30 May 2013, Nou Hoan, 09.14.07 to 09.18.02 [“And those who were sick could not seek any help from anyone...The main challenge was the lack of food and the lack of medical treatment. We did not know where to go for food or medicine.”]; **E1/200.1** Transcript, 4 June 2013, Bay Sopany, 09.28.18 to 09.30.27 [“[M]y daughter, became sick. That was because of the impact of being soaked under the rain and because of the extreme heat. She got fever, and my two other children also got fever and myself I also got fever.”].
- 973 **E1/135.1** Transcript, 19 October 2012, Yim Sovann, 14.20.42 to 14.22.25 [“People died along the street; sometimes there were a kind of stampede where people died.”]; **E1/136.1** Transcript, 22 October 2012, Chum Sokha, 11.05.51 to 11.08.42, 11.14.23 to 11.17.15 [“I saw the damaged houses and the burned bodies around the vicinity of the Pochentong Airport, also in front of the transport department,” “I saw dead bodies who were -- covered alongside the National Road -- that road.”]; **E1/137.1** Transcript, 23 October 2012, Lay Bony, 15.38.51 to 15.41.23 [“At that time, it was in early evening and I saw dead bodies and I moved to another place -- another house, I also saw dead bodies...they also saw dead bodies elsewhere, but we did not know how they died.”]; **E1/140.1** Transcript, 5 November 2012, Sum Chea alias Chea, 09.36.23 to 09.37.55 [“And there were patients who were not properly treated in hospitals, and we saw people dying along the streets.”]; **E1/141.1** Transcript, 6 November 2012, Mom Sam Oeurn, 09.30.12 to 09.32.34 [“I would see corpses, dead bodie...”], 10.11.50 to 10.14.15 [“These corpses were mixed, both civilian corpses and also former Lon Nol soldiers' corpses...I saw them all along the road.”]; **E1/143.1** Transcript, 12 November 2012, Pe Chuy Chip Se, 15.36.56 to 15.38.14 [“There were dead people along the streets...”], 15.53.21 to 15.55.43 [“[T]hey die of: one, starvation; two, because of diseases and they did not have medicines...young children, had no breast milk to feed so they starved to death...”]; **E1/146.1** Transcript, 23 November 2013, Chau Ny, 11.27.52 to 11.29.20 [“[T]here were dead people and nobody could help anybody else.”]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 10.04.59 to 10.06.29 [“Unfortunately, my baby died during that evacuation, and I did not even know what to do with my dead baby.”]; **E1/179.1** Transcript, 10 April 2013, Francois Ponchaud, 09.50.02 to 09.52.59 [“Many people died during the journey, especially those who had left the hospital, patients who were driven out, the women who gave birth on the road, war casualties...we saw many dead bodies scattered about everywhere...”]; **E1/198.1** Transcript, 29 May 2013, Chheng Eng Ly, 15.16.59 to 15.19.35 [“While en route I saw a lot of people who died along the road. I was leaving Phnom Penh along National Road Number 1 and along the river I saw floating corpses, and that shocked me.”]; **E1/199.1** Transcript,

30 May 2013, Sophan Sovany, 11.13.04 to 11.14.51 ["And there were dead bodies along the road although I did not know when those people died. Also human excrement was everywhere along the road."]; **E1/199.1** Transcript, 30 May 2013, Yin Roumdoul, 13.31.54 to 13.33.12 ["Along the road while en route, I walked across Pet Chin toward Monivong Boulevard and next morning, I knew that the dead bodies that I saw during the night was the result of the Khmer Rouge."]; **E1/199.1** Transcript, 30 May 2013, Nou Hoan, 09.15.48 to 09.18.02 ["Some people died and left along the street"], 10.01.58 to 10.03.48 ["Some people died and some were about to decompose..."]; **E1/200.1** Transcript, 4 June 2013, Seng Sivutha, 14.38.02 to 14.39.49 ["I saw dead people along - dead bodies along the road. Sometimes I had to walk crossing the dead bodies."].

E1/200.1 Transcript, 4 June 2013, Bay Sophany, 09.26.25 to 09.28.18.

E1/170.1 Transcript, 7 February 2013, Pin Yathay, 10.11.35 to 10.13.11.

E1/138.1 Transcript, 24 October 2012, Kung Kim, 15.26.07 to 15.28.25 ["They would be holding loudspeakers to make some announcement to the people to come from up above so that they could be evacuated immediately."]; **E1/138.1** Transcript, 24 October 2012, Lay Bony, 10.02.04 to 10.03.59 ["There was no announcement from loudspeakers en route; we only heard the shouting that we had to leave immediately."]; **E1/141.1** Transcript, 6 November 2012, Mom Sam Ourn, 09.21.30 to 09.23.34 ["[T]hey forced me to leave city immediately, otherwise, they said, we would be bombed at by the Americans."]; **E1/146.1** Transcript, 23 November 2013, Chau Ny, 11.26.09 to 11.27.52 ["Two or three days after, a group of Khmer Rouge soldiers make an announcement asking people to leave Phnom Penh."]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 09.44.26 to 09.48.04 ["I would like to also say that when the Khmer Rouge said that we had to leave city immediately..."]; **E1/170.1** Transcript, 7 February 2013, Pin Yathay, 09.53.33 to 09.55.45 ["We woke up because the Khmer Rouge soldiers came to tell us who took refuge at the pagoda; that we had to leave the city as soon as possible..."]; **E1/198.1** Transcript, 29 May 2013, Chan Socheat, 11.16.27 to 11.19.59 ["On the 17 April 1975, I, as the rest of the Phnom Penh residents, were immediately forced to evacuate from Phnom Penh."]; **E1/199.1** Transcript, 30 May 2013, Po Dina, 15.03.55 to 15.05.38 ["[T]hey warned us that if we failed to leave immediately they would destroy everything, they threatened our life too. At the time, we had no choice but to leave our house."]; **E1/199.1** Transcript, 30 May 2013, Sophan Sovany, 11.09.00 to 11.14.51 ["On that day I heard the announcement broadcast on the mobile loud speaker that we all had to leave our house...the Khmer Rouge soldiers were standing there on a road forcing us to keep moving."]; **E1/200.1** Transcript, 4 June 2013, Bay Sophany, 09.22.37 to 09.24.19 ["They had stern facial expression and those Khmer Rouge soldiers began firing shots into the air and chase the people to immediately leave their houses and Phnom Penh."].

E1/79.1 Transcript, 31 May 2012, Sar Kimlomouth, 09.14.36 to 09.17.43 ["We were told that we would be leaving the city for a few days only."]; **E1/136.1** Transcript, 22 October 2012, Chum Sokha, 15.34.52 to 15.37.10 ["There was an announcement for us to leave...aswe only had to leave for three days and then we had to return"]; **E1/145.1** Transcript, 22 November 2012, Or Ry, 15.35.39 to 15.37.05 ["They told us it was not necessary for us to bring those utensils...as we had to leave only for three days."]; **E1/141.1** Transcript, 6 November 2012, Mom Sam Ourn, 11.16.45 to 11.18.28 ["When we were being evacuated, we heard that we would leave the city for three days and that we'd be -- be allowed to return after three days and we were terrified."]; **E1/146.1** Transcript, 23 November 2013, Chau Ny, 11.26.09 to 11.27.52 ["We had to leave quickly and we only had to leave for three days, so there was no need for us to bring any property or belongings and after that, they pushed my brother."]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 09.45.48 to 09.48.04 ["Since we were told to leave the city for three days only, we prepared something for the three-day trip."]; **E1/152.1** Transcript, 12 December 2012, Denise Affonco, 14.43.29 to 14.45.00, 16.21.12 to 16.23.54 ["[T]hey patrolled through the streets, told us to pack our luggage - "Don't take too much, you're going to be leaving your homes for two or three days, you will be coming back..."]; **E1/170.1** Transcript, 7 February 2013, Pin Yathay, 09.55.45 to 09.56.51 ["However, we were asked to leave the city for three days only and for that we were advised not to bring along a lot of belongings because we were told that we would return after three days."]; **E1/197.1** Transcript, 27 May 2013, Aun Phally, 11.27.32 to 11.29.52 ["They said Phnom Penh would be emptied for three days so that it could be arranged and that people who did not obey such instruction would be shot."]; **E1/199.1** Transcript, 30 May 2013, Sophan Sovany, 11.13.04 to 11.14.51 ["Because when we left we did not bring much belonging as we were told we would only leave for three days."]; **E1/199.1** Transcript, 30 May 2013, Nou Hoan, 10.34.41 to 10.35.56 ["And of course, when the Khmer Rouge forced people to leave their homes, they also said that we would leave for a few days - say, for three days or so."].

E1/79.1 Transcript, 31 May 2012, Sar Kim Lomouth, 09.14.36 to 09.17.43 ["We were not told anything other than being asked to prepare some food. That's all."]; **E1/136.1** Transcript, 22 October 2012, Chum Sokha, 15.34.52 to 15.37.10 ["There was an announcement for us to leave and not to carry many

belongings; that we should only carry minimum belonging as we only had to leave for three days and then we had to return.”]; **E1/138.1** Transcript, 24 October 2012, Lay Bony, 10.03.59 to 10.05.49 [“Initially, we were told that we would leave only for three days, or the longest, 7 days, and that we did not have to bring much belongings.”]; **E1/145.1** Transcript, 22 November 2012, Or Ry, 15.35.39 to 15.37.05 [“They told us it was not necessary for us to bring those utensils and that we could afford to buy stuff along the way and it would be just heavy stuff for us to bring along as we had to leave only for three days.”]; **E1/146.1** Transcript, 23 November 2013, Chau Ny, 11.26.09 to 11.27.52 [“We had to leave quickly and we only had to leave for three days, so there was no need for us to bring any property or belongings and after that, they pushed my brother.”]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 09.45.48 to 09.48.04 [“Since we were told to leave the city for three days only, we prepared something for the three-day trip...we packed only enough food and foodstuff for a three-day period and some clothes to make us survive the three days.”]; **E1/152.1** Transcript, 12 December 2012, Denise Affonco, 14.43.29 to 14.45.00, 16.21.12 to 16.23.54 [“The next day, they patrolled through the streets, told us to pack our luggage - “Don’t take too much, you’re going to be leaving your homes for two or three days.”]; **E1/165.1** Transcript, 28 January 2013, Al Rockoff, 14.24.26 to 14.27.24 [“But once you got north of Phnom Penh, you would lose the vehicle and all of the possessions anyways...There were not many bicycles. It was mostly what you could carry.”]; **E1/170.1** Transcript, 7 February 2013, Pin Yathay, 09.55.45 to 09.56.51 [“However, we were asked to leave the city for three days only and for that we were advised not to bring along a lot of belongings because we were told that we would return after three days.”]; **E1/198.1** Transcript, 29 May 2013, Thouch Phandarasar, 09.20.08 to 09.22.29 [“So my father, therefore, ordered us to collect our bags and to prepare ourselves to go for a few days...”]; **E1/198.1** Transcript, 29 May 2013, Chan Socheat, 11.16.27 to 11.19.59 [“Upon hearing that we were all very scared, so we only could manage to bring a bicycle and a motorbike to carry some belongings.”]; **E1/199.1** Transcript, 30 May 2013, Sophan Sovany, 11.13.04 to 11.14.51 [“Because when we left we did not bring much belonging as we were told we would only leave for three days. So we could only carry only small things that we could carry along.”]; **E1/199.1** Transcript, 30 May 2013, Nou Hoan, 09.14.07 to 09.15.48 [“They did not bring much belongings with them. Some of them did not have any thongs or shoes so they resorted to using banana stalk for their feet.”]; **E1/200.1** Transcript, 4 June 2013, Bay Sophany, 09.22.37 to 09.24.19 [“I could not manage to carry any much belonging. So I only got clothes for each of my child and some milk and milk bottles...”].

979 **E1/136.1** Transcript, 22 October 2012, Chum Sokha, 11.12.35 to 11.14.23 [“And by that time, Angkar requested to take away that jeep vehicle from us...and that we would not be allowed to use it and that we had to proceed on foot.”]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 10.06.29 to 10.12.07 [“They said that the feudalists needed to abandon all their personal belongings and properties...my clothes, my gold, and they said that gold was no longer used and that we should give it to Angkar.”]; **E1/152.1** Transcript, 12 December 2012, Denise Affonco, 15.02.46 to 15.04.18 [“Not at all; everything was confiscated as of day one, within a matter of hours. Everything was taken away from us and everything was destroyed.”]; **E1/165.1** Transcript, 28 January 2013, Al Rockoff, 14.24.26 to 14.27.24 [“But once you got north of Phnom Penh, you would lose the vehicle and all of the possessions anyways...There were not many bicycles. It was mostly what you could carry.”]; **E1/170.1** Transcript, 7 February 2013, Pin Yathay, 10.06.52 to 10.09.02 [“When we arrived in Koh Thom, we were asked to put our cars to one side...we were asked to leave the vehicles there...”]; **E1/198.1** Transcript, 29 May 2013, Thouch Phandarasar, 09.22.29 to 09.24.11 [“So they confiscated our cars, and my little sister gave her bicycle right away to the Khmer Rouge...we left all our clothes behind in the car.”].

980 **E1/152.1** Transcript, 12 December 2012, Denise Affonco, 15.02.46 to 15.04.18.

981 **E3/166** *Revolutionary Flag*, February-March 1976, at ENG 00517831.

982 **E3/781** CPK Publication entitled “Governing and Carrying out Policy and Restoring all Fields of the Country (Document No. 3),” 19 September 1975, at ENG 00523590 [“This has impacted the labor force to an important degree. The people with the greatest shortages are those who were evacuated from Phnom Penh and the surrounding areas.”].

983 **E1/135.1** Transcript, 19 October 2012, Yim Sovann, 14.16.35 to 14.18.28, 15.09.44 to 15.11.20 [“I saw, at Borei Keila Hospital, the wounded soldiers were there...whereas the others were left there with no relative, were left behind to be death (sic) in the hospital.”]; **E1/136.1** Transcript, 22 October 2012, Chum Sokha, 14.15.53 to 14.20.04, 15.40.19 to 15.41.58 [“By then, there was no medic left except those dying patients. And, the Khmer Rouge injured soldiers were nowhere to be found, again. So, the patients were left unattended, and left to die.”]; **E1/140.1** Transcript, 5 November 2012, Sum Chea *alias* Chea, 10.13.54 to 10.18.17 [“Some died in the big hospital (now Calmette Hospital). They put patients in push carts. Some patients without relatives just laid there and died at the hospital.”]; **E1/144.1** Transcript, 14

November 2012, Meas Saran, 15.32.06 to 15.33.27, 15.41.13 to 15.44.37 ["I saw a family with one old person and that person was abandoned and she was left on a bed nearby - or along side the road."]; **E1/145.1** Transcript, 22 November 2012, Meas Saran, 10.35.12 to 10.40.23 ["I felt uncomfortable to leave the patients behind. I could not do anything more. In my mind if I left them behind: one, they would die"]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 09.49.46 to 09.55.20 ["[W]e saw some dead people on hospital beds. We believe that these people could have been seriously sick and, because of such situation, they couldn't make it, and the dead bodies were left unattended."].

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E1/178.1 Transcript, 9 April 2013, Francois Ponchaud, 10.12.42 to 10.15.57.

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E1/137.1 Transcript, 23 October 2012, Lay Bony, 15.35.56 to 15.38.51 ["There were hospital beds and some of them had the IV injection on."]; **E1/141.1** Transcript, 6 November 2012, Mom Sam Ourn, 10.16.08 to 10.18.30, 11.34.22 to 11.37.02 ["I believe that I saw at least two hospital patients, because they were walking with the IV fluid still attached to them and I believe that these people could have been taken from the hospital when they were sick."]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 09.49.46 to 09.51.26 ["I could see that some people, in particular patients, were pushed on the hospital beds, when the IV fluid was still attached to some of them."]; **E1/148.1** Transcript, 5 December 2012, Kim Vandy, 14.35.05 to 14.37.35 ["I saw people with IV injection, but I did not pay much attention to them as I was worried that I would be separated from my family, and we tried to rush along with other people."]; **E1/198.1** Transcript, 29 May 2013, Thouch Phandarasar, 09.22.29 to 09.24.11 ["I saw sick people in their beds with their drip on the road under the burning sun and I saw people who couldn't walk."]; **E1/198.1** Transcript, 29 May 2013, Chan Socheat, 11.16.27 to 11.19.59 ["I saw people with the drops (sic) on their hand, some died along the road, some were crying for their children and family members."]; **E1/199.1** Transcript, 30 May 2013, Yin Poudoul, 14.20.40 to 14.24.31 ["Some people still had their IVs on their - in their hand and they were still marching out of the city."].

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E1/200.1 Transcript, 4 June 2013, Vay Sophany, 09.26.25 to 09.28.18 ["And another scene that I witnessed was that of the disabled people and those people who still had oxygen in their nostril."].

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E1/138.1 Transcript, 24 October 2012, Lay Bony, 09.21.32 to 09.23.59, 10.35.38 to 10.37.00 ["There were women who were giving birth to the babies, and we could hear them crying out loud in pain when they were about to give birth to the babies."]; **E1/198.1** Transcript, 29 May 2013, Thouch Phandarasar, 09.22.29 to 09.24.11 ["I saw women give birth in the street and I saw sick people in their beds with their drip on the road under the burning sun and I saw people who couldn't walk."].

988

E1/141.1 Transcript, 6 November 2012, Mom Sam Ourn, 10.16.08 to 10.18.30, 11.37.52 to 11.40.00 ["After leaving our home, on the riverbank, I saw a woman who did not actually give birth to a child, but she had a miscarriage because she was pregnant and she had problems walking."].

989

E1/198.1 Transcript, 29 May 2013, Thouch Phandarasar, 09.20.08 to 09.22.29 ["I heard...A very aggressive voice and since I was afraid of losing my children whom I had tied together, then I heard a gunshot, and then I saw a man who had just been killed...We were all very, very afraid."]; **E1/138.1** Transcript, 24 October 2012, Lay Bony, 10.10.54 to 10.18.21 ["[T]hey pointed a gun at me and asked me to throw away the bag...I was afraid that if we did not follow their instructions, then we would be killed by the Khmer Rouge. And we were very afraid upon seeing those dead bodies."]; **E1/141.1** Transcript, 6 November 2012, Mom Sam Ourn, 11.33.11 to 11.34.22 ["[W]e were very terrified and we were very worried about our children as well because we were afraid that our children would be separated. So we were constantly terrified."]; **E1/144.1** Transcript, 14 November 2012, Meas Saran, 15.44.37 to 15.47.36 ["On the left side of the bridge, I saw two dead bodies and that even scared me more."]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 09.44.26 to 09.48.04 ["[W]e were in shock...the change was so rapid...the Khmer Rouge militia really did something to scare us. Some people who protested such a move were beaten with a gun butt...we had to leave city immediately."]; **E1/179.1** Transcript, 10 April 2013, Francois Ponchaud, 09.38.32 to 09.42.18 ["[P]eople who left Phnom Penh at that time, they were very frightened...their facial expression appeared to be very frightened, and they were very sad leaving the city, but they had to leave the city."]; **E1/198.1** Transcript, 29 May 2013, Chan Socheat, 11.16.27 to 11.19.59 ["I, as the rest of the Phnom Penh residents, were immediately forced to evacuate from Phnom Penh...we were all very scared...I was shocked to see the people en masse...some died along the road..."]; **E1/199.1** Transcript, 30 May 2013, Sophan Sovany, 11.09.00 to 11.14.51 ["[W]e had to leave Phnom Penh urgently...We were scared upon hearing that. We were never shouted at before, let alone to leave our house...there were dead bodies...human excrement was everywhere along the road."].

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E1/141.1 Transcript, 6 November 2012, Mom Sam Ourn, 10.16.08 to 10.18.30, 11.34.22 to 11.40.00 ["I saw a woman...she was pregnant and she had problems walking...the baby was miscarried and nobody could give her any kind of help because everyone had to move on...nobody was taking care of anybody else"]; **E1/144.1** Transcript, 14 November 2012, Meas Saran, 15.41.13 to 15.44.37 ["I saw a family with one old person and that person was abandoned and she was left on a bed nearby - or alongside the road."].

The family just left that person alone there and left.”]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 11.58.54 to 12.00.59 [“People were beaten, shot at, and there was no tolerance or patience to the evacuees. People who fell ill had to be left unattended, and those who died had to be also left behind.”]; **E1/199.1** Transcript, 30 May 2013, Yin Roummdoul, 14.20.40 to 14.24.31 [“I also saw sick people being towed by in a cart. I actually did not know what I could help people...[M]y family were also - was also victims of this evacuation and we could not be of any helps to others along the street.”]; **E1/199.1** Transcript, 30 May 2013, Nou Hoan, 09.14.07 to 09.18.02 [“Some people died and left along the street. And those who were sick could not seek any help from anyone. And we were forced by Angkar to just keep going, so some of us would have to leave their sick family members behind.”]

991 **E1/146.1** Transcript, 23 November 2013, Chau Ny, 11.27.52 to 11.29.20 [“At that time, while en route, I observed that there were sick people who fell and sitting on the side of the road, there were dead people and nobody could help anybody else.”]; **E1/135.1** Transcript, 19 October 2012, Yim Sovann, 14.27.32 to 14.29.52 [“I found the corpses were scattered everywhere. No-one take care of the corpse or organize any funeral at all.”]; **E1/200.1** Transcript, 4 June 2013, Seng Sivutha, 15.17.00 to 15.22.02 [“The dead bodies were scattered everywhere, and along the roads I also - some people who were dying, they - particularly the elderly, they were deserted. They were actually sitting there helplessly and they were really dying.”].

992 **E1/79.1** Transcript, 31 May 2012, Sar Kimlomouth, 09.17.43 to 09.22.47 [“I saw people walking on the roads and there were a lot of people on the roads.”]; **E1/135.1** Transcript, 19 October 2012, Yim Sovann, 14.22.25 to 14.25.09 [“People died along the street; sometimes there were a kind of stampede where people died. I saw people use the car to move out, but there were too many people, and the Khmer Rouge soldiers grabbed the driver from the car and then shot him to death.”]; **E1/136.1** Transcript, 22 October 2012, Chum Sokha, 11.14.23 to 11.17.15 [“In fact, I was supposed to be detained and tied, but I noticed that a lot of people were tied up, so I fled...[H]e asked us to hurry to go ahead.”]; **E1/137.1** Transcript, 23 October 2012, Lay Bony, 15.25.54 to 15.27.36 [“And what is more, I also saw that there were a lot of road blocks along -- out of city and there were jams and there were people all over the street, and we had to move very slowly.”]; **E1/138.1** Transcript, 24 October 2012, Lay Bony, 10.05.49 to 10.07.21 [“And when we reached Monivong Boulevard, near the Royal School of Law, it was so crowded.”]; **E1/139.1** Transcript, 25 October 2012, Kung Kim, 09.26.45 to 09.28.55 [“During the chaotic situation, it means there were a lot of civilians on the road during the first three days and then it became a little bit less in a week’s time.”]; **E1/140.1** Transcript, 5 November 2012, Sum Chea *alias* Chea, 10.13.54 to 10.16.01 [“And you could imagine how the situation would be during such a time when huge crowds were moving out of the city to all directions.”]; **E1/141.1** Transcript, 6 November 2012, Mom Sam Oeurn, 11.31.06 to 11.33.11 [“The road was packed with people and in addition one of my children got syncope so we had to stay behind.”]; **E1/144.1** Transcript, 14 November 2012, Meas Saran, 15.41.13 to 15.44.37 [“I saw the situation was precarious, and I had to leave among other people, and it was so crowded and it was very hot as we could not move that fast.”]; **E1/148.1** Transcript, 5 December 2012, Kim Vandy, 14.35.05 to 14.37.35 [“While I was travelling on National Road Number 6, the road was congested with people.”]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 09.49.46 to 09.51.26 [“During the course of my trip, I saw a lot of people on the road, and people were marching, walking from the Russian Hospital.”]; **E1/170.1** Transcript, 7 February 2013, Pin Yathay, 09.58.18 to 10.00.27 [“At that time, Monivong was packed. We could move very slowly because the street was congested by the big crowd of people.”]; **E1/198.1** Transcript, 29 May 2013, Touch Phandarasar, 09.20.08 to 09.25.43 [“And then I tied up the four children because there were too many people on the way and I started becoming afraid because people were everywhere.”]; **E1/198.1** Transcript, 29 May 2013, Chan Socheat, 11.18.11 to 11.19.59 [“When I reached the Monivong Boulevard I was shocked to see the people en masse, I saw people with the drops (sic) on their hand...”]; **E1/199.1** Transcript, 30 May 2013, Sophan Sovany, 11.11.11 to 11.14.51 [“The road was packed with people and I did not know where they came from or where they were heading too.”]; **E1/199.1** Transcript, 30 May 2013, Nou Hoan, 09.14.07 to 09.15.48, 10.01.58 to 10.03.48 [“There was a huge crowd of people en route and it was in the middle of the dry season and the weather was very hot.”]; **E1/200.1** Transcript, 4 June 2013, Seng Sivutha, 14.36.30 to 14.38.02 [“My grandmother tied my hand to my younger sibling, so that’s we would not get lost as there were crowded of people leaving Phnom Penh.”].

993 **E1/139.1** Transcript, 25 October 2012, Kung Kim, 09.26.45 to 09.28.55, 11.35.43 to 11.37.59 [“During the chaotic situation, it means there were a lot of civilians on the road during the first three days and then it became a little bit less in a week’s time.”]; **E1/199.1** Transcript, 30 May 2013, Nou Hoan, 09.15.48 to 09.18.02 [“Some of them lost their children and their families and the situation was chaotic.”].

994 **E1/138.1** Transcript, 24 October 2012, Lay Bony, 10.35.38 to 10.37.00, 11.57.13 to 11.59.08 [“I had just delivered my baby for a few days, and when I was evacuated I had to be separated from my family members.”]; **E1/144.1** Transcript, 14 November 2012, Meas Saran, 15.32.06 to 15.33.27 [“She grabbed

onto my shirt and begged me to carry her to allow her to go with me -- to come with me, but I did not know what to do. And even now, I still can see her face. So I went for my wife. She was at another corner.”]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 09.44.26 to 09.48.04 [“And I told myself that I could not leave the city without having my family members with me, but the Khmer Rouge militia really did something to scare us...but we had to leave with just very few family members.”]; **E1/152.1** Transcript, 12 December 2012, Denise Affonco, 16.03.00 to 16.05.02 [“No, we never saw him again. In the chaotic, calamitous situation, we lost sight of him...And ever since I’ve never heard from him, I’ve not heard any news of him.”]; **E1/170.1** Transcript, 7 February 2013, Pin Yathay, 10.11.35 to 10.13.11 [“Life, at the time, was miserable, in particular for those who separated from their family members. Some children separated from their parents.”]; **E1/198.1** Transcript, 29 May 2013, Touch Phandarasar, 09.24.11 to 09.25.43 [“And children were forced to leave their parents behind and you know that we worship our parents. Parents are very sacred to us and when we saw parents separate from their children...”]; **E1/198.1** Transcript, 29 May 2013, Chan Socheat, 11.16.27 to 11.19.59 [“When I reached the Monivong Boulevard I was shocked to see the people en masse, I saw people with the drops (sic) on their hand, some died along the road, some were crying for their children and family members.”]; **E1/199.1** Transcript, 30 May 2013, Sophan Sovany, 11.11.11 to 11.13.04 [“People were asking for their relatives and family members. There was one person from another family who raised their hands to beg the Khmer Rouge to return to the back in order to find their family members...”]; **E1/199.1** Transcript, 30 May 2013, Nou Hoan, 09.14.07 to 09.19.53, 10.01.58 to 10.03.48 [“Some of them lost their children and their families and the situation was chaotic.” “Some people went up and down looking for their family members and some were looking for food for their family.”]; **E1/200.1** Transcript, 4 June 2013, Seng Sivutha, 15.22.02 to 15.23.34 [“I missed parents and my grandparents dearly...however, return to my village because I was forced to move forward.”]; **E1/141.1** Transcript, 6 November 2012, Mom Sam Oeurn, 11.34.22 to 11.40.00 [“I also overheard from other people among the crowds that they had separated from their siblings or family members, but nobody would dare stop and look for the separated relatives, they had to continue marching.”]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 09.55.20 to 09.57.21 [“[T]hey asked that they be allowed to return to Phnom Penh to bring these family members. But they were stopped by the Khmer Rouge soldiers, who did not allow them to come back.”]; **E1/198.1** Transcript, 29 May 2013, Touch Phandarasar, 09.24.11 to 09.25.43 [“And children were forced to leave their parents behind...”]; **E1/199.1** Transcript, 30 May 2013, Nou Hoan, 09.14.07 to 09.18.02 [“Some of them lost their children and their families and the situation was chaotic...And we were forced by Angkar to just keep going, so some of us would have to leave their sick family members behind.”].

995 **E1/148.1** Transcript, 5 December 2012, Kim Vanndy, 14.39.07 to 14.43.17 [“I saw one man...he asked for the permission to return to find his children, but the Khmer Rouge soldier shouted back at him to move ahead. Otherwise, he would be dead...that man was on his knees begging...”].

996 **E1/138.1** Transcript, 24 October 2012, Lay Bony, 10.05.49 to 10.07.21 [“No, they did not tell us specifically as where we had to go; what we were told was that we had to leave Phnom Penh...but they did not tell us to -- specific directions that we had to follow”]; **E1/152.1** Transcript, 12 December 2012, Denise Affonco, 16.05.02 to 16.06.41 [“We had no idea where we were going.”]; **E1/179.1** Transcript, 10 April 2013, Francois Ponchaud, 09.38.32 to 09.40.54 [“[T]hey did not know where they would be ending up, they did not know where they were supposed to go.”]; **E1/199.1** Transcript, 30 May 2013, Po Dina, 15.03.55 to 15.05.38 [“[W]e had to keep on walking. We just went on and went on. We slept on the way and we just went on without knowing where we were heading for.”]; **E1/199.1** Transcript, 30 May 2013, Sophan Sovany, 11.11.11 to 11.13.04 [“And it was very difficult for us to do anything. Where would we go to?”]; **E1/200.1** Transcript, 4 June 2013, Bay Sophany, 09.26.25 to 09.30.27 [“But we had to force ourselves to move as instructed by the Khmer Rouge and we did not know - we did not have any destination in mind.”].

997 **E1/152.1** Transcript, 12 December 2012, Denise Affonco, 16.05.02 to 16.06.41.

998 **E3/1593** Ben Kiernan, *Pol Pot Regime – Race, Power, and Genocide in Cambodia under the Khmer Rouge, 1975-79*, at ENG 00678518.

999 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396202 [“Two months later the Cambodian people were still on the move... heading south towards the port of Kompong Som in July”]

1000 **E1/146.1** Transcript, 23 November 2013, Chau Ny, 11.29.20 to 11.31.41 [“We walked for about 10 days and then we reach Bati district, Trapeang Sab commune in Takeo province.”]; **E1/199.1** Transcript, 30 May 2013, Sophan Sovany, 11.14.51 to 11.17.08 [“And then we continue walking for 15 days after we cross the Preaek Kdam by ferry to the other side.”].

- 1001 **E1/200.1** Transcript, 4 June 2013, Seng Sivutha, 15.20.19 to 15.23.34 ["I saw an old man, he was lying on the road...I could not hold my tears. I saw dead bodies everywhere and people were dying along the street. I also once stepped on dead bodies. I sometime walk over the dead body."].
- 1002 **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 10.04.59 to 10.08.12 ["I had a relapse after my baby delivery. I had no breast milk to feed my young baby and I did not have medicine and I did not also have milk...my baby died...I was instructed to bury my baby in the forest. It was like an animal."].
- 1003 **E1/198.1** Transcript, 29 May 2013, Chheng Eng Ly, 15.32.22 to 15.34.52 ["I saw a crying baby...I wanted to carry that baby. I wanted to take the baby...But all of a sudden when the soldier carried this baby, they just tore the baby apart. It was a very horrifying scene. I could not imagine..."].
- 1004 **E1/198.1** Transcript, 29 May 2013, Chheng Eng Ly, 15.16.59 to 15.19.35 ["[T]he situation and the cruelty at the time cannot be described in words, and it was beyond anybody's expectation. And they hacked away of a baby who was still breastfeeding...and it was committed by the Khmer Rouge soldiers."].
- 1005 **E1/170.1** Transcript, 7 February 2013, Pin Yathay, 11.43.08 to 11.44.51 ["I also observed that two women hanged herself -- themselves in two separate locations...Life, at the time, was miserable, in particular for those who separated from their family members."].
- 1006 **E3/ 5233** [REDACTED] OCIJ Statement, at ENG 00279260-61, KHM 00269049-50, FR 00342650-51 ["I saw those people carrying their belongings and being transported by carts; some were carrying their belongings on shoulder poles. Some were carrying children on their hips."]; **E3/5143 TCW-90** OCIJ Statement, at ENG 00223619, KHM 00204124, FR 00529332 ["The people leaving Phnom Penh were struggling to carry their belongings and crying after being separated from their parents and children."]; **E3/4631 TCW-162** OCIJ Statement, at ENG 00275128-30, KHM 00212084-86, FR 00293909-11 ["I saw the people fleeing Phnom Penh arriving in the villages and subdistricts...As I saw it, those people were carrying their belongings, riding bicycles and walking."]; **E3/5513 TCW-252** OCIJ Statement, at ENG 00410231-32, KHM 00402441-42, FR 00422290-91 ["On the roads, I saw people whose legs swelled because of walking in a long distance."]; **E3/5590** [REDACTED] OCIJ Statement, at ENG 00426475-76, KHM 00420971-73, FR 00434919-21 ["I continued my trip aimlessly. I had no enough food to eat. I had only rice taken from home and I was alone with my eight children."]; **E3/471** [REDACTED] OCIJ Statement, at ENG 00223335-36, KHM 00172079-80; FR 00205016-17 ["While chasing the people out of the city, I saw some pushing carts, some pushing sick people, some transporting the elderly. It was pitiful."]; **E3/5505 TCCP-134** OCIJ Statement, at ENG 00399167-70, KHM 00398494-97, FR 00434411-14 ["Along the way I saw sick people. All along the way, there were people being carried, but I did not see any sick people die along the way."]; **E3/5562 TCCP-138** OCIJ Statement, at ENG 00400454-55, KHM 00390283-84, FR 00422428-29 ["We had some food that we brought with us and we had to sleep on the mattress on the road without mosquito net...many mosquitoes bit us at night and we got thirsty we had to drink dirty water in the ponds along the way"]; **E3/5613** [REDACTED] OCIJ Statement, at ENG 00494399-401, KHM 00491045, 00491047-48, FR 00522535-36, 00522538 ["Three days after we were evacuated, we ran out of food."]; **E3/5294 TCCP-142** OCIJ Statement, at ENG 00360111-12, KHM 00348827-28, FR 00367803-04 ["Initially, there were neither the sick nor the starved. However, people had swollen limbs because they were not used to such a long walk."]; **E3/546 TCW-681** OCIJ Statement, at ENG 00233581-82, KHM 00204037-38, FR 00503912-13, 00503915 ["I saw people carrying things on their heads, shoulders and children walking and even mothers who had just given birth."]; **E3/5267 TCW-760** OCIJ Statement, at ENG 00282351-53, KHM 00271403-05, FR 00482929-31 ["I walked for one month before I was able to reach my home village."]; **E3/5137 TCW-43** OCIJ Statement, at ENG 00233536-38, KHM 00163090-92, FR 00158867-68 ["I confirm that I saw the hospital beds which were abandoned. I did not personally see the patients being evacuated on their beds. However, I did see people walking with bandages still on their heads, for instance."].
- 1007 **E3/ 4148** Telegram from US Embassy Bangkok entitled "American Talks of Phnom Penh after the Fall," May 1975, at ENG 00413478; **E3/3004** Telegram from US Embassy Bangkok entitled "Khmer Refugee Walks Out from Phnom Penh" June 1975, at ENG 00495557-8; **E3/3006** Telegram from Embassy Bangkok entitled "The New Cambodia" May 1975, at ENG 00495563, 00495565-6.
- 1008 **E3/ 3006** Embassy Bangkok Report entitled "The New Cambodia," May 1975, at ENG 00495563, 00495565-6; **E3/3004** Embassy Bangkok Report entitled "Khmer Refugee Walks Out from Phnom Penh," June 1975, at ENG 00495557-58.
- 1009 **E3/ 4150** Los Angeles Times, *Evacuees Tell of Executions, Kindness*, 8 May 1975, at ENG 00445203
- 1010 **E3/ 3365** Los Angeles Times, *Millions Sent to Retraining Zones - Red Forces 'Purifying' Cambodia*, 8 May 1975, at ENG 00445199.
- 1011 **E3/ 51** London Times, *A Great Caravan of Human Misery*, 18 April 1975, at ENG 00003279.

- 1012 **E3/ 3365** Los Angeles Times, *Millions Sent to Retraining Zones - Red Forces 'Purifying' Cambodia*, 8 May 1975, at ENG 00445200; **E3/3371** Chicago Tribune, *Tragic Atrocities in Cambodia: Henry*, 13 May 1975, at ENG 00444895.
- 1013 **E3/ 51** London Times, *A Great Caravan of Human Misery*, 18 April 1975, at ENG 00003279.
- 1014 **E1/191.1** Transcript, 8 May 2013, Phillip Short, 11.10.17 to 11.11.53 ["And this is a general point; there was consistently, throughout the Khmer Rouge period, a disregard of human suffering."].
- 1015 **E1/191.1** Transcript, 8 May 2013 Phillip Short, 11.10.17 to 11.11.53 ["The goal was simply to move people, and however unpleasant it was for them during the movement, that was not really taken into account."].
- 1016 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396480; **E1/191.1** Transcript, 8 May 2013, Philip Short, 11.08.30.
- 1017 **E1/93/1** Transcript, 20 July 2012, David Chandler, 14.10.41 to 14.11.41 ["Pretty consistent survivor reports are that the conditions were awful. This was, as people know...the victory took place, is the hottest time of the year...I think they were very harsh conditions indeed"].
- 1018 **E1/93/1** Transcript, 20 July 2012, David Chandler, 14.11.41 to 14.12.54 ["So, therefore...but this regret was not widespread and it resulted in no action like: Slow down; stop this. Nothing happened at the time. It was colossally harsh from the start."].
- 1019 **E1/ 193.1** Transcript, 20 May 2013, Ieng Phan, 11.40.28 to 11.42.33 ["At the time, they used the phrase 'You have to rely on yourself, we do not need the aid from foreign country, we do not use money so we had to do everything to help ourselves.'"]; **E3/3373** Washington Post, *Cambodians are Starving, Refugees Say*, 23 June 1975.
- 1020 **E1/ 165.1** Transcript, 28 January 2013, Al Rockoff, 13.35.32 to 13.37.20 ["Did the Khmer Rouge allow the Red Cross to continue its activities including its medical operating room at the Hotel Phnom? A. No. The Red Cross had to evacuate along with everybody else."].
- 1021 **E1/ 223.1** Transcript, 15 July 2013, Stephen Heder, 11.33.04 to 11.35.51.
- 1022 **E3/586** Khieu Samphan Interview, 15 October 2007, at ENG 00659109.
- 1023 **E1/ 199.1** Transcript, 30 May 2013, Sophan Sovany, 11.57.28 to 11.58.44.
- 1024 **E1/152.1** Transcript, 12 December 2012, Denise Affonco, 14.48.52 ["I had a school friend...who stayed to wait for her husband. Her husband never came back, and she, herself, was executed. She was killed on the spot, and her brothers and sisters later told me how she died."]; **E1/198.1** Transcript, 29 May 2013, Chheng Eng, 15.16.59 ["On 17 April 1975, the situation and the cruelty at the time cannot be described in words...they hacked away of a baby who was still breastfeeding...and it was committed by the Khmer Rouge soldiers."]; **E3/4773** [REDACTED] Complaint, at ENG 00890598 ["I saw the Khmer Rouge shoot to death six people, but I did not know the reasons."]; **E3/4839** [REDACTED] Statement, at ENG 0089371 ["I saw many soldiers...At the time, a few soldiers ran away through the crowd, and they were shot immediately without hesitation. Some evacuees also died during the shooting."]; **E3/4980** [REDACTED] Complaint, at ENG 00893407 ["Along the way, we saw many people being shot dead by Khmer Rouge troops."]; **E3/5131** [REDACTED] OCIJ Statement, at ENG 00223184-85 ["outside the pagoda they were shooting"] at ENG 00223184-85 ["[O]utside the pagoda they were shooting people to death."]; **E3/4611** TCCP-172 OCIJ Statement at ENG 00455376 ["After that I went to Wat Chen Dam Dek. There, I saw a GMC truck driver died. Monks in the Wat (pagoda) told me that the truck driver was shot dead by Khmer Rouge soldiers."];
- 1025 **E3/1593** Ben Kiernan, *Pol Pot Regime – Race, Power, and Genocide in Cambodia under the Khmer Rouge, 1975-79*, at ENG 00678518.
- 1026 **E3/1589** Ieng Sary *alias* Van Statement, at ENG 00185420.
- 1027 **E3/210** Khieu Samphan Statement, 14 December 2007, at ENG 00156949.
- 1028 **E3/684** Ieng Thirith Interview, 29 August 1981, at ENG S0030067.
- 1029 **E3/5729** Sou Sotheavy, Civil Party Application, at ENG 0029712 ["The soldiers entered our room...saw they had shot down and killed my fottl' friends who were still inside the room...I had seen such cruelty of the regime myself, from the start, on innocent people."]; **E3/4839** [REDACTED] Complaint, at ENG 00893370 ["Those who were not willing to leave or hesitant to leave were killed immediately. Some were pulled or pushed off buildings and died mournfully."]; **E3/1554** at [REDACTED] Complaint, at ENG 00156847 ["On my way out of Phnom Penh (Monivong road), I saw many corpses of soldiers killed in the war and the corpses of civilians who were killed by the Khmer Rouge for refusing to leave their houses at their orders."]; **E3/4703** TCW 425 Complaint, at ENG 00417844 ["On 17th April 1975...At that time, there was a family who refused to leave as they did not want to leave their belongings. In a sudden, the Khmer Rouge soldiers killed them."]; **E3/4724** [REDACTED] Complaint, at ENG 00487675 ["On 17 April 1975 when the Khmer Rouge entered Phnom Penh all the city dwellers were forced to

leave the city. We were told to live in the country for awhile. Those who protested...were killed by gun shots.”]; E3/4759, [REDACTED] Annex 1: Annex 4, at ENG 00887719 [“at that time I saw that people who opposed their orders were killed immediately in front of me.”]; E3/4811 [REDACTED] Complaint, at ENG 00893347 [“The people who rejected leaving were killed. During the evacuation, my child, Yen Than, died of a bullet wound and another child, Yen Yut, was killed by a bamboo [pole] being stabbed into his chest...them any help.”]; E3/4839 [REDACTED] Complaint, at ENG 00893370 [“They announced that the people had to leave the city immediately...Those who were not willing to leave or hesitant to leave were killed immediately. Some were pulled or pushed off buildings and died mournfully.”]; E3/1745 TCCP-88 OCIJ Statement, at ENG 00338385 [“But we decided that we had to leave because it was a strict order and at the other locations they shot people to death...and those who did not leave were shot dead.”]; E3/4687 TCCP-53 Complaint, at ENG 00375736 [“In 17 April 1975...Because my family loved property, we did not leave home...one family did not leave home and Khmer Rouge shot them dead, my family left the city...Kampong Speu.”]; E3/4654 [REDACTED] OCIJ Statement, at ENG 00400463-66 [“A: When I arrived...I saw people were shot dead...I saw those Khmer Rouge soldiers shot a few people dead. Those people were likely the house owners who refused leaving their houses. I saw that event personally.”]; E3/3960 Kung Kim Statement, at ENG 00633874 [“Osman: Did that happen...at the beginning we went to their house and dragged them out...you could shoot any people at will because people were considered as the enemy...is it right? Kung Kim: Yes!”]; E3/3960 [REDACTED] Statement, at ENG 00184121 [“Many ordinary people were also killed...there was no punishment for such killings of ordinary people, who - once shot - were enemies. Many bodies were thrown in the Mekong...There were also bodies all along Route 5.”], 00184121 [“Kim told people to leave or they would be shot...Those who kept their uniforms or made trouble were simply shot on the spot. Other people who refused to go or made trouble were also shot on the spot.”]; E3/4654 [REDACTED] OCIJ Statement, at ENG 00400463-64; E3/5559 [REDACTED] OCIJ Statement, at ENG 00377368; E3/5562 TCCP-138 OCIJ Statement, at ENG 00400454; E3/5788 Chum Sokha OCIJ Statement, at ENG 00380711-12; E3/4150 Los Angeles Times, *Evacuees Tell of Executions, Kindness*, 8 May 1975.

1030 E3/4719 ENG 00436830 [“The Khmer Rouge told me to leave immediately...Those who did not leave in time were killed by the Khmer Rouge on the spot...Those who transported their belongings in cars or reimak trailers were killed by the Khmer Rouge.”]; E3/5137 TCW-43 OCIJ Statement, at ENG 00233536-38 [“I would...the refugees arriving at the embassy told of many people being killed along the road for small things such as not wanting to abandon their bicycles.”]; E3/5559 [REDACTED] OCIJ Statement, at ENG 00377367-68 [“However, I saw that for any person who opposed the forced evacuation was immediately shot dead by the Khmer Rouge soldiers.”].

1031 E3/3978 at ENG 00864243 [“When we arrived at the end of the bridge in the west, the Khmer Rouge, guarding the bridge, banned us from crossing. Some people decided to swim across the river, and they were shot to death.”]; E3/4766 at ENG 00891272 [“The Khmer Rouge accused...Some families lost members along the way when they were leaving their village because Khmer Rouge arrested and killed them...at leaving their village and having bad feelings.”]; E3/1747 TCCP-53 OCIJ Statement, at ENG 00243009-10 [“What did the Khmer Rouge soldiers do to people who refused to leave the city villages; Srecham during the evacuation of Phnom Penh? commune; Prey Nup [A]: I was told that those who refused to leave the city were shot dead.”].

1032 E3/5736 Transcript, at ENG 009220084 [“At the other end of town...The barbarian grabbed both its tiny legs, one in each hand, - and pulled them apart...The killing site of new-born babies...I must not be the only one who bore witness to this barbaric act.”].

1033 E3/3960 Kung Kim Statement, at ENG 00633874.

1034 E3/3960 Kung Kim Statement, at ENG 0018412.

1035 E3/5562 TCCP-138 OCIJ Statement; E3/1805 Analytical Report by the Government of Norway entitled “Submission of the Government of Norway to the United Nations Commission on Human Rights,” 18 August 1978, at ENG 00087548-49; E3/4664 [REDACTED] Complaint, at 00156848 [“During the time when my family was waiting, I saw corpses floating in the water but they were all men with blind folding.”]; E3/5562 TCCP-138 OCIJ Statement, at ENG 00400454-55 [“I saw many dead bodies near Chantrea Cinema. All of them were civilians.”]; E3/4590 [REDACTED] Statement, at ENG 00820546 [“Upon arriving at the Pepsi Cola plant, I saw many corpses, mostly children; some had been shot; others were bound and beaten to death. There were about 200 of them strewn about on pavement.”]; E3/4590 Francois Ponchaud Statement, at ENG 00820487 [“He went out on the 19th. Prey Veng Kien Svay. There were 19 dead on Monivong, particularly women. There were three bodies a day on the river.”]; E3/3958 Lay Bony OCIJ Statement, at ENG 00379156-58 [“Later on, still in Phnom Penh, I saw one dead body on the street; this was on 17 April in the morning and afternoon. My husband told me that he had seen many dead bodies in the street.”].

¹⁰³⁶ **E1/ 198.1** Transcript, 29 May 2013, Chheng Eng, 15.32.22 [“But all of a sudden when the soldier carried this baby, they just tore the baby apart.”]; **E1/165.1** Transcript, 28 January 2013, Al Rockoff, 11.28.27 [“There were some people who came in... And they were giving some of the first reports of killings out on the road -- being forced out, the separation off a milies, segregation into male, female.”]; **E1/198.1** Transcript, 29 May 2013, Chheng Eng, 15.32.22 [“I told the Court earlier that when we were leaving Phnom Penh and we were travelling along National Road Number 1 crossing Monivong Bridge, I saw a crying baby. He was actually crawling over the dead body of his mum.”]; **E1/198.1** Transcript, 29 May 2013, Chheng Eng, 15.16.59 [“While en route I saw a lot of people who died along the road. I was leaving Phnom Penh along National Road Number 1 and along the river I saw floating corpses, and that shocked me.”]; **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 09.03.55 [“I can only guess... when we were being taken out of Phnom Penh, there were bodies along the roads that they were forced to leave. And I’m assuming that some of them were people who died on the way out of the city.”]; **E1/199.1** Transcript, 30 May 2013, Po Dina, 15.07.40 [“But we, of course, saw the dead bodies along the street.”]; **E1/200.1** Transcript, 4 June 2013, Bay Sophany, 09.26.25 [“And along the road, as I observed on the day, the scene was pitiful. I saw dead bodies, the bodies of the Lon Nol soldiers, the bodies of elder people, the body of children and pregnant women.”]; **E1/138.1** Transcript, 24 October 2012, Kung Kim, 10.16.33 to 10.19.56 [“The bodies that I saw at Preaek Pra commune were in civilian clothes... they were simply civilians... I say one or two dead bodies... They were in civilian clothes.”]; **E3/4697** [REDACTED] Complaint, at ENG 00402949 [“On 21 April 1975, a Khmer Rouge soldier (whose name was not known) sought to capture my grandfather named [REDACTED] aged 55, and killed him with the allegation that he was a feudalist.”]; **E3/5199** TCW-651 OCIJ Statement, at ENG 00275110-12 [“Q: Please describe the events of 17 April 1975... In that situation, I saw Lon Nol soldiers die along the national highway, and civilians also died.”]; **E3/4951** Supplementary Information of Civil Party Applicant TCCP-150, 15 June 2012, at ENG 00874077 [“While we were travelling from Phnom Penh to the province... they beat my husband and killed him by beating him and cutting his throat in front of me... My pain is indescribable... been horrified until the present.”]; **E3/4773** [REDACTED] Complaint, at ENG 00890598 [“The evacuation was chaotic... On the ways, I saw many dead bodies wearing civil and military uniforms who were killed by the Khmer Rouge and I also saw an American was being tied up to a column of Svay Chrum Pagoda.”]; **E3/4824** [REDACTED] Complaint, at ENG 00891213 [“The next morning, they did not allow us to stay there, so we were evacuated farther without a specific destination. Some people were killed in their houses because they would not leave as ordered.”]; **E3/4766** TCCP-122 Complaint, at ENG 00891272 [“Some families lost members along the way when they were leaving their village because Khmer Rouge arrested and killed them as they had accused those people of being disatisfied at leaving their village and having bad feelings.”]; **E3/4980** [REDACTED] Complaint, at ENG 00893408 [“We spent four days to reach Ta Sal Village... Only about 200 of us survived... because some people were killed on the way by the escorting Khmer Rouge troops, while some died due to starvation and disease.”]; **E3/4678** [REDACTED] Complaint, at ENG 00877009 [“Along the way, KR soldiers were lining the route to follow... did not hesitate to execute people who didn’t follow the indicated route or who strayed from it. I clearly remember witnessing such executions.”]; **E3/1676** [REDACTED] Complaint, at ENG 00812379 [“In January 1979... I was informed by people living in Battambang Province that my uncle had died during the evacuation to Battambang Province.”].

¹⁰³⁷ **E3/3319** United Kingdom Government, “Human rights violations in Democratic Kampuchea, 14 July 1978, at ENG 00420601.

¹⁰³⁸ **E3/4951** [REDACTED] Complaint, at ENG 00874077, **E1/135.1** Transcript, 19 October 2012, Yim Sovann, 14.20.42 to 14.22.25 [“People died along the street; sometimes there were a kind of stampede where people died.”]; **E1/136.1** Transcript, 22 October 2012, Chum Sokha, 11.05.51 to 11.08.42 [“I saw the damaged houses and the burned bodies around the vicinity of the Pochentong Airport, also in front of the transport department.”], 11.14.23 to 11.17.15 [“I saw dead bodies who were -- covered alongside the National Road -- that road.”]; **E1/137.1** Transcript, 23 October 2012, Lay Bony, 15.38.51 to 15.41.23 [“At that time, it was in early evening and I saw dead bodies and I moved to another place -- another house, I also saw dead bodies... they also saw dead bodies elsewhere, but we did not know how they died.”]; **E1/140.1** Transcript, 5 November 2012, Sum Chea *alias* Chea, 09.36.23 to 09.37.55 [“And there were patients who were not properly treated in hospitals, and we saw people dying along the streets.”]; **E1/141.1** Transcript, 6 November 2012, Mom Sam Ourn, 09.30.12 to 09.32.34 [“I would see corpses, dead bodies...”, 10.11.50 to 10.14.15 [“These corpses were mixed, both civilian corpses and also former Lon Nol soldiers’ corpses... I saw them all along the road.”]; **E1/143.1** Transcript, 12 November 2012, Pe Chuy Chip Se 15.36.56 to 15.38.14 [“There were dead people along the streets...”], 15.53.21 to 15.55.43 [“[T]hey die of: one, starvation; two, because of diseases and they did not have medicines... young children, had no breast milk to feed so they starved to death...”]; **E1/146.1** Transcript, 23 November

2013, Chau Ny, 11.27.52 to 11.29.20 “[T]here were dead people and nobody could help anybody else.”]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 10.04.59 to 10.06.29 [“Unfortunately, my baby died during that evacuation, and I did not even know what to do with my dead baby.”]; **E1/179.1** Transcript, 10 April 2013, Francois Ponchaud, 09.50.02 to 09.52.59 [“Many people died during the journey, especially those who had left the hospital, patients who were driven out, the women who gave birth on the road, war casualties...we saw many dead bodies scattered about everywhere...”]; **E1/198.1** Transcript, 29 May 2013, Chheng Eng Ly, 15.16.59 to 15.19.35 [“While en route I saw a lot of people who died along the road. I was leaving Phnom Penh along National Road Number 1 and along the river I saw floating corpses, and that shocked me.”]; **E1/199.1** Transcript, 30 May 2013, Sophan Sovany, 11.13.04 to 11.14.51 [“And there were dead bodies along the road although I did not know when those people died. Also human excrement was everywhere along the road.”]; **E1/199.1** Transcript, 30 May 2013, Yin Roumdoul, 13.31.54 to 13.33.12 [“Along the road while en route, I walked across Pet Chin toward Monivong Boulevard and next morning, I knew that the dead bodies that I saw during the night was the result of the Khmer Rouge.”]; **E1/199.1** Transcript, 30 May 2013, Nou Hoan, 09.15.48 to 09.18.02 [“Some people died and left along the street”], 10.01.58 to 10.03.48 [“Some people died and some were about to decompose...”]; **E1/200.1** Transcript, 4 June 2013, Seng Sivutha, 14.38.02 to 14.39.49 [“I saw dead people along - dead bodies along the road. Sometimes I had to walk crossing the dead bodies.”]; **E1/148.1** Transcript, 5 December 2012, Kim Vannady, 10.04.59 [“I had no breast milk...Unfortunately, my baby died during that evacuation, and I did not even know what to do with my dead baby. I was instructed to bury my baby in the forest. It was like an animal.”]; **E1/143.1** Transcript, 12 November 2012, Pechuy Chipse, 15.53.21 [“As for those who died along the roads, they die of: one, starvation; two, because of diseases and they did not have medicines...there were many other miserable situations at the time.”]; **E3/4980** [REDACTED] Complaint, at ENG 00893408 [“We spent four days to reach Ta Sal Village...Only about 200 of us survived the long journey because some people were killed on the way by the escorting Khmer Rouge troops, while some died due to starvation and disease.”]; **E3/3970** Pech Srey Phal Complaint, at ENG 00434931 [“Were there people dying because of the evacuation? A12: There were people dying; some people were patients who left hospitals; some died of relapsed after delivering a baby; some died of old age.”]; **E3/4808** [REDACTED] Complaint, at ENG 00891197 [“I saw many people walking along the road...The [soldiers] forced us to keep walking without rest. Consequently, the sick people fell down and died one after the other.”]; **E3/4590** Francois Ponchaud Statement, at ENG 00820352 [“On 17 April, when the KR arrived...Reports seeing thousands of unburied corpses rotting by the roadside. The deaths were due to lack of food, disease and lack of medicines.”]; **E3/1593** Ben Kiernan, *The Pol Pot Regime*, at ENG 00104202; **E3/2060** Report of United Nations Sub-Commission on Human Rights, Analysis of the Human Rights Situation in Democratic Kampuchea, 30 January 1979, at ENG 00078643-65 [“2 or 3,000 people died”]; **E3/471** [REDACTED] OCII Statement, at ENG 00223336; **E3/471** Francois Bizot Statement, at ENG 00223337.

¹⁰³⁸ **E1/ 200.1** Transcript, 4 June 2013, Bay Sophany, 09.26.25 to 09.28.18 [“[D]ead bodies, the bodies of the Lon Nol soldiers, the bodies of elder people, the body (sic) of children and pregnant women.”]; **E3/4664** [REDACTED] Complaint, at ENG 00156848 [“In late 1975...those well’s rims covered with marks and blood stains as Khmer Rouge killed people and dropped the corpses into the wells and covered them with coconut leaves.”]; **E3/4689** [REDACTED] Complaint, at ENG 00446581 [“Along the road, I saw too many dead people killed by the Khmer Rouge. Some of them had just been shot dead (with fresh bleeding). Some of those bodies were already swollen and smelly.”]; **E3/5267** TCW-760 Statement, at ENG 00282351-53 [“I saw people who had been shot dead along the road.”]; **E3/3958** Lay Bony Statement, at ENG 00379157 [“After that...I found dead bodies in that house...I saw bodies of men and women and the elderly, but my relatives told me that they saw dead bodies of children as well.”]; **E3/4838** [REDACTED] Complaint, at ENG 00893365 [“Along the way from my Base, we saw many dead bodies of people apparently killed by Khmer Rouge troops. Some people died while sitting in their cars...some kind of chemical.”]; **E3/3959** Kung Kim OCII Statement, at ENG 00278682-83 [“I saw bodies floating in the water...I saw a few bodies of Lon Nol soldiers and continuously saw many bodies of people who had died along the streets...Some were in the road and had been run over by our vehicles.”]; **E3/4609** Sou Sotheavy OCII Statement, at ENG 00434879 [“Q: When you were evacuated...I saw dead bodies along the way...Civilians. At Praek Hau pagoda, I saw a monk’s dead body.”]; **E3/4611** Yos Phal OCII Statement, at ENG 00455376 [“Along the way, I saw many dead bodies.”]; **E3/5776** at ENG 00875079 [“Elderly and disabled persons dead on the roadsides, stench.”]; **E3/5191** [REDACTED] OCII Statement, at ENG 00274679-80 [“There were also other corpses; some had bloody marks on them.”]; **E3/4608** Sou Sotheavy OCII Statement, at ENG 00426415-17 [“Later on, we tried to swim...I saw many corpses around the pagoda...I saw so many corpses...Some of those corpses smelled badly; some died long time ago and some died recently.”], 00434878-79 [“At first...I saw dead bodies along the way. At that time, I

did not pay attention to count the number of the corpses because the armed Khmer Rouge soldiers were behind.”]; **E3/5267** TCW-760 OCIJ Statement, at ENG 0028351-53 [“Along the road, I saw the bodies of people who had died; they were already shriveled up and people had walked on top of them.”]; **E3/5267** TCW-760 OCIJ Statement **E3/5310** TCCP-45 OCIJ Statement, at ENG 00353484.

¹⁰³⁸ **E1/170.1** Transcript, 7 February 2013, Pin Yathay, 10.11.35 to 10.13.11. **E1/135.1** Transcript, 19 October 2012, Yim Sovann, 14.20.42 to 14.22.25 [“People died along the street; sometimes there were a kind of stampede where people died.”]; **E1/136.1** Transcript, 22 October 2012, Chum Sokha, 11.05.51 to 11.08.42 [“I saw the damaged houses and the burned bodies around the vicinity of the Pochentong Airport, also in front of the transport department.”], 11.14.23 to 11.17.15 [“I saw dead bodies who were -- covered alongside the National Road -- that road.”]; **E1/137.1** Transcript, 23 October 2012, Lay Bony, 15.38.51 to 15.41.23 [“At that time, it was in early evening and I saw dead bodies and I moved to another place -- another house, I also saw dead bodies...they also saw dead bodies elsewhere, but we did not know how they died.”]; **E1/140.1** Transcript, 5 November 2012, Sum Chea *alias* Chea, 09.36.23 to 09.37.55 [“And there were patients who were not properly treated in hospitals, and we saw people dying along the streets.”]; **E1/141.1** Transcript, 6 November 2012, Mom Sam Oeurn, 09.30.12 to 09.32.34 [“I would see corpses, dead bodie...”], 10.11.50 to 10.14.15 [“These corpses were mixed, both civilian corpses and also former Lon Nol soldiers’ corpses...I saw them all along the road.”]; **E1/143.1** Transcript, 12 November 2012, Pe Chuy Chip Se 15.36.56 to 15.38.14 [“There were dead people along the streets...”], 15.53.21 to 15.55.43 [“[T]hey die of: one, starvation; two, because of diseases and they did not have medicines...young children, had no breast milk to feed so they starved to death...”]; **E1/146.1** Transcript, 23 November 2013, Chau Ny, 11.27.52 to 11.29.20 [“[T]here were dead people and nobody could help anybody else.”]; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 10.04.59 to 10.06.29 [“Unfortunately, my baby died during that evacuation, and I did not even know what to do with my dead baby.”]; **E1/179.1** Transcript, 10 April 2013, Francois Ponchaud, 09.50.02 to 09.52.59 [“Many people died during the journey, especially those who had left the hospital, patients who were driven out, the women who gave birth on the road, war casualties...we saw many dead bodies scattered about everywhere...”]; **E1/198.1** Transcript, 29 May 2013, Chheng Eng Ly, 15.16.59 to 15.19.35 [“While en route I saw a lot of people who died along the road. I was leaving Phnom Penh along National Road Number 1 and along the river I saw floating corpses, and that shocked me.”]; **E1/199.1** Transcript, 30 May 2013, Sophan Sovany, 11.13.04 to 11.14.51 [“And there were dead bodies along the road although I did not know when those people died. Also human excrement was everywhere along the road.”]; **E1/199.1** Transcript, 30 May 2013, Yin Roumdoul, 13.31.54 to 13.33.12 [“Along the road while en route, I walked across Pet Chin toward Monivong Boulevard and next morning, I knew that the dead bodies that I saw during the night was the result of the Khmer Rouge.”]; **E1/199.1** Transcript, 30 May 2013, Nou Hoan, 09.15.48 to 09.18.02 [“Some people died and left along the street”], 10.01.58 to 10.03.48 [“Some people died and some were about to decompose...”]; **E1/200.1** Transcript, 4 June 2013, Seng Sivutha, 14.38.02 to 14.39.49 [“I saw dead people along - dead bodies along the road. Sometimes I had to walk crossing the dead bodies.”]; **E1/148.1** Transcript, 5 December 2012, Kim Vandy, 10.04.59 [“I had no breast milk...Unfortunately, my baby died during that evacuation, and I did not even know what to do with my dead baby. I was instructed to bury my baby in the forest. It was like an animal.”]; **E1/143.1** Transcript, 12 November 2012, Pechuy Chipse, 15.53.21 [“As for those who died along the roads, they die of: one, starvation; two, because of diseases and they did not have medicines...there were many other miserable situations at the time.”]; **E3/4980** [REDACTED] Complaint, at ENG 00893408 [“We spent four days to reach Ta Sal Village...Only about 200 of us survived the long journey because some people were killed on the way by the escorting Khmer Rouge troops, while some died due to starvation and disease.”]; **E3/3970** Pech Srey Phal Complaint, at ENG 00434931 [“Were there people dying because of the evacuation? A12: There were people dying; some people were patients who left hospitals; some died of relapsed after delivering a baby; some died of old age.”]; **E3/4808** [REDACTED] Complaint, at ENG 00891197 [“I saw many people walking along the road...The [soldiers] forced us to keep walking without rest. Consequently, the sick people fell down and died one after the other.”]; **E3/4590** Francois Ponchaud Statement, at ENG 00820352 [“On 17 April, when the KR arrived...Reports seeing thousands of unburied corpses rotting by the roadside. The deaths were due to lack of food, disease and lack of medicines.”]; **E3/1593** Ben Kiernan, *The Pol Pot Regime*, at ENG 00104202; **E3/2060** Report of United Nations Sub-Commission on Human Rights, Analysis of the Human Rights Situation in Democratic Kampuchea, 30 January 1979, at ENG 00078643-65 [“2 or 3,000 people died”]; **E3/471** [REDACTED] OCIJ Statement, at ENG 00223336; **E3/471** TCW-43 Statement, at ENG 00223337, **E1/200.1** Transcript, 4 June 2013, Bay Sophany, 09.26.25 to 09.28.18 [“[D]ead bodies, the bodies of the Lon Nol soldiers, the bodies of elder people, the body (sic) of children and pregnant women.”]; **E3/4664** [REDACTED] Complaint, at ENG 00156848 [“In late 1975...those well’s rims covered with marks and blood stains as

Khmer Rouge killed people and dropped the corpses into the wells and covered them with coconut leaves.”]; **E3/4689** [REDACTED] Complaint, at ENG 00446581 [“Along the road, I saw too many dead people killed by the Khmer Rouge. Some of them had just been shot dead (with fresh bleeding). Some of those bodies were already swollen and smelly.”]; **E3/5267** TCW-760 Statement, at ENG 00282351-53 [“I saw people who had been shot dead along the road.”]; **E3/3958** Lay Bony Statement, at ENG 00379157 [“After that...I found dead bodies in that house...I saw bodies of men and women and the elderly, but my relatives told me that they saw dead bodies of children as well.”]; **E3/4838** [REDACTED] Complaint, at ENG 00893365 [“Along the way from my Base, we saw many dead bodies of people apparently killed by Khmer Rouge troops. Some people died while sitting in their cars...some kind of chemical.”]; **E3/3959** Kung Kim OCIJ Statement, at ENG 00278682-83 [“I saw bodies floating in the water...I saw a few bodies of Lon Nol soldiers and continuously saw many bodies of people who had died along the streets...Some were in the road and had been run over by our vehicles.”]; **E3/4609** Sou Sotheavy OCIJ Statement, at ENG 00434879 [“Q: When you were evacuated...I saw dead bodies along the way...Civilians. At Praek Hau pagoda, I saw a monk’s dead body.”]; **E3/4611** Yos Phal OCIJ Statement, at ENG 00455376 [“Along the way, I saw many dead bodies.”]; **E3/5776** at ENG 00875079 [“Elderly and disabled persons dead on the roadsides, stench.”]; **E3/5191** [REDACTED] OCIJ Statement, at ENG 00274679-80 [“There were also other corpses; some had bloody marks on them.”]; **E3/4608** Sou Sotheavy OCIJ Statement, at ENG 00426415-17 [“Later on, we tried to swim...I saw many corpses around the pagoda...I saw so many corpses...Some of those corpses smelled badly; some died long time ago and some died recently.”], 00434878-79 [“At first...I saw dead bodies along the way. At that time, I did not pay attention to count the number of the corpses because the armed Khmer Rouge soldiers were behind.”]; **E3/5267** TCW-760 OCIJ Statement, at ENG 0028351-53 [“Along the road, I saw the bodies of people who had died; they were already shriveled up and people had walked on top of them.”]; **E3/5267** TCW-760 OCIJ Statement; **E3/5310** TCCP-45 OCIJ Statement, at ENG 00353484. **E1/170.1** Transcript, 7 February 2013, Pin Yathay, 10.11.35 to 10.13.11.

¹⁰³⁹ **E1/197.1** Transcript, 27 May 2013, Aun Phally, 10.57.06 [“I had great pity for my father...Ten days after our arrival, a Khmer Rouge cadre came to call him to go, and he disappeared since...we heard that he was sent for a study session.”]; **E3/4899** [REDACTED] Complaint, at ENG 00847821 [“Upon arrival in Kompong Cham, my parents, two of my brothers and one of my sisters were executed by the Khmer Rouge...My other brother was killed because he was a soldier in Lon Nol’s regular forces.”]; **E3/1575** Kang Guek Eav OCIJ Statement, at ENG 00208748 [“The forcible evacuation of the people...people were executed secretly. They started to execute people from the day of the evacuation when the new people settled in remote areas...the day they lost power.”]; **E3/4632** [REDACTED] OCIJ Statement, at ENG 00403117-19 [“When they arrived...They killed these evacuated people with cart axes and sticks; they hit them on the nape...but no one, managed to escape. The executioners...I witnessed the killing...dig the graves.”]; **E3/5256** TCW-239 OCIJ Statement, at ENG 00251304 [“Q: Do you know if any new people...They told them to go study, meaning they arrested and killed them.”]; **E3/5509** TCW-298 OCIJ Statement, at ENG 00403064 [“Q: Were the people evacuated from Phnom Penh taken for execution?...As far as I know, those evacuated people were taken for execution...I knew because I saw those people disappear...sticks remain at the place.”]; **E3/4630** Lev Lam OCIJ Statement, at ENG 00274646-48 [“[Q]: In addition to the grave...When Phnom Penh was evacuated several people were forced to come here and some people were killed. At that time, chief of district told them to come here.”]; **E3/4634** TCW-610 OCIJ Statement, at ENG 00408404-06 [“After the meeting, the militiamen took those people away first...Then they hit them to death right away...Currently, these three execution sites have been dug up and cleared by people for land to farm paddies and plantations.”].

¹⁰⁴⁰ **E1/200.1** Transcript, 4 June 2013, Bay Sophany, 09.32.28 to 09.35.12 [“Then he came back...Upon the time he took away the needle, my youngest child got seizures and passed away. I cried. That was the first time that I witnessed such a tragedy in my life. I packed my baby and we all cried.”]; **E3/5499** [REDACTED] OCIJ Statement, at ENG 00372928-29 [“17 April people did come to live in my commune...Many of those people fell ill and died one after another due to the lack of food and medicine.”]; **E3/5107** Supplementary Information of [REDACTED] at ENG 00847845 [“People arrived from Phnom Penh by train...many of them died from dehydration, heat exhaustion and fatigue. The elderly and children were the first to die...a small portion of rice per day.”]; **E3/5020** [REDACTED] Complaint, at ENG 00893426 [“In 1975 at the time of the evacuation, my son Van Hai Huon, who was about 1 year and a half, died of starvation when we arrived at our hometown. We were on foot for about 1 month to reach our hometown.”]; **E3/4590** Refugee Account of [REDACTED] at ENG 00820516 [“I even took my last-born...Two days thereafter, my child died due to lack of medicine...Fifteen days after my child’s death, my fourth child, aged 4, fell sick and died, due to lack of medicine.”]; **E3/5294** TCW-678 OCIJ

Statement; **E3/415** TCW-796 OCIJ Statement, at ENG 00375692; **E3/5244** [REDACTED] OCIJ Statement, at ENG 00233300-02.

1041 **E3/4632** [REDACTED] OCIJ Statement, at ENG 00403117-19.

1042 **E3/3961** Sum Chea OCIJ Statement, at ENG 00223346 ["In the area where my force was evacuating the people...so we could sweep out the Lon Nol soldiers and we deceived them by saying that soon the fighting would explode and everyone would die."]; **E3/3961** Sum Chea OCIJ Statement, at ENG 00223346 ["After seven or eight days...So they died...During this deception...they were taken away and killed west of Prek Phnoeu. During that killing, they revved up the trucks to make an incredibly loud noise."]; **E3/5598** [REDACTED] Statement, at ENG 00526857 ["The troops were told it was necessary...Those Lon Nol soldiers found were shackled and killed...most of those who were found two or three days after 17 April were executed, although some were merely re-educated."].

1043 **E1/140.1** Transcript, 5 November 2012, Sum Chea, 10.12.00 to 10.13.54; **E3/3961** Sum Chea OCIJ Statement, at ENG 00223346.

1044 **E1/140.1** Transcript, 5 November 2012, Sum Chea, 09.43.09 to 09.45.21 ["I was told by the name of Koeun. Koeun was a person who was very daring, and he ordered the smashing."].

1045 **E1/140.1** Transcript, 5 November 2012, Sum Chea, 09.43.09 to 09.45.21 ["[H]e only asked us to lure those who were the former Lon Nol soldiers to come in. And once they came in, then they would be killed. That was what he told us."].

1046 **E3/3961** Sum Chea OCIJ Statement, at ENG 00223346; **E1/140.1** Transcript, 5 November 2012, Sum Chea, 10.33.10 to 10.35.38 ["Lon Nol soldiers were taken by trucks and executed near Preaek Pnov. When was it that this took place? A. It was just four or five days after the liberation of Phnom Penh."].

1047 **E1/140.1** Transcript, 5 November 2012, Sum Chea, 10.28.35 to 10.33.10 ["I heard from others that they were brought to be killed in west of Preaek Pnov, and I did not know its exact whereabouts, but Koeun who - was the one who ordered...He was the executioner."]; **E3/3961** Sum Chea OCIJ Statement, at ENG 00223346.

1048 **E1/140.1** Transcript, 5 November 2012, Sum Chea, 11.23.00 to 11.28.08

1049 **E1/140.1** Transcript, 5 November 2012, Sum Chea, 11.23.00 to 11.28.08 ["These people [Lon Nol soldiers] were killed after the radio broadcast on loud speakers and when they were tricked to reveal their identities."].

1050 **E1/138.1** Transcript, 24 October 2012, Lay Bony, 10.12.33 to 10.16.33 ["[T]here was an announcement on the speaker that, for any military officers, they should return to Phnom Penh to resume their work."], **E1/138.1** Transcript, 24 October 2012, Lay Bony, 10.12.33 to 10.16.33 ["[U]pon hearing such an announcement, he [her in-law who was a colonel] prepared his belongings and returned to Phnom Penh."], **E1/138.1** Transcript, 24 October 2012, Lay Bony, 10.12.33 to 10.16.33 ["However, since the day he [her in-law who was a colonel] left, he disappeared, so we concluded that he was killed by the Khmer Rouge."], **E1/145.1** Transcript, 22 November 2012, Means Saran, 09.34.55 to 09.36.05 ["After the three days passed, there was an announcement on the loudspeaker from Phnom Penh appealing for officials to return to work in Phnom Penh."], **E1/145.1** Transcript, 22 November 2012, Meas Saran, 09.34.55 to 09.36.05 ["I saw some people returning to Phnom Penh, but those people when they went to Phnom Penh they went by themselves without members of their family, and I didn't see them return."]

1051 **E1/179.1** Transcript, 10 April 2013, Francois Ponchaud, 10.08.38 to 10.12.38.

1052 **E1/179.1** Transcript, 10 April 2013, Francois Ponchaud, 10.08.38 to 10.12.38 ["Those women whom I saw were the wives of high-ranking soldiers."].

1053 **E1/179.1** Transcript, 10 April 2013, Francois Ponchaud, 10.08.38 to 10.12.38 ["They told me that Angkar assigned their husbands to go into Phnom Penh to rebuild the country, and they went back into Phnom Penh."].

1054 **E1/179.1** Transcript, 10 April 2013, Francois Ponchaud, 10.10.49 to 10.12.38 ["Angkar was very good at telling lies. They told those people [the high-ranking Lon Nol soldiers] to go back into Phnom Penh, and then they killed those people. Angkar cheated them because Angkar wanted to kill them."].

1055 **E1/199.1** Transcript, 30 May 2013, Po Dina 15.44.43 to 15.46.38["[T]he announcement was made on the mobile loudspeaker that people who used to work in Phnom Penh should register their names so that they could be returned to Phnom Penh."]; **E1/199.1** Transcript, 30 May 2013, Nou Hoan, 10.03.48 to 10.06.32 ["[T]here was writing on the blackboard that for those who were public servants or police officers or military officers shall register their names so that Angkar will reorganize our country and you shall be returned to Phnom Penh."], **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 09.57.21 to 09.58.43 ["[W]e also heard that after three days people would be allowed to return to the capital city, in particular those who were former soldiers, officials, teachers, doctors, because these people were needed to work in Phnom Penh."], **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 09.58.43 to 09.59.42 ["to let them know whether they go the right people, they were asked to register their name...The Khmer Rouge

set a point where the names of individuals would be registered.”]. **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 09.58.43 to 09.59.42 [“people could be coming and turning themselves, because they were afraid that they could not have their name registered on time and they would not be allowed to return to Phnom Penh after the three days.”]. **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 09.59.42 to 10.01.52 [“Those who registered their names did not proceed further with us. They were taken by another group...The Khmer Rouge soldiers put them aside.”].

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E1/148.1 Transcript, 5 December 2012, Pech Srey Phal 12.02.22 to 12.04.12 [“The man in the oxcart...told us not to follow these people [who had registered] because the people who were sent first had already been all executed.”]. **E1/170.1** Transcript, 7 February 2013, Pin Yathay, 10.05.22 to 10.06.52 [“We were stopped again about 1 kilometre. We were asked about our names, how many family members, our age, and our occupation.”]; **E3/5742** Civil Party Application of Yin Roumdoul, 22 January 2010, at ENG 00867258; **E1/140.1** Transcript, 5 November 2012, Sum Chea, 11.46.30 to 11.48.42; **E1/136.1** Transcript, 22 October 2012, Chum Sokha, 11.12.35 to 11.14.23, 11.31.47 to 11.34.44 [“were people stopped and checked about their backgrounds -- for example, whether they were affiliated with the Lon Nol regime? A. As indicated, we were stopped and checked when we reached Kampong Tuol location.”]. **E1/140.1** Transcript, 5 November 2012, Sum Chea, 11.46.30 to 11.48.42 [“posts were seen at the Chrouy Changva Bridge and Psar Thmei. These are the two locations I remember that the points - checkpoints were installed...to make sure that the former Lon Nol soldiers were checked.”]. **E1/136.1** Transcript, 22 October 2012, Chum Sokha, 15.06.01 to 15.08.01. **E1/136.1** Transcript, 22 October 2012, Chum Sokha, 11.12.35 to 11.14.23 [“[M]en aged from 30 and above were questioned and registered on the list. So my father and my uncle by the name of Meak went to that table.”]. **E1/136.1** Transcript, 22 October 2012, Chum Sokha, 11.14.23 to 11.18.45 [“[H]e said that, ‘In fact, I was supposed to be detained and tied, but I noticed that a lot of people were tied up, so I fled’ -- actually, they used thread, it’s a white and red thread to tie people in a line.”]. **E1/136.1** Transcript, 22 October 2012, Chum Sokha, 11.12.35 to 11.18.45; **E3/5788** Chum Sokha OCIJ Statement, at ENG 00380711. **E1/136.1** Chum Sokha Transcript, 22 October 2012, Chum Sokha, 11.18.45 to 11.21.27, 11.25.22 to 11.27.11 [“Then we went to Boeng Khyang village. I then witnessed the liberations forces walked a line of people who were tied up with a white and red thread...They were wearing black uniforms and car-tire thongs and they were also holding a gun.”]. **E1/136.1** Transcript, 22 October 2012, Chum Sokha, 11.18.45 to 11.21.27, 11.23.11 to 11.25.22 [“I then witnessed the liberations forces walked a line of people...those people were the Lon Nol soldiers...Some of them were wearing military uniforms, some were wearing civilian clothing.”]. **E1/199.1** Transcript, 30 May 2013, Po Dina, 15.07.40 to 15.09.42. **E1/199.1** Transcript, 30 May 2013, Po Dina, 15.42.33 to 15.44.43 [“While I was walking along the road, they [Lon Nol soldiers] were being walked on the opposite direction - that is, heading toward Phnom Penh.”]. **E1/199.1** Transcript, 30 May 2013, Nou Hoan, 10.03.48 to 10.06.32 [“And, of course, we observed that for travellers who were spotted as Lon Nol soldiers were taken to one side.”].

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E1/148.1 Transcript, 5 December 2012, Kim Vandy, 15.42.50 to 15.46.00 [“I did not happen to see any Lon Nol soldiers, but I did see the dead bodies of Lon Nol soldiers along the road.”]. **E3/5788** Chum Sokha OCIJ Statement, at ENG 00380712. **E1/152.1** Transcript, 12 December 2012, Denise Affonco, 14.54.07 to 14.55.36 [“When we reached Chamkar Mon, outside in the street we saw a good many corpses that were rotting...They were the corpses of Lon Nol soldiers.”]; **E1/152.1** Transcript, 12 December 2012, Denise Affonco, 14.54.07 [“They were the corpses of the Lon Nol Soldiers.”] **E1/152.1** Transcript, 12 December 2012, Denise Affonco, 16.05.02 to 16.06.41 [“The first dead body I saw was that of a Lon Nol soldier. I recognized this because he was in uniform. But all along the road, there were other people, such as civilians who had been eliminated, and there were other corpses.”].

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5256 TCW-239 OCIJ Statement, at ENG 00251304, KHM 00243079-80, FR 00282997 [“They took them all away and killed them. And they selected people in the village according to their biographies and took them along too...Those people had been captains or majors in the military or had been commandos.”]; **E3/5509 TCW-298** OCIJ Statement, at ENG 00403064, KHM 00399181-83, FR 00434492-93 [“[A] person wrote down when they asked...‘what they did in Phnom Penh and if they were soldiers’...those who were Lon Nol soldiers disappeared from the cooperative while some of those who were not soldiers survived.”]; **E3/5556 TCCP-50** OCIJ Statement, at ENG 00377358-59, KHM 00373186-88, FR 00452779-81 [“I saw a Khmer Rouge soldier shooting a man, [who refused to leave], dead on the ground; this man was a Lon Nol soldier and wore a uniform.”]; **E3/3962** [REDACTED] OCIJ Statement, at ENG 00293365, KHM 00287536, FR 00355873-74 [“Those who joined in arresting people told me directly that a great number of Lon Nol officers and their servants were arrested from Phnom Penh and killed and thrown into a well in Tuol Kok area.”]; **E3/5260** [REDACTED] OCIJ Statement, at ENG 00327160-61, KHM 00250705-06, FR 00290341-42 [“[T]hose who had tendencies, like civilian or military government officials...were arrested and taken away...[T]hey were arrested and

taken away forever; in total, there were approximately 50 persons”]; **E3/369** [REDACTED] OCIJ Statement, at ENG 00272719, KHM 00195439-40, FR 00272726 [“The Southwest Zone troops declared and invited the officers in Lon Nol’s army to get on board the truck for re-recruitment to offices...All former soldiers and those who got into the trucks may probably be killed.”]; **E3/470** [REDACTED] OCIJ Statement, at ENG 00205008, KHM 00170622, FR 00205012-13 [“I did not see them kill any Lon Nol soldiers, but I did see the grave of Long Boret west of Watt Phnom...A female arts performance team told me that grave was the grave of Long Boret.”]; **E3/5187 TCW-546** OCIJ Statement, at ENG 00274177-79, KHM 00197916-18, FR 00274184-86 [“[T]he Khmer Rouge gathered up the families of Lon Nol soldiers and took them to live at the Au Pongmoan base...They asked around looking for high ranking soldiers to take them and kill them.”]; **E3/4634 TCW-610** OCIJ Statement, at ENG 00408404-06, KHM 00399195- 96, FR 00434476-78 [“most of the executed people were officials, soldiers, workers evacuated from Phnom Penh...Based on my estimation, during the three-time execution, approximately 1200 to 1300 people were killed.”]; **E3/5505 TCCP-134** OCIJ Statement, at ENG 00399167-70, KHM 00398494-97, FR 00434411-14 [“While I was crossing to the east bank at Neak Loeng with the intention of heading to my birthplace, I heard Khmer Rouge troops saying to go ahead and kill anyone that they knew had been a soldier.”]; **E3/5149** [REDACTED] OCIJ Statement, at ENG 00205044, KHM 00170633-34, FR 00524397-98 [“I saw them kill those surrendering soldiers at the Chroy Changwar Bridge...I saw it with my own eyes...a Company Chairman in the 310th Division, shot three...Lon Nol soldiers at the dock in front of the Royal Palace.”]; **E3/5199 TCW-651** OCIJ Statement, at ENG 00275110-12, KHM 00212107-11, FR 00342627-30 [“I saw Lon Nol soldiers fleeing...with Khmer Rouge soldier chasing them from behind using both artillery and firearms...I saw them walking hundreds of people to be killed at Phnom Krech...They were 17 April people and Lon Nol soldiers”]; **E3/5244** [REDACTED] OCIJ Statement, at ENG 00233300, KHM 00224795, FR 00231949 [“[T]here were the killings of civil servants, soldiers, and police, but I don’t remember any names of them.”]; **E3/5256 TCW-239** OCIJ Statement, at ENG 00251304, KHM 00243079-00243080, FR 00282997 [“They took them all away and killed them. And they selected people in the village according to their biographies and took them along too...Those people had been captains or majors in the military or had been commandos.”]; **E3/5509 TCW-298** OCIJ Statement, at ENG 00403064, KHM 00399181-83, FR 00434492-93 [“[A] person wrote down when they asked...“what they did in Phnom Penh and if they were soldiers”...those who were Lon Nol soldiers disappeared from the cooperative while some of those who were not soldiers survived.”]; **E3/5260** [REDACTED] OCIJ Statement, at ENG 00327160-61, KHM 00250705-06, FR 00290341-42 [“[T]hose who “had tendencies, like civilian or military government officials...and villagers who had gone to study or work with Lon Nol and who had returned to the village, they were arrested and taken away.”]; **E3/5613.1** [REDACTED] OCIJ Statement, at ENG 00519569, KHM 00717131, FR 00776925 [“[A]nnouncements requesting the return of all former civil servants and military personnel to central Phnom Penh blared through loudspeakers...the Khmer Rouge had lured former Lon Nol soldiers and civil servants”]; **E3/5199 TCW-651** OCIJ Statement, at ENG 00275110-12, KHM 00212107-11, FR 00342627-30 [“A prisoner was a person accused of being the “enemy”...Anyone who had done something wrong, like...those accused of having been Lon Nol soldiers...were accused of being the “enemy.”]; **E3/4611 TCCP-172** OCIJ Statement, at ENG 00455376-77, KHM 00418484-85, FR 00455383-85 [“Khmer Rouge officials were screening officials of Lon Nol’s regime from the ranks of second lieutenant, first lieutenant, captain, major and colonel and told them that they would be sent for education.”]. **E3/5197** [REDACTED] OCIJ Statement, at ENG 00274679-80, KHM 00298941-42, FR 00283894-96 [“Along National Road 3 I saw Lon Nol soldiers’ corpses in paratrooper uniforms.”]; **E3/3959** Kung Kim OCIJ Statement, at ENG 00278682-83, KHM 00270164- 65, FR 00486097 [“I saw bodies floating in the water. From Kilometer 6 all the way to the Chroy Changwar Bridge, I saw a few bodies of Lon Nol soldiers and continuously saw many bodies of people who had died along the streets.”]; **E3/5540** [REDACTED] OCIJ Statement, at ENG 00384414-17, KHM 00373404-08, FR 00426372-75 [“I saw dead bodies of Lon Nol soldiers lying on the streets.”].

1059 **E1/198.1** Transcript, 29 May 2013, Thouch Phandarasar, 10.28.17 to 10.30.12.

1060 **E1/198.1** Transcript, 29 May 2013, Thouch Phandarasar, 10.28.17 to 10.30.12 [“[H]e was called up over the radio to go and present himself at the Ministry of Information, and that’s where he went.”].

1061 **E3/4520** Amnesty International, *The Amnesty International Report 1975-1976: Democratic Kampuchea (Cambodia)*, May 1976, at ENG 00002901; **E3/3353** US Department of State Cable entitled “Ieng Sary Visit To Thailand 7 Nov 75 Report,” 3 November 1975, at ENG 00413859.

1062 **E3/1593** Ben Kiernan, *Pol Pot Regime – Race, Power, and Genocide in Cambodia under the Khmer Rouge, 1975-79*, at ENG 00678518.

1063 **E1/187.1** Transcript, 2 May 2013, Lim Sat, 09.52.55 to 09.53.54, 10.04.37 to 10.08.00; **E1/188.1** Transcript, 3 May 2013, Lim Sat, 09.54.20 to 09.56.25.

1064 **E1/187.1** Transcript, 2 May 2013, Lim Sat, 10.14.23 to 10.16.45.
 1065 **E1/187.1** Transcript, 2 May 2013, Lim Sat, 10.02.16 to 10.04.37, 10.04.37 to 10.08.00.
 1066 **E1/188.1** Transcript, 3 May 2013, Lim Sat, 10.14.52 to 10.16.33.
 1067 **E1/188.1** Transcript, 3 May 2013, Lim Sat, 09.30.20 to 09.33.44.
 1068 **E1/187.1** Transcript, 2 May 2013, Lim Sat, 10.08.00 to 10.10.46, 10.20.22 to 10.22.22.
 1069 **E1/187.1** Transcript, 2 May 2013, Lim Sat, 10.08.00 to 10.10.46.
 1070 **E1/187.1** Transcript, 2 May 2013, Lim Sat, 10.08.00 to 10.10.46, 15.04.37 to 15.07.48; **E1/188.1**
 Transcript, 3 May 2013, Lim Sat, 09.24.43 to 09.27.01, 09.30.20 to 09.33.44.
 1071 **E1/187.1** Transcript, 2 May 2013, Lim Sat, 10.58.05 to 11.00.40.
 1072 **E1/187.1** Transcript, 2 May 2013, Lim Sat, 10.58.05 to 11.02.55, 15.04.37 to 15.07.48 ["close to 2,000
 people"], ["It's about 3,000 or perhaps a little over than 3,000; more or less 3,000 people."]; **E1/188.1**
 Transcript, 3 May 2013, Lim Sat, 09.22.15 to 09.24.43, 09.43.29 to 09.45.34 ["I knew that there were 15
 trucks...I still stand by my estimation that it could have been 15 trucks, and that number of people could
 vary from one truck to another when they were loaded. That's my point."].
 1073 **E1/187.1** Transcript, 2 May 2013, Lim Sat, 10.10.46 to 10.13.04.
 1074 **E1/187.1** Transcript, 2 May 2013, Lim Sat, 10.18.20 to 10.20.22.
 1075 **E1/187.1** Transcript, 2 May 2013, Lim Sat, 10.26.39 to 10.27.53.
 1076 **E1/187.1** Transcript, 2 May 2013, Lim Sat, 10.52.32 to 10.53.41.
 1077 **E1/187.1** Transcript, 2 May 2013, Lim Sat, 10.53.41 to 10.56.25.
 1078 **E1/187.1** Transcript, 2 May 2013, Lim Sat, 10.53.41 to 10.56.25.
 1079 **E1/188.1** Transcript, 3 May 2013, Lim Sat, 09.30.20 to 09.33.44.
 1080 **E3/4599** OCII Site Identification Report for Tuol Po Chrey, 17 March 2009, at ENG 00294310,
 00294323.
 1081 **E3/4599** OCII Site Identification Report for Tuol Po Chrey, 17 March 2009, at ENG 00294309.
 1082 **E3/4598** Ung Chhat OCII Statement, at ENG 00284419-20.
 1083 **E1/218.1** Transcript, 4 July 2013, Sum Alat, 09.21.11 to 09.23.15. ["The radio announcement was made
 nationally...representing the general staff of Phnom Penh, Mey Sichan wishes to...to all the army to
 surrender by raising the white flag and to lay down arms. All units must abide."].
 1084 **E3/4637** Sum Alat OCII Statement, at ENG 00242125-6, **E3/5500** [REDACTED] OCII Statement, at ENG
 00367287.
 1085 **E1/185.1** Transcript, 29 April 2013, Ung Chhat, 15.28.10 to 15.36.47, **E1/218.1** Transcript, 4 July 2013,
 Sum Alat, 09.52.43 to 09.55.10.
 1086 **E1/218.1** Transcript, 4 July 2013, Sum Alat, 15.20.58 to 15.23.25.
 1087 **E1/185.1** Transcript, 29 April 2013, Ung Chhat, 15.45.23 to 15.47.08.
 1088 **E1/185.1** Transcript, 29 April 2013, Ung Chhat, 15.36.47 to 15.38.49, 15.48.56 to 15.50.57;
E1/186.1 Transcript, 30 April 2013, Ung Chhat, 09.12.12 to 09.14.48.
 1089 **E1/218.1** Transcript, 4 July 2013, Sum Alat, 09.58.06 to 10.03.18, 10.19.23 to 10.20.53.
 1090 **E1/218.1** Transcript, 4 July 2013, Sum Alat, 10.03.18 to 10.05.52, 10.15.54 to 10.18.00. **E1/218.1**
 Transcript, 4 July 2013, Sum Alat, 15.36.19 to 15.40.17.
 1091 **E3/4001R** Documentary Film entitled "Enemies of the People," additional footage: "One day at Po
 Chrey," 09:25 - 10:40, 16:40 - 17:40.
 1092 **E3/4001R** Documentary Film entitled "Enemies of the People," additional footage: "One day at Po
 Chrey," 09:25 - 10:40, 16:40 - 17:40.
 1093 **E1/191.1** Transcript, 8 May 2013, Philip Short, 16.09.48 to 16.13.06.
 1094 **E1/135.1** Transcript, 19 October 2012, Yim Sovann, 16.09.28 to 16.11.42. **E3/4637** Sum Alat OCII
 Statement, at ENG00242126. **E1/187.1** Transcript, 2 May 2013, Lim Sat, 10.02.16 to 10.08.00. **E1/186.1**
 Transcript, 30 April 2013, Ung Chhat, 10.27.22 to 10.28.57. **E3/5234** [REDACTED] OCII Statement, at ENG
 00288200-1. **E3/4001R** Documentary Film entitled "Enemies of the People," additional footage: "One
 day at Po Chrey," 09:25 - 10:40.
 1095 **E3/4001R** Documentary Film entitled "Enemies of the People," additional footage: "One day at Po
 Chrey," 13:45 - 15:30. **E1/185.1** Transcript, 29 April 2013, Ung Chhat, 15.52.34 to 15.55.02. **E1/185.1**
 Transcript, 29 April 2013, Ung Chhat, 15.36.47 to 15.38.49, 15.48.56 to 15.50.57; **E1/186.1** Transcript,
 30 April 2013, Ung Chhat, 09.12.12 to 09.14.48. **E1/218.1** Transcript, 4 July 2013, Sum Alat, 09.58.06 to
 10.00.25. **E1/218.1** Transcript, 4 July 2013, Sum Alat, 09.49.44 to 09.52.43. **E1/218.1** Transcript, 4 July
 2013, Sum Alat, 11.09.28 to 11.11.00. **E1/218.1** Transcript, 4 July 2013, Sum Alat, 10.28.42 to 10.53.01.
 1096 **E3/5235 TCW-644** OCII Statement, at ENG 00287329.
 1097 **E1/218.1** Transcript, 4 July 2013, Sum Alat, 11.07.13 to 11.09.28.
 1098 **E3/4638 TCW-699** OCII Statement, at ENG 00242119-20.

- 1099 **E3/4001R** Documentary Film entitled “Enemies of the People,” additional footage: “One day at Po Chrey,” 13:45 - 15:30.
- 1100 **E1/218.1** Transcript, 4 July 2013, Sum Alat, 09.47.26 to 09.49.44. **E1/218.1** Transcript, 4 July 2013, Sum Alat, 15.16.50 to 15.19.17. **E1/185.1** Transcript, 29 April 2013, Ung Chhat, 15.36.47 to 15.38.49, 15.45.23 to 15.47.08. **E1/135.1** Transcript, 19 October 2012, Yim Sovann, 16.06.04 to 16.13.38. **E3/5500** Ork Chhoem OCIJ Statement, at ENG 00367287-8. **E3/5234** [REDACTED] OCIJ Statement, at ENG 00288200. **E3/4638 TCW-699** OCIJ Statement, at ENG 00242119. **E3/4001R** Documentary Film entitled “Enemies of the People,” additional footage: “One day at Po Chrey,” 09:25 - 10:40.
- 1101 **E1/185.1** Transcript, 29 April 2013, Ung Chhat, 15.28.10 to 15.36.47. 15.36.47 to 15.38.49, 15.48.56 to 15.50.57, 15.58.54 to 16.00.42. **E1/186.1** Transcript, 30 April 2013, Ung Chhat, 09.12.12 to 09.14.48, 09.12.12 to 09.14.48, 15.12.45 to 15.14.17. **E1/218.1** Transcript, 4 July 2013, Sum Alat, 09.09.36 to 09.11.58, 09.40.23 to 09.42.10, 10.23.25 to 10.24.35, 11.02.51 to 11.05.37, 15.46.20 to 15.48.50, 11.02.51 to 11.05.37, 11.01.30 to 11.02.51. **E1/135.1** Transcript, 19 October 2012, Yim Sovann, 16.06.04 to 16.13.38.
- 1102 **E3/4001R** Documentary Film entitled “Enemies of the People” additional footage: “One day at Po Chrey,” 03:05 -05:55.
- 1103 **E3/4001R** Documentary Film entitled “Enemies of the People” additional footage: “One day at Po Chrey,” 03:05 -05:55.
- 1104 **E3/4001R** Documentary Film entitled “Enemies of the People” additional footage: “One day at Po Chrey,” 17:35 -21:00.
- 1105 **E3/5234** [REDACTED] OCIJ Statement, at ENG 00288200-1.
- 1106 **E3/4638 TCW-699** OCIJ Statement, at ENG 00242119.
- 1107 **E3/5500** [REDACTED] OCIJ Statement, at ENG 00367288.
- 1108 **E3/4599** OCIJ Site Identification Report for Tuol Po Chrey, 17 March 2009, at ENG 00294325.
- 1109 **E3/4599** OCIJ Site Identification Report for Tuol Po Chrey, 17 March 2009, at ENG00294326.
- 1110 **E3/5235 TCW-644** OCIJ Statement, at ENG 00287329.
- 1111 **E3/5235 TCW-644** OCIJ Statement, at ENG 00287329.
- 1112 **E1/186.1** Transcript, 30 April 2013, Ung Chhat, 10.01.34 to 10.04.40, 10.10.12 to 10.12.32.
- 1113 **E3/4001R** Documentary Film entitled “Enemies of the People,” additional footage: “One day at Po Chrey,” 10:40 - 12:15.
- 1114 **E3/4001R** Documentary Film entitled “Enemies of the People,” additional footage: “One day at Po Chrey,” 10:40 - 12:15.
- 1115 **E3/4001R** Documentary Film entitled “Enemies of the People,” additional footage: “One day at Po Chrey,” 10:40 - 12:15.
- 1116 **E3/4001R** Documentary Film entitled “Enemies of the People,” additional footage: “One day at Po Chrey,” 12:15 - 13:12.
- 1117 **E3/4001R** Documentary Film entitled “Enemies of the People,” additional footage: “One day at Po Chrey,” 03:05 - 05:55.
- 1118 **E1/97.1** Transcript, 26 July 2012, Phy Phuon, 12.01.14 to 12.03.44, 13.51.34 to 14.00.40 [describing 19 April 1975 trip with Son Sen to various sites in Phnom Penh]; **E3/24** Phy Phuon OCIJ Statement, at ENG 00223582, KHM 00204069, FRE 00503921 [“I entered Phnom Penh on 20 April 1975 with Son Sen to look at the situation, as assigned by Pol Pot.”].
- 1119 **E1/97.1** Transcript, 26 July 2012, Phy Phuon, 13.57.03 to 13.58.06.
- 1120 **E1/97.1** Transcript, 26 July 2012, Phy Phuon, 13.53.50 to 14.00.40.
- 1121 **E1/97.1** Transcript, 26 July 2012, Phy Phuon, 13.58.06 to 14.00.40.
- 1122 **E3/27** Khieu Samphan Statement, 13 December 2007, at ENG 00156742-45, KHM 00156614-15, FRE 00156666-68 [about one week after 17 April 1975, “Nuon Chea and Pol Pot brought me from Udong to Phnom Penh. They brought me to the buildings of the railway station.”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396494, FRE 00639824 [Pol Pot, Nuon Chea, Khieu Samphan, Ta Mok, Koy Thuon, Ke Pauk, Vorn Vet, Son Sen and 4 division commanders entered Phnom Penh in a convoy on 20 April 1975.”]; **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757482-83, KHM 00858214-16 [“Nuon Chea and Pol Pot travelled from Peam commune to Phnom Penh by tank, so “no one would think we were big leaders, just soldiers,” and waited “until Phnom Penh was secure.”]; **E1/97.1** Transcript, 26 July 2012, Phy Phuon, 13.51.34 to 13.53.50 [“on the 20th, everyone went to Phnom Penh ... including Pol Pot ... Ta Mok also went, and so did Koy Thuon, Vorn Vet”, 14.00.40 to 14.06.57 [recalling that the zone commanders arrived on 20 April 1975, while “Nuon Chea came later, perhaps on the 21st of April ... Nuon Chea and Khieu Samphan, their trip was arranged by Pang and they came at a later date.”].
- 1123 **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757484.

1124 **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757484.

1125 **E1/97.1** Transcript, 26 July 2012, Phy Phuon, 13.58.06 [“when everybody from other spearheads arrived, we actually gathered at the railway station, which was a meeting point”], 14.06.57 [“At the train station, we had remained there for less than a week before we departed”]; **E3/24** Phy Phuon OCIJ Statement, at ENG 00223582, KHM 00204069, FR 00503922 [“I was with Pol Pot, Nuon Chea, Khieu Samphan, Son Sen, the Joint Leadership Committee, at the train station. This was less than one week after liberation, and they were there for nearly one week”]; **E3/27** Khieu Samphan Statement, 13 December 2007, at ENG 00156745-46, KHM 00156615-16, FR 00156668-69; **E1/204.1** Transcript, 10 June 2013, So Socheat, 14.28.10 to 14.35.18 [after liberation, Khieu Samphan and her travelled separately from Sdok Taol to the Phnom Penh train station, where she cooked for people]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396494 [“The railway station had been chosen because it stood well apart from other buildings and was easy to defend”].

1126 **E1/97.1** Transcript, 26 July 2012, Phy Phuon, 14.10.10 to 14.12.57 [“we moved from the train station to the Ministry of Commerce” and “were there for about a fortnight”], 14.19.16 [“at that location cadres from each battlefield would come and go”]; **E3/24** Phy Phuon OCIJ Statement, at ENG 00223582, KHM 00204070, FR 00503922 [“Then they went to the former Ministry of Finance for more than two more weeks, longer than they had been at the train station”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396496 [“former republican Finance Ministry, a sprawling complex of office buildings... where Pol moved his headquarters in early May”].

1127 **E1/97.1** Transcript, 26 July 2012, Phy Phuon, 14.24.24 to 14.27.33; **E3/24** Phy Phuon OCIJ Statement, at ENG 00223582, KHM 00204070, FR 00503922 [“Next they went to the Preah Kev Temple Sanctuary during May 1975”]; **E3/27** Khieu Samphan Statement, 13 December 2007, at ENG 00156745, KHM 00156615, FR 00156668; **E3/37** Khieu Samphan OCIJ Statement, at ENG 00156753-55, KHM 00156675-76, FR 00156680-82 [stating that “we moved from the Silver Pagoda” to K-1 “around June 1975”]; **E1/204.1** Transcript, 10 June 2013, So Socheat, 14.35.18 to 14.40.21 [after the railway station and a short stay at K-2, she and Khieu Samphan went to the Silver Pagoda, where they lived separately and stayed for “some months” until “middle or late 1975”].

1128 **E3/94** Ieng Sary Interview, 22 July 1981, at ENG 00342500, KHM 00578892, FR 00601999 [“I arrived in Phnom Penh only on 24 April”]; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417604 [“I came on 23 April. Let me clarify, by about the 20th they had all been evacuated, and I came one week after the victory, it seems like it was the 24th, the 25th”]; **E1/97.1** Transcript, 26 July 2012, Phy Phuon, 14.07.52 to 14.10.10 [Ieng Sary “arrived the latest because he was abroad,” coming to Phnom Penh “after the liberation, a week or maybe after that”]; **E3/24** Phy Phuon OCIJ Statement, at ENG 00223581, KHM 00204068, FR 00503920 [“one week after 17 April, he returned to the country”].

1129 **E1/97.1** Transcript, 26 July 2012, Phy Phuon, 14.10.10 to 14.14.24 [“they met a lot, they met days and nights,” including with “commanders of each battlefield” who would come from their respective battlefield to meet with the leaders], 14.19.16 to 14.22.24 [Pol Pot, Nuon Chea, Khieu Samphan, Ieng Sary and Son Sen “worked together” “on a daily basis” including meetings with battlefield and division commanders, working “until late at night” when necessary]; **E3/24** Phy Phuon OCIJ Statement, at ENG 00223582, KHM 00204069-70, FR 00503922; **E3/27** Khieu Samphan Statement, 13 December 2007, at ENG 00156746, KHM 00156616, FR 00156669 [“I was at the railway station with Pol Pot, Nuon Chea and the other persons who frequently visited the place to get instructions”].

1130 **E1/97.1** Transcript, 26 July 2012, Phy Phuon, 14.22.24 to 14.24.24 [specifying that “Son Sen and Ta Mok, Vom Vet and Koy Thuon ... lived separately. So Phim also had his own separate place to live”].

1131 **E1/97.1** Transcript, 26 July 2012, Phy Phuon, 14.24.24 to 14.36.42; **E3/24** Phy Phuon OCIJ Statement, at ENG 00223582, KHM 00204070, FR 00503922; **E1/198.1** Transcript, 29 May 2013, Khieu Samphan, 10.03.42 to 10.06.46 [“in April or in May, at the Silver Pagoda... a meeting was held by the Central Committee” - Pol Pot announced end of “Democratic Revolutionary Movement” and start of “Socialist Revolution” phase]; **E3/27** Khieu Samphan Statement, 13 December 2007, at ENG 00156749, KHM 00156618, FR 00156671 [stating that “explanations” about the evacuation were given “in the meeting at the Silver Pagoda”]; **E3/25** *Revolutionary Flag*, December 1976 - January 1977, at ENG 00491408, KHM 00063017-18, FR 00504029 [reference to May 1975 meeting of “the Central Committee of the Party and the Military Committee of the Party Center, one month after the liberation”]; **E3/735** David Chandler, Ben Kiernan & Chanthou Boua, *Pol Pot Plans the Future*, at ENG 00104059 [21 August 1976 CPK document titled “Preliminary Explanation Before Reading the Plan” refers to “May 1975 meeting” of Party Centre that determined to build a socialist country “as rapidly as possible”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396496 [discussing “full leadership” meeting held at the Silver Pagoda in May 1975 that “decided to give absolute priority to raising farm production”].

1132 **E1/97.1** Transcript, 26 July 2012, Phy Phuon, 14.29.46 [“The people who led the meetings were mainly

- Pol Pot and Nuon Chea”]; **E3/24** Phy Phuon OCIJ Statement, at ENG 00223582, KHM 00204070, FR 00503922.
- 1133 **E1/97.1** Transcript, 26 July 2012, Phy Phuon, 14.34.32; **E3/27** Khieu Samphan Statement, 13 December 2007, at ENG 00156749, KHM 00156618, FR 00156671 [referring to “explanations” that were given “in the meeting at the Silver Pagoda”]; **E1/198.1** Transcript, 29 May 2013, Khieu Samphan, 10.03.42 to 10.06.46 [describing subjects discussed and decided at May 1975 Central Committee meeting].
- 1134 **E1/97.1** Transcript, 26 July 2012, Phy Phuon, 14.27.33 to 14.29.46; **E3/24** Phy Phuon OCIJ Statement, at ENG 00223582, KHM 00204070, FR 00503922.
- 1135 **E1/198.1** Transcript, 29 May 2013, Khieu Samphan, 10.03.42 to 10.06.46; **E3/27** Khieu Samphan Statement, 13 December 2007, at ENG 00156749, KHM 00156618, FR 00156671; **E1/97.1** Transcript, 26 July 2012, Phy Phuon, 14.32.42 to 14.34.32.
- 1136 **E1/198.1** Transcript, 29 May 2013, Khieu Samphan, 10.03.42 to 10.06.46 [“The idea behind Pol Pot’s thinking was that the situation at the time was in need of urgent attention...so Cambodia had to urgently rebuild our country and not to let Vietnam catch up and swallow us”].
- 1137 **E3/735** David Chandler, Ben Kiernan & Chanthou Boua, *Pol Pot Plans the Future*, at ENG 00104059; **E3/24** Phy Phuon OCIJ Statement, at ENG 00223583, KHM 00204070, FR 00503922-23 [“decision that we had finished the National Democratic Revolution in 1975, and that we had to continue working on the Socialist Revolution line to move toward communism.”]; **E1/198.1** Transcript, 29 May 2013, Khieu Samphan, 10.03.42 to 10.06.46; **E1/97.1** Transcript, 26 July 2012, Phy Phuon, 14.29.46 to 14.32.42 [“[A]fter the meeting, I saw a document which stated that now we are going to engage in...socialist revolution.”].
- 1138 **E1/82.1** Transcript, 6 June 2012, Sao Sarun, 10.18.12 to 10.21.39 [“After the liberation in Phnom Penh in 1975, I came to attend the meeting”], 10.57.27 to 11.02.27 [stating that meeting was attended by a “huge number of people from all across the country” including “military representatives representing the divisions” and “representatives from the sectors.”]; **E3/367** Sao Sarun OCIJ Statement, at ENG 00278694, KHM 00251437, FR 00486010 [“About four-ten days after the 17th April 1975, I went to attend the meeting at the Cambodian-Soviet friendship school for three days ... Hundreds of cadres from all provinces were also attending that meeting.”]; **E3/1568** TCW-92 Statement, at ENG 00651865-66 [“The meeting in Phnom Penh in May 1975, 20th May...The secretaries of every district, secretaries of every region, and zone...there were hundreds...The program lasted 5 days.”]; **E3/1568** TCW-223 Statement, at ENG 00651880 [“Immediately after liberation there was a meeting in order to receive the plan distributed from the Center...it was for the whole country...It included both military and civil ... It was on 20 May”], 00651883 [“district and region secretaries came from all over the country. And representatives from all armed forces and units...So there were thousands ... it was a conference in order to distribute the plan, after liberation.”]; **E3/1593** Ben Kiernan, *The Pol Pot Regime*, at ENG 00104205-07, KHM 00637441, FR 00638784 [“[S]pecial meeting on 20 May 1975. ‘District and region secretaries came from all over the country, and representatives from all armed forces and units and regions, so there were thousands.’”].
- 1139 **E3/367** Sao Sarun OCIJ Statement, at ENG 00278694, KHM 00251437, FR 00486010 [“meeting at the Cambodian-Soviet friendship school.”]; **E1/152.1** Transcript, 12 December 2012, Kham Phan, 10.49.14 to 10.51.00 [meeting was “held at the Olympic Stadium”]; **E3/1568** TCW-223 Statement, at ENG 00651880 [“The meeting was in Phnom Penh at the Borei Keila”], at ENG 00651903 [“In Borei Keila ... the meeting was definitely at the Olympic Stadium”]; **E3/1593** Ben Kiernan, *The Pol Pot Regime*, at ENG 00104205, KHM 00637441, FR 00638784 [noting Chea Sim’s recollection that it was at the “Khmer-Soviet University”]. See also **E1/224.1** Transcript, 16 July 2013, Stephen Heder, 15.13.26 to 15.15.32 [noting the possibility there were multiple meetings at different locations during the late May to early June 1975 time period].
- 1140 **E1/82.1** Transcript, 6 June 2012, Sao Sarun, 11.01.27 to 11.02.33 [confirming that “both Nuon Chea and Pol Pot made presentations at this meeting”], 11.04.50 to 11.08.03 [purpose of meeting was “to understand the political situations after the liberation” and focused on “the building of the country”]; **E3/384** Sao Sarun OCIJ Statement, at ENG 00348375; **E3/367** Sao Sarun OCIJ Statement, at ENG 00278694, KHM 00251437, FR 00486010; **E3/1593** Ben Kiernan, *The Pol Pot Regime*, at ENG 00104205, KHM 00637441, FR 00638784 [purpose of meeting “was ‘to receive the plan distributed by the Center’ and then return home to ‘implement the plan’”].
- 1141 **E1/82.1** Transcript, 6 June 2012, Sao Sarun, 10.57.27 [“I said it was about 10 days or so because I was not quite sure. It could have been 10 days or 12 days”].
- 1142 **E1/82.1** Transcript, 6 June 2012, Sao Sarun, 10.24.50 to 10.27.10 [acknowledging that he did not recall the “exact” time after liberation that the meeting took place, and that the trip from Monduliri was difficult because of the “road conditions”], 10.55.14 to 10.57.27 [stating that “there were no people” on

the roads at the time of his trip to Phnom Penh].

1143 **E1/151.1** Transcript, 11 December 2012, Kham Phan, 15.04.28 to 15.08.36; **E1/152.1** Transcript, 12 December 2012, Kham Phan, 10.45.37; **E1/82.1** Transcript, 6 June 2012, Sao Sarun, 10.24.50 to 10.29.06 [stating that it was Sector Secretary Laing who requested him and the other district leaders to attend the meeting, and that Laing “left earlier” than them to go to the meeting].

1144 **E1/82.1** Transcript, 6 June 2012, Sao Sarun, 11.08.03 to 11.09.20; **E3/367** Sao Sarun OCIJ Statement, at ENG 00278694, KHM 00251437, FR 00486010 [“Both of them talked about political matters, cooperative organization, currency prohibition, market and monastery closings and stated that they would be reopened in the future”].

1145 **E1/82.1** Transcript, 6 June 2012, Sao Sarun, 13.31.33 to 13.35.26, 13.42.45 to 13.44.32 [“Private belongings, properties shall be put communally, and as for the cattle, the cattle shall be put communally for common use within the cooperative”]; **E3/384** Sao Sarun OCIJ Statement, at ENG 00348375, KHM 00345906, FR 00354239 [“Q. when you talked about setting up the cooperatives, was communal dining, storing rice collectively, and working the rice fields communally spoken about? A. Yes, that was actually spoken about”].

1146 **E1/82.1** Transcript, 6 June 2012, Sao Sarun, 11.24.23 to 11.27.21; **E3/384** Sao Sarun OCIJ Statement, at ENG 00348375, KHM 00345906, FR 00354239. See also **E3/1568** TCW-92 Statement, at ENG 00651867 [Pol Pot “stressed the importance of the issue of evacuating all of the Vietnamese people out of Cambodian territory”].

1147 **E1/82.1** Transcript, 6 June 2012, Sao Sarun, 11.28.20 to 11.30.45.

1148 **E3/1593** Ben Kiernan, *The Pol Pot Regime*, at ENG 00104205-07, KHM 00637441, FR 00638784; **E3/1568** TCW-92 Statement, at ENG 00651867; **E3/1568** TCW-223 Statement, at ENG 00651880, 00651883.

1149 **E1/93.1** Transcript, 20 July 2012, David Chandler, 13.46.45 to 13.52.05 [“[I]n almost every case, these policies were followed. The level to which Lon Nol officials or some - were executed has never been entirely clear. The purge, as I said earlier, stopped or slowed down in late ’75. The other policies were adhered to...throughout the regime”], 09.15.44 to 09.20.47.

1150 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 15.28.03 to 15.30.10; **E1/21.1** Transcript, 13 December 2011, Nuon Chea, 10.33.55 [“we decided that we had to evacuate the residents in Phnom Penh temporarily and then we would see what the situation unfold, how the liberation in Vietnam was going”].

1151 **E3/1593** Ben Kiernan, *The Pol Pot Regime*, at ENG 00104207; **E3/1568** TCW-223 Statement, at ENG 00651880 [“immediately after liberation it was declared that the people were to be evacuated temporarily...after receiving the plan on 20th,...they were evacuated for ever, not allowed to live in cities again”]; **E3/1568** TCW-92 Statement, at ENG 00651866 [as of 17 April, “the orders from the Centre were to evacuate the people temporarily...Later they just sent people on and distributed them permanently”].

1152 **E3/1568** TCW-223 Statement, at ENG 00651884; **E3/1593** Ben Kiernan, *The Pol Pot Regime*, at ENG 00104206, KHM 00637444-46, FR 00638786-87.

1153 **E1/224.1** Transcript, 16 July 2013, Stephen Heder, 15.15.32 to 15.19.30.

1154 **E3/216** CPK Standing Committee Meeting Minutes entitled “Record of the Standing Committee’s Visit to the Northwest Zone,” 20 - 24 August 1975.

1155 **E3/216** CPK Standing Committee Meeting Minutes entitled “Record of the Standing Committee’s Visit to the Northwest Zone,” 20-24 August 1975, at ENG 00850973, KHM 00008485, FR 00343374.

1156 **E3/216** CPK Standing Committee Meeting Minutes entitled “Record of the Standing Committee’s Visit to the Northwest Zone,” 20-24 August 1975, at ENG 00850973, KHM 00008485-86, FR 00343374-75.

1157 **E3/216** CPK Standing Committee Meeting Minutes entitled “Record of the Standing Committee’s Visit to the Northwest Zone,” 20-24 August 1975, at ENG 00850974, KHM 00008486-87, FR 00343375.

1158 **E3/216** CPK Standing Committee Meeting Minutes entitled “Record of the Standing Committee’s Visit to the Northwest Zone,” 20-24 August 1975, at ENG 00850974-75, KHM 00008487-88, FR 00343375-76.

1159 **E3/216** CPK Standing Committee Meeting Minutes entitled “Record of the Standing Committee’s Visit to the Northwest Zone,” 20 - 24 August 1975, at ENG 00850974, KHM 00008487, FR 00343375.

1160 *Id.* at ENG 00850973, KHM 00008486, FR 00343375.

1161 *Id.* at ENG 00850974, KHM 00008486, FR 00343375.

1162 **E3/216** CPK Standing Committee Meeting Minutes entitled “Record of the Standing Committee’s Visit to the Northwest Zone,” 20 - 24 August 1975, at ENG 00850973, KHM 00008485, FR 00343374.

1163 **E3/216** CPK Standing Committee Meeting Minutes entitled “Record of the Standing Committee’s Visit to the Northwest Zone,” 20-24 August 1975, at ENG 00850973, KHM 00008485, FR 00343374.

1164 **E3/216** CPK Standing Committee Meeting Minutes entitled “Record of the Standing Committee’s Visit

- to the Northwest Zone,” 20 - 24 August 1975, at ENG 00850975, KHM 00008488, FR 00343376.
- 1165 **E3/216** CPK Standing Committee Meeting Minutes entitled “Record of the Standing Committee’s Visit to the Northwest Zone,” 20 - 24 August 1975, at ENG 00850975-76, KHM 00008489, FR 00343377.
- 1166 **E3/216** CPK Standing Committee Meeting Minutes entitled “Record of the Standing Committee’s Visit to the Northwest Zone,” 20 - 24 August 1975, at ENG 00850977-78, KHM 00008491-92, FR 00343379.
- 1167 **E3/216** CPK Standing Committee Meeting Minutes entitled “Record of the Standing Committee’s Visit to the Northwest Zone,” 20 - 24 August 1975, at ENG 00850978, KHM 00008492, FR 00343379.
- 1168 **E3/216** CPK Standing Committee Meeting Minutes entitled “Record of the Standing Committee’s Visit to the Northwest Zone,” 20 - 24 August 1975, at ENG 00850978, KHM 00008493, FR 00343380.
- 1169 **E3/781** CPK Circular No. 3 entitled “Examination of Control and Implementation of the Policy Line on Restoring the Economy and Preparations to Build the Country in Every Sector,” 19 September 1975, at ENG 00523569, KHM 00072367.
- 1170 **E3/781** CPK Circular No. 3 entitled “Examination of Control and Implementation of the Policy Line on Restoring the Economy and Preparations to Build the Country in Every Sector,” 19 September 1975 at ENG 00523571, KHM 00072370.
- 1171 **E3/781** CPK Circular No. 3 entitled “Examination of Control and Implementation of the Policy Line on Restoring the Economy and Preparations to Build the Country in Every Sector,” 19 September 1975, at ENG 00523573-74, KHM 00072372-74 [“The major goal of this year is making dikes and canals”].
- 1172 **E3/781** CPK Circular No. 3 entitled “Examination of Control and Implementation of the Policy Line on Restoring the Economy and Preparations to Build the Country in Every Sector,” 19 September 1975, at ENG 00523574, KHM 00072374 [“In 1977 we must ensure three tons per hectare”], at ENG 00523579-80, KHM 00072381-82 [“Should we set three tons per hectare or three and one-half? Or do we use three to four tons, or two to two and one-half?”].
- 1173 **E3/781** CPK Circular No. 3 entitled “Examination of Control and Implementation of the Policy Line on Restoring the Economy and Preparations to Build the Country in Every Sector,” 19 September 1975, at ENG 00523575, KHM 00072375 [“Estimates are that we may be able to sell two million tons of rice during 1977-1980, even more”], at ENG 00523588, KHM 00072393 [“We can produce three million tons of rice. We save 1.8 million tons for the people to eat, 400,000 for Social Action. We still have 800,000 tons. This amount we will take for sale outside and gain some capital”].
- 1174 **E3/781** CPK Circular No. 3 entitled “Examination of Control and Implementation of the Policy Line on Restoring the Economy and Preparations to Build the Country in Every Sector,” 19 September 1975, at ENG 00523584-86, KHM 00072388-91 [“If this money falls into the hands of...the enemy, they will use it to carry out the activities to destroy the ranks of our bad cadres...our clean Kampuchean society will become Vietnam”].
- 1175 **E3/781** CPK Circular No. 3 entitled “Examination of Control and Implementation of the Policy Line on Restoring the Economy and Preparations to Build the Country in Every Sector,” 19 September 1975, at ENG 00523571 & 00523590, KHM 00072370 & 00072396.
- 1176 **E3/781** CPK Circular No. 3 entitled “Examination of Control and Implementation of the Policy Line on Restoring the Economy and Preparations to Build the Country in Every Sector,” 19 September 1975, at ENG 00523576, KHM 00072376-77.
- 1177 **E3/781** CPK Circular No. 3 entitled “Examination of Control and Implementation of the Policy Line on Restoring the Economy and Preparations to Build the Country in Every Sector,” 19 September 1975, at ENG 00523590-91, KHM 00072396-97.
- 1178 **E1/ 137.1** Transcript, 23 October 2012, Sokh Chhin, 10.11.02 to 10.13.15, [“I was working on a mobile unit.”].
- 1179 **E1/ 137.1** Transcript, 23 October 2012, Sokh Chhin, 09.56.38 to 09.59.58, 10.01.33 to 10.06.08, [“There were two stages of transportation: the first one was after April 1975, in October, November and December: people were transported from Phnom Penh.”].
- 1180 **E1/ 137.1** Transcript, 23 October 2012, Sokh Chhin, 10.01.33 to 10.06.08 [“I saw trains twice a week; the train had 20 to 25 wagons normally for transporting goods, and each wagon transported from 40 to 50 people.”].
- 1181 **E1/ 137.1** Transcript, 23 October 2012, Sokh Chhin, 10.04.30 to 10.06.08, 11.11.34 to 11.17.12 [“I learned of the information because for each line there was a chief of the line, and I was told that people were dropped off in Kien Svay or at Thma Koul market, or at Phnum Touch.”].
- 1182 **E1/ 137.1** Transcript, 23 October 2012, Sokh Chhin, 10.01.33 to 10.06.08 [“I saw trains twice a week; the train had 20 to 25 wagons normally for transporting goods, and each wagon transported from 40 to 50 people.”].

- 1183 E1/ 137.1 Transcript, 23 October 2012, Sokh Chhin, 10.01.33 to 10.06.08, 10.13.15 to 10.15.45 ["I saw trains twice a week; the train had 20 to 25 wagons normally for transporting goods, and each wagon transported from 40 to 50 people."].
- 1184 E1/ 137.1 Transcript, 23 October 2012, Sokh Chhin, 10.01.33 to 10.06.08, 10.13.15 to 10.15.45["Sometimes people were put, 40 or 50 people were put in each wagon, and what I saw was that each wagon was full of people. There were a mixture of old people, of children, and other people."].
- 1185 E1/ 137.1 Transcript, 23 October 2012, Sokh Chhin, 10.08.21 to 10.11.02 ["I, personally, only saw the train stop at Leach...People were instructed to get off and stay around the railway tracks."].
- 1186 E1/ 137.1 Transcript, 23 October 2012, Sokh Chhin, 10.08.21 to 10.11.02 ["In Leach, people would remain one week, waiting to be transported in military and civilian trucks to other places."].
- 1187 E1/ 137.1 Transcript, 23 October 2012, Sokh Chhin, 11.11.34 to 11.13.29 ["Because I saw it with my own eyes that people were transported from Leach towards the south direction."].
- 1188 E1/ 137.1 Transcript, 23 October 2012, Sokh Chhin, 10.26.02 to 10.28.36 ["Sometimes people were disembarked in Leach and sometimes those who were in one or two wagons still remained in the wagons for the train boarding toward Battambang province."].
- 1189 E1/ 137.1 Transcript, 23 October 2012, Sokh Chhin, 10.28.36 to 10.31.02, 11.28.54 to 11.31.18 ["[T]he soldiers had to return when the train came back to Phnom Penh to bring more people;" "The returning train was reduced to not -- no more people other than the crew members and the soldiers."].
- 1190 E1/ 137.1 Transcript, 23 October 2012, Sokh Chhin, 11.11.34 to 11.17.12 ["I learned of the information because for each line there was a chief of the line, and I was told that people were dropped off in Kien Svay or at Thma Koul market, or at Phnum Touch."].
- 1191 E1/ 137.1 Transcript, 23 October 2012, Sokh Chhin, 09.41.53 to 09.45.23, 10.06.08 to 10.08.2 ["I did not know where the soldiers came from but I saw them on the train with their weapons. They were escorting those people but I did not know for sure where they came -- or where they had been."].
- 1192 E1/ 137.1 Transcript, 23 October 2012, Sokh Chhin, 10.11.02 to 10.13.15, 10.26.02 to 10.28.36.
- 1193 E1/ 137.1 Transcript, 23 October 2012, Sokh Chhin, 11.01.39 to 11.04.07.
- 1194 E1/ 137.1 Transcript, 23 October 2012, Sokh Chhin, 10.01.33 to 10.04.30.
- 1195 E1/ 137.1 Transcript, 23 October 2012, Sokh Chhin, 11.26.58 to 11.28.54.
- 1196 E1/ 137.1 Transcript, 23 October 2012, Sokh Chhin, 14.17.00 to 14.19.12.
- 1197 E1/ 137.1 Transcript, 23 October 2012, Sokh Chhin, 14.17.00 to 14.23.36.
- 1198 E1/ 137.1 Transcript, 23 October 2012, Sokh Chhin, 10.15.45 to 10.17.25.
- 1199 E1/ 137.1 Transcript, 23 October 2012, Sokh Chhin, 11.40.12 to 11.43.26.
- 1200 E1/ 137.1 Transcript, 23 October 2012, Sokh Chhin, 11.45.02 to 11.47.52.
- 1201 E1/ 137.1 Transcript, 23 October 2012, Sokh Chhin, 11.43.26 to 11.45.02.
- 1202 E1/ 137.1 Transcript, 23 October 2012, Sokh Chhin, 10.21.29 to 10.26.02.
- 1203 E1/ 137.1 Transcript, 23 October 2012, Sokh Chhin, 10.13.15 to 10.15.45.
- 1204 E3/216 Record of the Standing Committee's visit to the Northwest Zone, 20 - 24 August 1975 at ENG 00850977.
- 1205 E3/ 216 Record of the Standing Committee's visit to the Northwest Zone, 20 - 24 August 1975 at ENG 00850977.
- 1206 E3/ 216 Record of the Standing Committee's visit to the Northwest Zone, 20 - 24 August 1975 at ENG 00850977; E3/216 CPK Standing Committee Meeting Minutes entitled "Minutes on the Standing [Committee's] visit to Northwest Zone, August 20 - 24 1975," 20 - 24 August 1975, at ENG 00850977 ["[W]orkforce must be allocated to those who have free land to plant...workforce must be provided to any place with more work ability...so that [we] can make thorough effort in seeking capital to build up the country gradually."], ENG 00850978 ["There is also workforce [existing]. It is better if adding up more force [to the zone]. The [existing] force also has experience in diversifying crops."].
- 1207 E3/ 216 Record of the Standing Committee's visit to the Northwest Zone, 20 - 24 August 1975 at ENG 00850977 ["If [we] send workforce to other places with less work ability...So, we must fight at the right place where it is effective because we carry out the policy of self-reliance. We must find capital of our own."].
- 1208 E3/ 781 CPK Publication entitled "Governing and Carrying out Policy and Restoring all Fields of the Country (Document No. 3)," September 1975, at ENG 00523569-92.
- 1209 E3/ 154 Telegram 15 from Chhon to Brother Pol, 30 November 1975, at ENG 00185064-65.
- 1210 E3/ 154 Telegram 15 from Chhon to Brother Pol, 30 November 1975, at ENG 00185064-65.
- 1211 E3/ 154 Telegram 15 from Chhon to Brother Pol, 30 November 1975, at ENG 00185064-65.
- 1212 E3/ 3958 Lay Bony OCJ Statement, at ENG 00379160.
- 1213 E3/ 3958 Lay Bony OCJ Statement, at ENG 00379159.

- 1214 **E1/ 138.1** Transcript, 24 October 2012, Lay Bony, 09.09.28 to 09.11.37; **E3/3958** Lay Bony OCII Statement, at ENG 00379159.
- 1215 **E3/ 3958** Lay Bony OCII Statement, at ENG 00379160.
- 1216 **E3/ 3967** Civil Party Application of Or Ry, 16 August 2009, at ENG 00860730; **D22/1241b** Sophan Sovany Summary of the Supplementary Information of the Civil Party, at ENG 0059529; **E3/5738** Sophan Sovany Supplementary Information of the Civil Party, at ENG 00851236; **D22/1241/1** Sophan Sovany Victim Unit's Report on Civil Party Applicant, at ENG 00523362-00523363.
- 1217 **E1/ 145.1** Transcript, 22 November 2012, Or Ry, 11.51.28 to 15.53.03.
- 1218 **E1/ 145.1** Transcript, 22 November 2012, Or Ry 15.55.43 to 16.01.28; **E1/146.1** Transcript, 23 November 2012, Or Ry, 09.15.03 to 09.16.47.
- 1219 **E1/ 146.1** Transcript, 23 November 2012, Or Ry, 09.16.47 to 09.19.38.
- 1220 **E3/ 3967** Or Ry Civil Party Application, at ENG 00860730; **E1/145.1** Transcript, 22 November 2012, Or Ry, 15.51.28 to 15.53.03.
- 1221 **E1/ 199.1** Transcript, 30 May 2013, SophanSovany, 11.30.46 to 11.32.20.
- 1222 **E1/ 199.1** Transcript, 30 May 2013, SophanSovany, 11.32.20 to 11.53.03.
- 1223 **E1/ 199.1** Transcript, 30 May 2013, SophanSovany, 11.32.20 to 11.53.03.
- 1224 **E1/ 199.1** Transcript, 30 May 2013, SophanSovany, 11.32.20 to 11.53.03.
- 1225 **E1/ 199.1** Transcript, 30 May 2013, SophanSovany, 11.32.20 to 11.53.03.
- 1226 **D 22/3649** Pin Yathay Civil Party Application, at ENG 00793883; **E1/170.1** Transcript, 7 February 2013, Pin Yathay, 09.17.57 to 09.19.48, 09.21.32 to 09.23.52, 09.26.06 to 09.27.06, 10.15.55 to 10.17.50.
- 1227 **E1/ 170.1** Transcript, 7 February 2013, Pin Yathay, 09.21.32 to 09.23.52, 10.15.55 to 10.17.50.
- 1228 **E1/170.1** Transcript, 7 February 2013, Pin Yathay, 09.26.06 to 09.27.06.
- 1229 **E1/170.1** Transcript, 7 February 2013, Pin Yathay, 09.26.06 to 09.27.06.
- 1230 **E1/170.1** Transcript, 7 February 2013, Pin Yathay, 09.26.06 to 09.29.01.
- 1231 **E1/147.1** Transcript, 4 December 2012, Toeng Sokha, 14.08.37 to 14.10.36.
- 1232 **D2 2/3286/1** Toeng Sokha Victim's Unit Report on the Civil Party Applicant, at ENG 00563427; **E1/147.1** Transcript, 4 December 2012, Toeng Sokha, 11.47.34 to 11.51.55, 14.08.37 to 14.10.36.
- 1233 **E3/ 5787** Yim Sovann OCII Statement, at ENG 0037914.
- 1234 **E3/5787** Yim Sovann OCII Statement, at ENG 0037914.
- 1235 **E1/ 197.1** Transcript, 27 May 2013, Sang Rath, 13.34.48, 13.36.53 to 13.38.48, 13.55.55 to 13.58.53.
- 1236 **E1/ 197.1** Transcript, 27 May 2013, Sang Rath, 13.38.48 to 13.41.24.
- 1237 **E1/ 148.1** Transcript, 5 December 2012, Pech Srey Phal, 11.16.28.
- 1238 **E1/ 148.1** Transcript, 5 December 2012, Pech Srey Phal, 11.16.28 to 11.18.56.
- 1239 **E1/ 148.1** Transcript, 5 December 2012, Pech Srey Phal, 11.16.28 to 11.18.56.
- 1240 **E3/ 3970** Pech Srey Phal OCII Statement, at ENG 00434932; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 11.14.30 to 11.21.09.
- 1241 **E1/ 148.1** Transcript, 5 December 2012, Pech Srey Phal, 11.16.28 to 11.18.56.
- 1242 **E3/ 3970** Pech Srey Phal OCII Statement, at ENG 00434932.
- 1243 **E3/ 3970** Pech Srey Phal OCII Statement, at ENG 00434932.
- 1244 **E1/ 148.1** Transcript, 5 December 2012, Pech Srey Phal, 11.18.56 to 11.21.09, 11.22.43, 11.26.31 to 11.28.10.
- 1245 **E1/ 148.1** Transcript, 5 December 2012, Pech Srey Phal, 11.26.31 to 11.28.10.
- 1246 **E3/ 3970** Pech Srey Phal OCII Statement, at ENG 00434933; **E1/148.1** Transcript, 5 December 2012, Pech Srey Phal, 11.26.31 to 11.28.10.
- 1247 **E3/3970** Pech Srey Phal OCII Statement, at ENG 00434933.
- 1248 **E1/197.1** Transcript, 25 May 2013, Aun Phally 11.00.48 to 11.02.53, 11.12.36 to 11.18.07, 11.32.14 to 11.37.30 ["[I]n early morning, we were put on a motorboat to Phnom Penh, and...we boarded a train and heading toward to Moungruessei district in Battambang province."].
- 1249 **E3/5183** [REDACTED] OCII Statement, at ENG 00274153, KHM 00197895, FR 00274156 ["In 1977, people evacuated from Kampong Cham arrived at Phnom Sampeou, and people from Phnom Penh came to live at Phnom Thipadei."]; **E3/5187 TCW-546** OCII Statement, at ENG 00274180, KHM 00197919, FR 00274187 ["At the Kamping Puoy work site there were tens of thousands of people who had been sent in from every district in Battambang Province, including 17 April people who had been evacuated."].
- 1250 **E3/ 5296** [REDACTED] OCII Statement, at ENG 00358146-47, KHM 00355445, FR 00408422 ["[At] the end of 1976, I was evacuated to live in one district of Pursat Province"]; **E3/5244** [REDACTED] OCII Statement, at ENG 00233301-00233302, KHM 00224796, FR 00231950 ["I was not evacuated with the people of Svay Antor sub-district, but I went with them up to Neak Loeung."]; **E3/5231** [REDACTED] OCII Statement, at ENG 00279250-00279251, KHM 00267730-00267731, FR 00323661-00323662 ["in late 1976...when the Khmer Rouge had me board the truck, they took us to Pursat Province...Five trucks had

come to transport the people; each truck carried 30 to 40 people.”]; **E3/5562 TCCP-138** OCIJ Statement, at ENG 00400459, KHM 00390288, FR 00422433 [“[M]y parents, older brother and his wife and children as well as other relatives were evacuated from Kandal Province to Pursat Province.”]; **E3/4657** [REDACTED] OCIJ Statement, at ENG 00353702-00353704, KHM 00349497-00349499, FR 00372053-00372055 [“[T]he people were put in big motor boats; each boat contained hundreds of people. I saw many boats because it was a big evacuation that involved all the villages of Lvea Em district.”]; **E3/5310 TCCP-45** OCIJ Statement, at ENG 00353486-00353487, KHM 00349487, FR 00361738-00361739 [“One night during the rainy season at around 1900 hours, five trucks took people away from Koh Thom; all my family members including myself were sent to Battambang province.”]; **E3/5227** [REDACTED] OCIJ Statement, at ENG 00250766, KHM 00242427, FR 00275214 [“The base people were all evacuated by the Khmer Rouge. Most of the evacuees there were from Kandal Province and Phnom Penh”]; **E3/5132 TCW-545** OCIJ Statement, at ENG 00223190, KHM 00165244-00165245, FR 0000223195 [“During 1976 the Khmer Rouge subdistrict chief Sieng Kheang arranged marriages...everyone else who had wives were evacuated to the sectors and provinces, Pursat, Battambang.”]; **E3/5590** [REDACTED] OCIJ Statement, at ENG 00426477, KHM 00420974, FR 00434921-00434922 [“They took me by truck...to Battambang”]; **E3/4654** [REDACTED] OCIJ Statement, at ENG 00400466-67, KHM 00390315-16, FR 00434838-39 [“A few months later, my family and I were sent to Battambang. We took the train at Prey Totueng Station with many people.”]; **E3/1678** [REDACTED] OCIJ Statement, at ENG 00353493-00353495, KHM 00349513-00349515, FR 00404024-00404026 [“After 17 April 1975, my family and I were evacuated to...Kratie province. Other people from my village were evacuated, but to different provinces like Kratie province, Battambang province and other provinces.”]; **E3/54989 TCW-285** OCIJ Statement, at ENG 00422360-63, KHM 00414418-00414420, FR 00434675-00434677 [“I saw that in 1975; they transported people from Phnom Penh to Thibdei mountain and Kok Trum in Maong district, Battambang province. The trains dropped many people in these two locations.”]; **E3/5613** [REDACTED] OCIJ Statement, at ENG 00494399, KHM 00491045, FR 00522536 [“[T]hey [the Khmer Rouge] told the new-people that they would be moved to the other places like Pursat province”]; **E3/5182** [REDACTED] OCIJ Statement, at ENG 00274148, KHM 00197934-00197935, FR 00223091 [“In 1976, people evacuated from Kampong Cham arrived in my cooperative.”]; **E3/5258** [REDACTED] OCIJ Statement, at ENG 00251699, KHM 00249909, FR 00285088 [“At 11pm we boarded an awaiting ship...We disembarked from the ship at Psar Tauch and rode a truck to eat dinner at Psar Thmey, and then boarded a train at 9pm...The train arrived in Pursat at [3:00 am]”]; **E3/54984** [REDACTED] OCIJ Statement, at ENG 00422351-00422355, KHM 00414475-00414477, FR 00455230-00455235 [“From October or November 1975 until February or March 1976, I saw trains transporting people via Battambang province...I saw people being transported in both military and civilian trucks from the south to the north.”].

¹²⁵¹ **E3/ 5296** [REDACTED] OCIJ Statement, at ENG 00358146-47, KHM 00355445, FR 00408422 [“[At] the end of 1976, I was evacuated to live in one district of Pursat Province”]; **E3/5244** [REDACTED] OCIJ Statement, at ENG 00233301-00233302, KHM 00224796, FR 00231950 [“I was not evacuated with the people of Svay Antor sub-district, but I went with them up to Neak Loeung.”]; **E3/5244** [REDACTED] OCIJ Statement, at ENG 00233301-00233302, KHM 00224796, FR 00231950 [“I was not evacuated with the people of Svay Antor sub-district, but I went with them up to Neak Loeung.”]; **E3/5182** [REDACTED] OCIJ Statement, at ENG 00274148, KHM 00197934-00197935, FR 00223091 [“In 1976, people evacuated from Kampong Cham arrived in my cooperative.”]; **E3/5613** [REDACTED] OCIJ Statement, at ENG 00494399, KHM 00491045, FR 00522536 [“[T]hey [the Khmer Rouge] told the new-people that they would be moved to the other places like Pursat province”]; **E3/5258** [REDACTED] OCIJ Statement, at ENG 00251699, KHM 00249909, FR 00285088 [“At 11pm we boarded an awaiting ship...We disembarked from the ship at Psar Tauch and rode a truck to eat dinner at Psar Thmey, and then boarded a train at 9pm...The train arrived in Pursat at [3:00 am]”].

¹²⁵² **E3/ 5231** [REDACTED] OCIJ Statement, at ENG 00279250-00279251, KHM 00267730-00267731, FR 00323661-00323662 [“[I]n late 1976...when the Khmer Rouge had me board the truck, they took us to Pursat Province...Five trucks had come to transport the people; each truck carried 30 to 40 people.”]; **E3/5562 TCCP-138** OCIJ Statement, at ENG 00400459, KHM 00390288, FR 00422433 [“[M]y parents, older brother and his wife and children as well as other relatives were evacuated from Kandal Province to Pursat Province.”]; **E3/4657** [REDACTED] OCIJ Statement, at ENG 00353702-00353704, KHM 00349497-00349499, FR 00372053-00372055 [“[T]he people were put in big motor boats; each boat contained hundreds of people. I saw many boats because it was a big evacuation that involved all the villages of Lvea Em district.”]; **E3/5310 TCCP-45** OCIJ Statement, at ENG 00353486-00353487, KHM 00349487, FR 00361738-00361739 [“One night during the rainy season at around 1900 hours, five trucks took people away from Koh Thom; all my family members including myself were sent to Battambang province.”]; **E3/5227** [REDACTED] OCIJ Statement, at ENG 00250766, KHM 00242427, FR 00275214

- ["The base people were all evacuated by the Khmer Rouge. Most of the evacuees there were from Kandal Province and Phnom Penh"]; E3/5132 ██████ OCIJ Statement, at ENG 00223190, KHM 00165244-00165245, FR 0000223195 ["During 1976 the Khmer Rouge subdistrict chief Siengkheang arranged marriages...everyone else who had wives were evacuated to the sectors and provinces, Pursat, Battambang."]; E3/5590 ██████ OCIJ Statement, at ENG 00426477, KHM 00420974, FR 00434921-22 ["They took me by truck...to Battambang"]; E3/3957 ██████ OCIJ Statement, at ENG 00422351-55, KHM 00414475-77, FR 00455230-35 ["From October or November 1975 until February or March 1976, I saw trains transporting people via Battambang province...I saw people being transported in both military and civilian trucks from the south to the north."].
- 1253 E3/ 4654 ██████ OCIJ Statement, at ENG 00400466-67, KHM 00390315-16, FR 00434838-39 ["A few months later, my family and I were sent to Battambang. We took the train at Prey Totueng Station with many people."].
- 1254 E3/5248 ██████ OCIJ Statement, at ENG 00235144-45, KHM 00231714-15, FR 00277190 ["I was evacuated by the Khmer Rouge organization to Châk Village in late 1976."]; E3/5192.1 ██████ Interview (*The Cham Rebellion*, Ysa Osman), 2006, at ENG 00204426, KHM 00204421, FR 00726846 ["[T]hey forcibly evacuated all the Cham throughout Kampuchea...The people of my village were sent to live in the open spaces under the raised houses of the Khmer people throughout Kang Meas district."].
- 1255 E3/ 5208 ██████ OCIJ Statement, at ENG 00235138-39, KHM 00218545, FR 00275384-85 ["They forced us to go to Steung Trang...Then we travelled on foot for two more days and then arrived at Sre Veal."].
- 1256 E3/5203 TCCP-37 OCIJ Statement, at ENG 00218503, KHM 00218496, FR 00286655 ["In 1975 they evacuated villagers once again, but on a much bigger scale this time. Only about thirty families were not evacuated."]; E3/5203 TCCP-37 OCIJ Statement, at ENG 00218502-04.
- 1257 E3 /52481 ██████ OCIJ Statement, at ENG 00340182-3, KHM 00330753, FR 00485405["We were transported by boat to Phum Ti Prampi village...Kampong Cham province...I stayed there for approximately one week; then they sent to Baray village...Kampong Cham province"]; E3/5206 ██████ OCIJ Statement, at ENG 002755380, KHM 00221890-00221891, FR 00296111 ["Later they evacuated us away by boat to Banteay Chey...In 1978, they evacuated us to the Chup Rubber Plantation...Later they evacuated us to Stong District, Kampong Thom Province."]; E3/5204 ██████ OCIJ Statement, at ENG 00242082, KHM 00218586, FR 00364646 ["[T]hey split us up and sent us to four separate locations: Chamkar Daung, Krabei Kriek, Chravak Dek, and Baray...about 40 people died there before they sent us to Taing Krasaing, Kampong Thom Province."]; E3/5207 ██████ OCIJ Statement, at ENG 00242077, KHM 00221863-00221864, FR 00342705 ["[T]hey sent...villagers away by boat to Koh Ta Sauy and to Kampong Thom Province. Almost all of the original villagers were evacuated away, and they told us that we had to relocate to different villages and subdistricts."]; E3/5195 It Sen OCIJ Statement, at ENG 00204441-42, KHM 00204434, FR 00274723 ["[M]y family and about half the others in Ampil village were sent away by boat...[to] Stung Trang."]; E3/5253 ██████ OCIJ Statement, at ENG 00235483, KHM 00235002, FR 00250060 ["At that time both the Cham and the Khmer people were forced to embark onto the boats in order to be evacuated. I was evacuated to Au Romiet in Kampong Thom province."]; E3/5531 TCW-426 OCIJ Statement, at ENG 00425891, KHM 00418510-11, FR 00441603-04 ["Following the purge [on Phal Island], all people in that area regardless of their races, Cham or Khmer, were moved to areas deep in the forest...Later on...people were evacuated from the East Zone to other western provinces"]; E3/5196 TCW-688 OCIJ Statement, at ENG 00223087, KHM 00204455, FR 00274739 ["Many Cham people arrived there from the east by ox carts in late October. They were walked to the river. This event continued for nearly two weeks."]; E3/5255 ██████ OCIJ Statement, at ENG 00250043-44, KHM 00239906-07, FR 00277224-25 ["I don't know what province this group came from, but I heard that they came from the Southwest Zone."]; E3/3970 Pech Sray Phal Interview, 29 December 2009, at ENG 00434933.
- 1258 E3/ 5258 ██████ OCIJ Statement, at ENG 00251699, KHM 00249909, FR 00285088["After staying here for 5 months, I was evacuated to Svay Yea village, which was also in this Svay Chrum district."]; E3/5254 TCW-667 OCIJ Statement, at ENG 00242360, KHM 00238887-00238888, FR 00282204 ["In 1975, I was 13 years old. I lived in the Svay Rieng Provincial Town. Six months later, I was evacuated to Thlork Village, Thlork Subdistrict, Svay Chrum District, Svay Rieng"]; E3/5539 ██████ OCIJ Statement, at ENG 00380127-00380128, KHM 00373239, FR 00422401-00422402 ["the Khmer Rouge evacuated all the families including my family to a place near Svay Rieng town and remained there until mid-1977. After that, with my family, we were transferred Daung Village...Prey Veng Province"]; E3/5290 ██████ OCIJ Statement, at ENG 00340173, KHM 00330738-00330739, FR 00411611 ["My

- family and I were relocated many times. I was sent to...Kakor commune, and then...Suong commune... Later on, I was sent to...Sralab commune, and finally to Saoy, Peus 1.”]; **E3/5289** [REDACTED] OCIJ Statement, at ENG 00340182, KHM 00330753, FR 00485405 [“We were transported by boat to Phum Ti Prampi village...Kampong Cham province...I stayed there for approximately one week; then they sent to Baray village...Kampong Cham province.”]; **E3/5206** [REDACTED] OCIJ Statement, at ENG 00219126, KHM 00377137-00377138: [“[A]ll of the villagers of Koh Phal were evacuated...the Khmer Rouge Singled out those who had opposed their plans and sent them to Phkar Daung.”]; **E3/5210 TCW-674** OCIJ Statement, at ENG 00242073, KHM 00218572, FR 00334651 [“they evacuated us by boat...More than one thousand families of villagers were evacuated by boats”]; **E3/5210 TCW-674** OCIJ Statement, at ENG 00218581-83; **E3/5195 TCW-269** OCIJ Statement, at ENG 00204441-42, KHM 00204434, FR 00274723 [“[M]y family and about half the others in Ampil village were sent away by boat...[to] Stung Trang...My family was...taken away...[to] Prek Sangke Village...Twenty days after [we]...were...taken...to Prek A-Chi Village.”]; **E3/5195 TCW-269** OCIJ Statement, at ENG 00204441-43; **E3/5193 TCCP-98** Statement, at ENG 00274704-05, KHM 00204446, FR 00224114 [“we were forced to leave the village”]; **E3/5193 TCCP-98** Interview, 5 December 2000, at ENG 00204453, KHM 00204448, FR 00224115 [“After the revolt against the Khmer Rouge in 1975, they moved everyone away. My family was one of about thirty sent to Khsach Praches Leu in Krach Chhmarsub district and district.”]; **E3/5205** [REDACTED] OCIJ Statement, at ENG 00275163-64, KHM 00221850-51, FR 00293922-23 [“When they took us away from the school in boats, they put us at Veal Tauch Village for one night. Then they evacuated us to Svay Kambet Village...Later they evacuated us to Rokar Khnuoch Village, Suong Sub district.”]; **E3/5205.1** [REDACTED] Interview, 2006, at ENG 00221859-60, KHM 00221855, FR 00293926-27 [“My family and about 100 others were moved in ten boats to Dambe district.”]; **E3/5564** [REDACTED] OCIJ Statement, at ENG 00414574-00414577, KHM 00405497-500, FR 00455337-340; **E3/5542** [REDACTED] OCIJ Statement, at ENG 00373229, KHM 00381018-19, FR 00381126-27 [“[A]ll the people from Prasat Commune were transferred from to Prey Korkir Commune...Prey Kokir we were transferred to North Svay Rieng Town...we were transferred again this time to Chhrey Village.”]; **E3/5206** [REDACTED] OCIJ Statement, at ENG 00221898, KHM 00221895, FR 00337428 [“My family was then evacuated to Banteay Chey [In Banteay Chey sub district of Dambe district] with about ten other families.”].
- 1259 **E3/ 5542** [REDACTED] OCIJ Statement, at ENG 00373229, KHM 00381018-00381019, FR 00381126-00381127 [“[A]ll the people from Prasat Commune were transferred from to Prey Korkir Commune...Prey Kokir we were transferred to North Svay Rieng Town...we were transferred again this time to Chhrey Village.”].
- 1260 **E3/ 5543 TCCP-67** OCIJ Statement, at ENG 00384780, KHM 00375540, FR 00424087 [“My family was sent to Sammaki Co-operative in Srae Cham Commune, Prey Nob District, Kampot Province.”].
- 1261 **E3/ 5178 TCW-63** Statement, at ENG 00274104 [“In 1976, approximately 600 families of people were evacuated from Prey Veng and Kampong Cham provinces. Most evacuees were put at Sre Sangkum of Koh Nhek district.”].
- 1262 **E3/1678** [REDACTED] OCIJ Statement, at ENG 00353493-00353495, KHM 00349513-00349515, FR 00404024-0040426 [“After 17 April 1975, my family and I were evacuated to...Kratie province. Other people from my village were evacuated, but to different provinces like Kratie province, Battambang province and other provinces.”]; **E3/5178 TCW-63** Statement, at ENG 00274104 [“In 1976, approximately 600 families of people were evacuated from Prey Veng and Kampong Cham provinces. Most evacuees were put at SreSangkum of Koh Nhek district.”]; **E3/436 TCCP-36** Statement, at ENG 00414569, KHM 00405492, FR 00424149 [“People from other sectors arrived in Sector 505.”].
- 1263 **E3/ 5310 TCCP-45** OCIJ Statement, at ENG 00353486-87, KHM 00349487, FR 00361738-39.
- 1264 **E3/ 5258** [REDACTED] OCIJ Statement, at ENG 00251699, KHM 00249909, FR 00285088.
- 1265 **E3/5564** [REDACTED] OCIJ Statement, at ENG 00414574-77, KHM 00405497-500, FR 00455337-40. [“[A]t that time the Khmer Rouge regime already implemented collective work, and whenever they needed manpower, they assigned people to work in different locations.”].
- 1266 **E1/ 223.1** Transcript, 15 July 2013, Stephen Heder, 11.58.24 to 12.00.39.
- 1267 **E3/ 5203 TCCP-37** OCIJ Statement, at ENG 00242091; **E3/2653** Ysa Osman, *The Cham Rebellion, Survivors' Stories from the Villages*, at ENG 00219215.
- 1268 **E3/ 5192** [REDACTED] OCIJ Statement, at ENG 00242110; **E3/2653** Ysa Osman, *The Cham Rebellion, Survivors' Stories from the Villages*, at ENG 00219212.
- 1269 **E1/ 147.1** Transcript, 4 December 2012, Toeng Sokha, 11.45.36 to 11.47.34 [“There was not yet heavy rain so I believe...July or August when we had to move from TrapeangAngk village...we end up being sent to Pursat province by trucks. We reached Pursat at night.”].

- 1270 **E1/ 147.1** Transcript, 4 December 2012, Toeng Sokha, 14.04.38 to 14.06.06.
- 1271 **E1/ 147.1** Transcript, 4 December 2012, Toeng Sokha, 11.45.36 to 11.37.44.
- 1272 **E1/ 199.1** Transcript, 30 May 2013, Sophan Sovany, 11.32.20 to 11.34.24.
- 1273 **E1/ 145.1** Transcript, 22 November 2012, Or Ry, 15.55.43 to 15.57.54.
- 1274 **E1/ 135.1** Transcript, 19 October 2012, Yim Sovann, 15.34.26.
- 1275 **E1/ 145.1** Transcript, 22 November 2012, Or Ry, 15.53.03 to 15.54.11.
- 1276 **E1/ 197.1** Transcript, 27 May 2013, Aun Phally, 13.55.55 to 13.58.53.
- 1277 **E1/ 145.1** Transcript, 22 November 2012, Or Ry, 16.01.28 to 16.03.01 ["It is true that the chiefs of the units and the Khmer Rouge soldiers who were ready to compel everyone to force -- to be on -- to get on the trucks."]; **E1/197.1** Transcript, 27 May 2013, Aun Phally, 13.36.53 ["A Khmer Rouge cadre instructed us for the evacuation to go to MoungRuessei district; that is, to take National Road Number 3 and we were boarded large trucks to go there."]; **E1/199.1** Transcript, 30 May 2013, Sophan Sovany, 11.30.46 to 11.32.20 ["We stopped somewhere there and while we were on the boat we were guarded by Khmer Rouge soldiers."]; **E3/3958** Lay Bony OCIJ Statement, at ENG 00379159-60 ["Yes, they had weapons, and when we saw the weapons, we followed the order to leave."].
- 1278 **E1/ 145.1** Transcript, 22 November 2012, Or Ry, 16.03.01.
- 1279 **E1/ 199.1** Transcript, 30 May 2013, Sophan Sovany, 11.32.20 to 11.34.24.
- 1280 **E1/ 147.1** Transcript, 4 December 2012, Toeng Sokha, 14.10.36 to 14.13.24.
- 1281 **E1/ 145.1** Transcript, 22 November 2012, Or Ry, 16.03.01 to 16.05.10 ["And soldiers would be armed when the unit chiefs would not be armed."].
- 1282 **E1/ 145.1** Transcript, 22 November 2012, Or Ry, 15.53.03 to 15.55.43 ["[W]e saw other families were harassed by those armed militia...Because they did not want to leave the village."].
- 1283 **E3/ 5787** Yim Sovann OCIJ Statement, at ENG 00379314 ["If I wanted to remain in P6thiban, the Khmer Rouge would have taken me to the security centre, so we had no -choice."].
- 1284 **E1/147.1** Transcript, 4 December 2012, Toeng Sokha, 14.06.06 to 14.08.37.
- 1285 **E3/ 5231** [REDACTED] OCIJ Statement, at ENG 00279250-51, KHM 00267730-31, FR 00323661-62 ["[I]n late 1976...when the Khmer Rouge had me board the truck, they took us to Pursat Province...The Khmer Rouge dropped the people in those trucks off at various places..."]; **E3/5525 TCW-285** OCIJ Statement, at ENG 00422360-63, KHM 00414418-20, FR 00434675-77 ["[O]n the train there were armed Khmer Rouge soldiers who escorted the convoy...[The people] could not [leave] because they were guarded by armed militiamen."]; **E3/3957** [REDACTED] OCIJ Statement, at ENG 00422351-55, KHM 00414475-77, FR 00455230-35["[The drivers] were forced to drive while armed Khmer Rouge soldiers with black uniforms guarded them...Armed soldiers did not allow the people to get out of the train...Approximately 50 armed guards were in the train."].
- 1286 **E3/ 5289** [REDACTED] OCIJ Statement, at ENG 00340182, KHM 00330753, FR 00485405 ["My group was sent to Baray. They did not tie us, but the Khmer Rouge soldiers pointed the guns at us."]; **E3/5258** [REDACTED] OCIJ Statement, at ENG 00251699, KHM 00249909, FR 00285088 ["I noticed that those [in the list] had to go. No one was spared from going even a small child. There were about 30 families, all were new people, going with me."]; **E3/5193 TCCP-98** Statement, at ENG 00274704-05, KHM 00204446, FR 00224114 ["we were forced to leave the village"]; **E3/4657** [REDACTED] OCIJ Statement, at ENG 00353702-04, KHM 00349497-99, FR 00372053-55 ["Nobody dared to refuse [to leave]; the people were afraid, so they had to force themselves to leave...[I]f we refused, Angkar would take us to be re-educated...those taken for reeducation never returned."].
- 1287 **E3/ 5132** [REDACTED] OCIJ Statement, at ENG 00223190, KHM 00165244-45, FR 0000223195 ["[T]he new people were evacuated out, but the old people volunteered to go) since the Khmer Rouge said there was enough rice to eat three times a day there, and here there was not very much rice, just thin gruel."]; **E3/5244** [REDACTED] OCIJ Statement, at ENG 00233301-02, KHM 00224796, FR 00231950 ["[It was] announced that there were plenty of fruits and rice to eat in Pursat province. So some people...volunteered to go. But for some people...even they didn't volunteer to go; still, they had to go."].
- 1288 **E1/223.1** Transcript, 15 July 2013, Stephen Heder, 11.58.24 to 12.00.39; **E1/223.1** Transcript, 15 July 2013, Stephen Heder, 11.58.24 to 12.00.39; **E1/223.1** Transcript, 15 July 2013, Stephen Heder, 12.00.39 to 12.01.23.
- 1289 **E1/ 147.1** Transcript, 4 December 2012, Toeng Sokha, 13.56.48 to 13.58.35; **E1/135.1** Transcript, 19 October 2012, Yim Sovann, 15.29.05 to 15.31.45; **E1/197.1** Transcript, 27 May 2013 Sang Rath, 13.58.53 to 14.01.13; **E1/137.1** Transcript, 23 October 2012, Lay Bony, 15.59.35 to 16.01.03; **E1/138.1** Transcript, 24 October 2012 10.23.00; **E1/199.1** Transcript, 30 May 2013, Sophan Sovany, 11.28.44 to 11.30.46.
- 1290 **E3/ 5132** [REDACTED] OCIJ Statement, at ENG 00223190, KHM 00165244-45, FR 0000223195.

- 1291 E3/ 5132 [REDACTED] OCIJ Statement, at ENG 00223190, KHM 00165244-45, FR 0000223195.
- 1292 E3/ 4654 [REDACTED] OCIJ Statement, at ENG 00400466-67, KHM 00390315-16, FR 00434838-39 ["A few months later, my family and I were sent to Battambang...The Khmer Rouge told us that there was a lot of rice for us and we could work in plantation in Battambang."]; E3/4657 [REDACTED] OCIJ Statement, at ENG 00353702-04, KHM 00349497-99, FR 00372053-55 ["[T]he Khmer Rouge local leaders gathered the villagers and held a meeting during which they said that the people would be sent to Pursat province because there would be a lot of food there."]; E3/5244 [REDACTED] OCIJ Statement, at ENG 00233301-00233302, KHM 00224796, FR 00231950 ["I also attended that meeting, in which the district committee (the Southwest people) announced that there were plenty of fruits and rice to eat in Pursat province."].
- 1293 E1/ 223.1 Transcript, 15 July 2013, Stephen Heder, 12.00.39 to 12.01.23.
- 1294 E1/ 223.1 Transcript, 15 July 2013, Stephen Heder, 12.00.39 to 12.01.23.
- 1295 E1/ 223.1 Transcript, 15 July 2013, Stephen Heder, 12.01.23 to 12.02.54.
- 1296 E1/ 146.1 Transcript, 23 November 2012, Or Ry, 09.43.25 to 09.46.06 ["I noted that a lot of sick people had to be evacuated, including my sister who was sick...even though we - or people were very sick; they had to be moved to the direction intended for us to go."].
- 1297 E1/ 197.1 Transcript, 27 May 2013, Aun Phally, 13.36.53 to 13.38.48 ["My children cried and we did not even have food, nor the water, and we could not bring any cooking pots or anything with us."].
- 1298 E1/ 199.1 Transcript, 30 May 2013, Sophan Sovany, 11.32.20 to 11.34.24 ["We did not have food to eat"]; E1/147.1 Transcript, 4 December 2012, Toeng Sokha, 11.51.55 to 11.57.43 ["We were not allowed to stop or meals."]; E1/197.1 Transcript, 27 May 2013, Aun Phally, 13.36.53 to 13.38.48 ["My children cried and we did not even have food"]; E1/135.1 Transcript, 19 October 2012, Yim Sovann, 15.31.45 to 15.34.26, 15.36.03 to 15.38.22 ["[W]e were given one loaf of bread, and that was it," "Some families had hidden some things with them, so they could feed themselves along the way, but...we had nothing left with us; we were barehanded."]; E1/146.1 Transcript, 23 November 2012, Or Ry, 09.40.30 to 09.43.25 ["We had a lot of difficulties during that time. I could only go for the whole trip with just piece of bread."]; E1/148.1 Transcript, 5 December 2012, Pech Srey Phal, 11.18.56 to 11.21.09 ["While we were on board the train nothing was given to us, no food or clothes; there -- we only had the dry rice crust that we were given by our relatives from the village."].
- 1299 E1/ 199.1 Transcript, 30 May 2013, Sophan Sovany, 11.32.20 to 11.34.24 ["[W]e went without water."]; E1/197.1 Transcript, 27 May 2013, Aun Phally, 13.36.53 to 13.38.48 ["My children cried and we did not even have food, nor the water..."].
- 1300 E1/ 199.1 Transcript, 30 May 2013, Sophan Sovany, 11.32.20 to 11.34.24 ["When we reached a place where there was water, whether or not it was contaminated, we drank the water."]; E1/135.1 Transcript, 19 October 2012, Yim Sovann, 15.31.45 to 15.34.26 ["[W]e were not given any water to drink; we had to drink from the pond."].
- 1301 E1/ 135.1 Transcript, 19 October 2012, Yim Sovann, 15.34.26 to 15.36.03 ["Q: Did you have the opportunity to buy sustenance, medication, or milk during either first or second journeys? A: Following the 17 of April 1975, currency was abolished, so we could not buy anything."].
- 1302 E1/ 170.1 Transcript, 7 February 2013, Pin Yathay, 11.13.01 to 11.15.15 ["[F]or the second evacuation, we were packed into a truck and there was no covered roof. And, in fact, on the truck that I travelled, two people fainted and subsequently died."].
- 1303 E1/ 148.1 Transcript, 5 December 2012, Pech Srey Phal, 11.22.43 to 11.24.50 ["It was meant to carry animals or goats, it was not meant for - it was not passengers' wagon. And we were asked to get onto the wagon until it is fully packed...they would use the wooden stick to block the door."]; E1/145.1 Transcript, 22 November 2012, Or Ry, 15.57.54 to 15.59.22 ["It was a caged truck and we all stood. There was no place for us to sit on the truck."].
- 1304 E1/199.1 Transcript, 30 May 2013, Sophan Sovany, 11.32.20 to 11.34.24 ["[W]e were pushed into the wagon, when it was full they closed the door with a piece of wood and we were not allowed to relieve ourselves and the train departed that night."]; E1/147.1 Transcript, 4 December 2012, Toeng Sokha, 14.06.06 to 14.08.37 ["The Khmer Rouge may go to the jungle to relieve themselves, but they wouldn't allow us to get off the truck."].
- 1305 E1/ 148.1 Transcript, 5 December 2012, Pech Srey Phal, 13.54.15 to 13.55.38 ["And if later on someone wanted to relieve himself, that person needed to seek permission from the Khmer Rouge soldiers first."].
- 1306 E1/ 199.1 Transcript, 30 May 2013, Sophan Sovany, 11.32.20 to 11.34.24 ["And they actually wanted us - they allowed us to actually defecate but we could not even relieve ourselves because we were very frightened at the gun point."].
- 1307 E1/ 147.1 Transcript, 4 December 2012, Toeng Sokha, 11.51.55 to 11.57.43 ["I saw sick people, people who got some diarrhea."].

- 1308 **E1/ 148.1** Transcript, 5 December 2012, Pech Srey Phal, 11.21.09 to 11.22.43 ["Some people died in the wagon because they were too exhausted and the wagon was too packed."].
- 1309 **E1/ 135.1** Transcript, 19 October 2012, Yim Sovann, 15.34.26 to 15.36.03 ["but my mother did not have enough breast milk to feed him because she was skinny and too exhausted at that time."].
- 1310 **E1/ 147.1** Transcript, 4 December 2012, Toeng Sokha, 11.57.43 ["She died because of lack of food. Her body became swollen, she had experienced severe diarrhoea. And, without proper medical service, she died by early 1976."]; **E1/170.1** Transcript, 7 February 2013, Pin Yathay, 11.13.01 to 11.15.15 ["[O]n the truck that I travelled, two people fainted and subsequently died."].
- 1311 **E1/ 148.1** Transcript, 5 December 2012, Pech Srey Phal, 11.21.09 to 11.22.43 ["When someone died on the wagon, then the soldiers would push the dead body of the wagon because, to them, it was just a waste."].
- 1312 **E3/ 5525** TCW-285 OCIJ Statement, at ENG 00422360-63, KHM 00414418-20, FR 00434675-77 ["The people stayed on the floor in the wagons, and all the wagons were crowded."]; **E3/5539** [REDACTED] OCIJ Statement, at ENG 00380127-28, KHM 00373239, FR 00422401-02 ["[T]he Khmer Rouge evacuated all the families including my family to a place near SvayRieng town...We had to walk and carried our belongings."]; **E3/5590** [REDACTED] OCIJ Statement, at ENG 00426477, KHM 00420974, FR 00434921-22 ["[W]hile travelling by truck to Battambang, my youngest daughter who had not yet been named died in my arms...For just only two days in travelling, two of my children died."]; **E3/5564** [REDACTED] OCIJ Statement, at ENG 00414574-77, KHM 00405497-500, FR 00455337-40 ["We walked all the way; for instance, we walked from KaohSoutin to Damril Village; it was very far, and we walked from morning for a half day."]; **E3/5210** TCW-674 OCIJ Statement, at ENG 00242073, KHM 00218572, FR 00334651 ["We were transported day and night for 24 hours and finally the boats reached Chi Theang...Later, they had us walk to SvayKambet village...which was 10 kilometers [from our village]."]; **E3/3957** [REDACTED] OCIJ Statement, at ENG 00422351-55, KHM 00414475-77, FR 00455230-35 ["Every time I saw the train, I noticed that the all wagons were crowded."].
- 1313 **E1/ 199.1** Transcript, 30 May 2013, Sophan Sovany, 11.34.24 to 11.36.27 ["[I]t was nothing but forest. It was bush - it contained of bushes, but there was - it was not the farm land so we had to clear the bushes in order to do the farming."].
- 1314 **E1/ 199.1** Transcript, 30 May 2013, Sophan Sovany, 11.34.24 ["And we had to build our hut to take shelter. They actually did not build it for us we had to do it all by our self."].
- 1315 **E1/ 199.1** Transcript, 30 May 2013, Sophan Sovany, 11.34.24 ["At that time,they gave us five cans of rice per person...And we did not have any vegetables or anything that could be cooked with because it was only bushes over there."].
- 1316 **E3/ 3659** Ieng Thirith Interview, October 1980, at ENG 00182322 ["I was travelling in order to see the conditions of the people and at the time when I came back in Phnom Penh I reported to our leaders that there was something queer in some provinces."].
- 1317 **E3/ 3659** Ieng Thirith Interview, 1980, at ENG 00182322.
- 1318 **E3/ 1181** DK Report entitled "General View of Sector 5, Northwest Zone," 27 June 1977, at ENG 00223177 ["It is the worse place of starvation, which last year alone killed more than 20,000 people."].
- 1319 **E3/ 178** DK Report entitled "Weekly Report of the Committee of Region 5," 21 May 1977, at ENG 00342711-12, ["The appointment section has subsequently purified...and taken an absolute measure against those elements who cause destruction to the collective regime and socialism by decreasing and sweeping clean..."].
- 1320 **E1/ 223.1** Transcript, 15 July 2013, Stephen Heder, 14.26.25 to 14.32.30.
- 1321 **E1/ 223.1** Transcript, 15 July 2013, Stephen Heder, 14.26.25 to 14.28.43.
- 1322 **E1/ 223.1** Transcript, 15 July 2013, Stephen Heder, 14.26.25 to 14.28.43.
- 1323 **E1/ 223.1** Transcript, 15 July 2013, Stephen Heder, 14.26.25 to 14.28.43.
- 1324 **E1/ 223.1** Transcript, 15 July 2013, Stephen Heder, 14.26.25 to 14.28.43.
- 1325 **E1/ 223.1** Transcript, 15 July 2013, Stephen Heder, 12.02.54 to 12.03.32.
- 1326 **E1/147.1** Transcript, 4 December 2012, Toeng Sokha, 14.06.06 to 14.08.37 ["[O]ther people who were also hiding were all executed except...he who managed to escape...The rest were killed because Angkar found out they were hiding."].
- 1327 **E3/4656** [REDACTED] Complaint, at ENG 00893384 ["In 1976, I and many other citizens were evacuated to Pursat Province by train...There were many citizens on the train...The Chief ofSquad threw them out through the train's windows...The scene was extremely frightening."].
- 1328 **E3/5590** [REDACTED] OCIJ Statement, at ENG 00426477 ["I spent another months in Ta Norng village and then I was transferred to Battambang...and we had no medicine."].
- 1329 **E3/4695** [REDACTED] Complaint, at ENG 00391744 ["In 1976...Angkar began to evacuate [us] from Takeo province to Battambang province...died from lack of milk to feed."].

- 1330 **E3/3976** Denise Affonço OCIJ Statement, at ENG 00346934 [“[T]en or fifteen...An elderly person died during the journey...I knew I was in the North - West region.”].
- 1331 **E1/ 148.1** Transcript, 5 December 2012, Pech Srey Phal, 11.21.09 to 11.22.43 [“When someone died on the wagon, then the soldiers would push the dead body of the wagon because, to them, it was just a waste.”].
- 1332 **E3/5590** [REDACTED] OCIJ Statement, at ENG 00426477, KHM 00420974, FR 00434921-22 [“I wrapped my daughter’s body in a hammock and gave to Khmer Rouge’s soldiers. They took her body away.”].
- 1333 **E3/5327** [REDACTED] Complaint, at ENG 00875606.
- 1334 **E1/ 137.1** Transcript, 23 October 2012, Sokh Chhin, 10.21.29 to 10.26.02 [“The corpses that I buried were those who died along the track...those other corpses further from the track, we did not bury...”].
- 1335 **E1/ 137.1** Transcript, 23 October 2012, Sokh Chhin, 10.13.15 to 10.15.45 [“I, myself, buried the dead bodies because dead bodies along the railway tracks decomposed, so we had to bury the bodies”].
- 1336 **E3/5433** [REDACTED] Complaint, at ENG 00872997 [“Less than ten days after I started living at 105...about 8 o’clock...I saw it with my own eyes...They accused my husband of being a Captain.”].
- 1337 **E3/5433** [REDACTED] Complaint, at ENG 00872997.
- 1338 **E3/3970** Pech Srey Phal OCIJ Statement, at ENG 00434931 [“I lived there for approximately two months...Five days after registration...sixty people going...we met a base person...the ways to escape.”].
- 1339 **E3/5525** TCW-285 OCIJ Statement, an ENG 00422361 [“The trains dropped many people in these two locations. Many people died at these places because they had no food to eat.”]; **E3/5423** [REDACTED] Complaint, at ENG 00873836 [“In early 1976, *Angkar* started to evacuate people...catch a train to Battambang province...I did not know the geographical location...fell sick and died of starvation...”]; **E3/4913** [REDACTED] Complaint, at ENG 00893689; **E3/5205** [REDACTED] OCIJ Statement, at ENG 00221860 [“We were hit hard by malaria at first, and fifteen people died.”]; **E3/5187** TCW-546 OCIJ Statement, at ENG 00274180 [“About 20 people died of exhaustion and disease each time I worked there.”]; **E3/5204** [REDACTED] OCIJ Statement, at ENG 00242082 [“Baray was a strong malarial area...Every single day, five to ten people died from malaria because there was no medicine to treat them.”].
- 1340 **E1/ 147.1** Transcript, 4 December 2012, Toeng Sokha, 11.57.43 [“She died because of lack of food. Her body became swollen, she had experienced severe diarrhoea. And, without proper medical service, she died by early 1976.”].
- 1341 **E3/5423** [REDACTED] Complaint, at ENG 00873836 [“In early 1976, *Angkar* started to evacuate people...catch a train to Battambang province...I did not know the geographical location...fell sick and died of starvation...”].
- 1342 **E3/3969** Chau Ny Complaint, at ENG 00478480 [“We walked about 10 days...Chau Suon, who was 8 years old, died. About four to five months later, Chau Lapaing, who reached the age of 5, died. Both children died in early 1976.”].
- 1343 **E3/5053** [REDACTED] Complaint, at ENG 00840070 [“In early 1976, the Khmer Rouge evacuated my family...The ration was not enough. Each of us was given only two scoops of gruel. Consequently, both of them fell sick and died of starvation.”].
- 1344 **D2 2/309** [REDACTED] Complaint, at ENG 00865178 [“After staying at our birthplace for four or five months...died in mid-1976 of oedema resulting from malnutrition. Their bodies were buried in the jungle like animals without any ritual or religious ceremony held.”].
- 1345 **E3/5020** [REDACTED] Complaint, at ENG 00893426 [“In 1975...on foot for about one month...after 3 months...half a month in Battambang, my son Van HaiPouv died of hunger and malnutrition.”].
- 1346 **E3/684** Ieng Thirith Interview, 29 August 1981, at ENG S0030067.
- 1347 **E3/ 1181** DK Report entitled “General View of Sector 5, Northwest Zone,” 27 June 1977, at ENG 00223177 [“It is the worse place of starvation, which last year alone killed more than 20,000 people.”].
- 1348 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156745, KHM 00156615, FR 00156668 [“Nuon Chea and Pol Pot brought me from Udong to Phnom Penh...to the buildings of the railway station and we stayed there around a month before going to the Silver Pagoda and then to the Bassac waterfront.”]; **E3/37** Khieu Samphan OCIJ Statement, at ENG 00156755 [stating that the senior leaders lived together first at K-1 for 2 to 3 months, and then moved to K-3]; **E3/37** Khieu Samphan OCIJ Statement, at ENG 00156755, KHM 00156676-77, FR 00156682 [stating that, after initially staying at K1 for 2 or 3 months in mid-1975, “most of the leaders lived in K3, Ieng Sary, Son Sen, Nuon Chea... Pol Pot, once in a while he stayed in K3.”]; **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 11.05.01 [“Pang worked with Pol Pot, Nuon Chea, and Khieu Samphan at K-1 location”], 11.14.15 [“At that time Nuon Chea, Ieng Sary and Khieu Samphan attended the meetings at K-1...”], 13.37.28 to 13.39.48 [“I was told by Pang that today the meeting would be convened as a special one and that Pol Pot, Ieng Sary, Khieu Samphan, Nuon Chea would be the attendees. I don’t recollect the other people in the meeting.”]; **E3/3196** Transcript of

Interview with Khieu Samphan, at ENG 00815868 [“Pol Pot and Nuon Chea collectively ate with all of us. They did not eat separately...for the sake of running the country. My wife did the cooking in the dining hall with a few other women.”]; **E3/3198** Transcript of Interview with Khieu Samphan, at ENG 00815884 [“As for daily life, Pol Pot and Nuon Chea had meals with me, and we had meals together. We did nothing separately.”]; **E3/3196** Transcript of Interview with Khieu Samphan, at ENG 00815868 [“Pol Pot and Nuon Chea collectively ate with all of us. They did not eat separately...for the sake of running the country. My wife did the cooking in the dining hall with a few other women.”]; **E3/3198** Transcript of Interview with Khieu Samphan, at ENG 00815884 [“As for daily life, Pol Pot and Nuon Chea had meals with me, and we had meals together. We did nothing separately.”]; **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 11.14.15 [“Khieu Samphan and Nuon Chea stayed at another separate house called K-3”], 11.50.06 to 11.52.44 [“There were only meetings at K-1. K-3 was the residence places for Nuon Chea and Khieu Samphan and the workplace was at K-1.”]; **E1/71.1** Transcript, 2 May 2012, Pean Khean, 14.15.48 to 14.17.36 [“K-1 was a place where Pol Pot would stay. K-3 was a joint office where Om Pol Pot, Om Hem or Khieu Samphan, Om Ieng Sary, and Om Son Sen worked.”], 15.57.40 to 15.59.06 [“K-3 was a place where [the leaders] came to meet each other...”]; **E1/73.1** Transcript 17 May 2012, Pean Khean, 16.32.55 to 16.35.09 [“[Khieu Samphan] must have participated in the meetings because he resided in K-3 and he worked there, as well, and Nuon Chea and Ieng Sary also worked and stay (sic) at K-3.”]; **E1/126.1** Transcript, 25 September 2012, Noem Sem 14.12.38 to 14.14.17 [“Uncles here refer to Uncle Pol Pot, Nuon Chea and Khieu Samphan—the three of them were seen having a meal together.”]; **E1/208.1** Transcript, 17 June 2013, Leng Chhoeung, 09.24.52 to 09.31.10 [“Q. You...started in 1976...that you stayed until 1978...A. Yes...at that time [Khieu Samphan] lived at the K-3 office.”], 09.42.05 to 09.46.08 [“Q. Is this Khieu Samphan’s house at K-3 that you were describing in this passage? A. Yes, that is correct.”]; **E1/205.1** Transcript, 11 June 2013, So Socheat, 15.44.38 to 15.46.54 [“Q. Do you agree with your husband that when he was at K-3, he did nothing separately from Pol Pot and Nuon Chea? A. At that workplace I only saw them together during mealtimes.”]; **E1/206.1** Transcript, 12 June 2013, So Socheat, 09.30.58 to 09.32.50 [“Q. ...did your husband leave K-1 for K-3 in late 1975, early 1976? A. That is correct...Q....you and your husband stayed for four or five months at K-3 before the exodus when the leaders left? A. Yes, that is right.”]; **E1/152.1** Transcript, 12 December 2012, Kham Phan *alias* Phan Van, 10.05.17 to 10.06.54 [“I was taking her to K-3, where I would be stopped and asked to wait outside. They [Ieng Thirith and Nuon Chea] would meet two to three times each month.”]; **E1/156.1** Transcript, 8 January 2013, Sa Vi, 11.16.08 to 11.18.36, 15.42.28 to 15.44.2828 [“I observed [Khieu Samphan] coming and going to work often at K-1.”]; **E1/126.1** Transcript, 25 September 2012, Noem Sem, 14.02.03 to 14.04.09 [“Offices K-1 and K-3 were the locations where the Uncles would stay.”], and 14.12.38 to 14.14.17 [“Uncles here refer to Pol Pot, Nuon Chea, and Khieu Samphan.”]; **E1/97.1** Transcript, 26 July 2012, Rochoem Ton *alias* Phy Phuon, 15.48.39 to 15.50.30 [“The Office 870 where Khieu Samphan stayed would be both at K-3 and K-1. These were the two locations where I had contact with him...before I went to see him I would telephone him in advance...on his desk.”]; **E1/189.1** Transcript 6 May 2013, Philip Short, 14.01.34 to 14.02.47 [“Pol Pot had three main residences...in Phnom Penh. And the one in which they lived - and Khieu Samphan was there; Vorn Vet was there; Nuon Chea was there...That became the main, permanent headquarters.”]; **E1/191.1** Transcript, 8 May 2013, Philip Short, 10.06.11 [“I think five were together at the bank buildings, five or six; among them were Ieng Sary, Nuon Chea, Pol Pot, Khieu Samphan, Vorn Vet.”]; **E3/5748** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00153570 [stating that Pol Pot, Nuon Chea, Khieu Samphan, Son Sen, Vorn Vet “and perhaps Ieng Sary” lived and worked at “the Central Committee headquarters, on the shore of Tonle Bassac river,” which was called Office 870]; **E3/446** Saloth Ban *alias* So Hong OCIJ Statement, at ENG 00503164 [“870 was the Centre, while K-1 was the place where the Centre lived”]; **E3/64** Norng Sophang OCIJ Statement, at ENG 00334051; **E3/423** Saut Toeung OCIJ Statement, at ENG 00414607; **E3/464** [REDACTED] OCIJ Statement, at ENG 00226108-09, 11 [stating that K-1 and K-3 were the locations of the “uncles”]; **E3/385** Leng Chhoeung OCIJ Statement, at ENG 00360127 [“I stayed in the K-3 office near Khieu Samphan’s house. At that time, Nuon Chea and Ieng Sary also stayed in the K-3 office, their houses were next to each other but faced opposite directions”]; **E3/104** Sa Vi OCIJ Statement, at ENG 00204059 [“K1 and K3 were residences for the Uncles and places they went in and out to do their work”]; **E3/69** Chea Say OCIJ Statement, at ENG 00766338 [“K-1 and K-3 were the offices were the uncles stayed.”]; **E3/43** Noem Sem OCIJ Statement, at ENG 00365659-60 [“K-1 and K-3 were the residences and workplaces of the Uncles: Uncle Nuon Chea, Pol Pot, and Khieu Samphan. I saw them going and coming at that location.”]; **E3/435** Pean Khean OCIJ Statement, at ENG 00375887 [“K-1 was the residence and workplace of Pol Pot.”]; **E3/33** Oeun Tan OCIJ Statement, at ENG 00235127, 31 [Q. What was the function of K-1? A. It was the site where Pol Pot lived and worked and was the site where he met with District Committees, Sector Committees, and Zone Committees.”]; **E3/858** List of K-office Staff,

- 1978, at ENG 00391725-26 [“K-III...Guard for Uncle II...Guard for Borthor Van...Guard for Brother Hem...Guard for Brother Vorn”]; **E3/182** CPK Standing Committee Minutes, 9 October 1975, at ENG 00183393, 96 [Standing Committee minutes reference “Preparations for living in common” and a plan to “Move in on the 15th”]; **E3/57** Kham Phan *alias* Phan Van OCIJ Statement, at ENG 00290509 [“My daily work was to drive IENG Thirith to visit hospitals and to K-3 to meet with Ta Khieu Samphan *alias* Hem and Nuon Chea”]; **E3/43** Noem Sem OCIJ Statement, at ENG 00365660 [“At K-3, I saw Pol Pot, Nuon Chea and Khieu Samphan having meals together.”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396520.
- 1349 **E3/2766** OCIJ Map, at ENG 00429178; **E3/37** Khieu Samphan OCIJ Statement, at ENG 00156755; **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 11.05.01 [“K-1 was near Tonle Bassac. ...It was the location where Pol Pot worked...Pang worked with Pol Pot, Nuon Chea, and Khieu Samphan at K-1 location”]; **E3/33** Oeun Tan OCIJ Statement, at ENG 00235127; **E3/423** Saut Toeung OCIJ Statement, at ENG 00414607; **E3/64** Norng Sophang OCIJ Statement, at ENG 00334046; **E3/67** Norng Sophang OCIJ Statement, at ENG 00483967; **E3/104** Sa Vi OCIJ Statement, at ENG 00204059; **E3/463 TCW-783** OCIJ Statement, at ENG 00204732-34; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396520.
- 1350 **E3/104** Sa Vi OCIJ Statement, at ENG 00204059; **E3/64** Norng Sophang OCIJ Statement, at ENG 00334046; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396520.
- 1351 **E3/2766** OCIJ Map, at ENG 00429178; **E3/37** Khieu Samphan OCIJ Statement, at ENG 00156755 [stating that K3 was located “just behind the Royal Palace” and was a “group of houses which were delineated by Pasteur Street and Kampuchea Krom Street, Dr. Han’s Street and another parallel road”]; **E3/423** Saut Toeung OCIJ Statement, at ENG 00414607; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396520 [stating that this block was selected for K-3 because it included the old family house of Pol Pot’s wife, Khieu Ponnary].
- 1352 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156750-51; **E3/1714** Masato Matsushita and Stephen Heder, *Interviews with Kampuchean Refugees at Thai-Cambodia Border*, at ENG 00170750; **E3/9** Philip Short, *Pol Pot, the History of a Nightmare*, at ENG 00396427, 00396667-75.
- 1353 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156750-51; **E3/108** Khieu Samphan Interview, 9-11 June 2006, at ENG 00000929; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417600; **E1/54.1** Transcript, 28 March 2012, Kaing Guek Eav *alias* Duch, 14.17.01 to 14.20.44; **E3/65** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00147521; **E3/61** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00195577; **E3/459** Saloth Ban *alias* So Hong OCIJ Statement, at ENG 00223595; **E3/446** Saloth Ban *alias* So Hong OCIJ Statement, at ENG 00503164; **E3/24** Rochoem Ton *alias* Phy Phuon OCIJ Statement, at ENG 00223585; **E3/371** Suong Sikoeun OCIJ Statement, at ENG 00290414; **E3/1714** Masato Matsushita and Stephen Heder, *Interviews with Kampuchean Refugees at Thai-Cambodia Border*, at ENG 00170749.
- 1354 **E1/189.1** Transcript, 6 May 2013, Philip Short, 13.42.27 [“Son Sen, who was, in fact not a full member, but an - an alternate member of the Standing Committee.”]; **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156750-51; **E3/108** Khieu Samphan Interview, 9 - 11 June 2006, at ENG 00000929; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417600; **E1/54.1** Transcript, 28 March 2012, Kaing Guek Eav *alias* Duch, 14.17.01 to 14.20.44; **E3/65** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00147521; **E3/61** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00195577; **E3/459** Saloth Ban *alias* So Hong OCIJ Statement, at ENG 00223595; **E3/446** Saloth Ban *alias* So Hong OCIJ Statement, at ENG 00503164; **E3/24** Rochoem Ton *alias* Phy Phuon OCIJ Statement, at ENG 00223585; **E3/371** Suong Sikoeun OCIJ Statement, at ENG 00290414; **E3/1714** Masato Matsushita and Stephen Heder, *Interviews with Kampuchean Refugees at Thai-Cambodia Border*, at ENG 00170749; **E1/189.1** Transcript, 6 May 2013, Philip Short, 13.42.27 [“Son Sen, who was, in fact not a full member, but an – an alternate member of the Standing Committee.”]; **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156750-51; **E3/108** Khieu Samphan Interview, 9-11 June 2006, at ENG 00000929; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417600; **E1/54.1** Transcript, 28 March 2012, Kaing Guek Eav *alias* Duch, 14.17.01 to 14.19.08; **E3/65** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00147521; **E3/61** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00195577; **E3/96 TCW-724** OCIJ Statement, at ENG 00346941; **E3/459** Saloth Ban *alias* So Hong OCIJ, at ENG 00223595; **E3/24** Rochoem Ton *alias* Phy Phuon OCIJ Statement, at ENG 00223585; **E3/1714** Masato Matsushita and Stephen Heder, *Interviews with Kampuchean Refugees at Thai-Cambodia Border*, at ENG 00170749.
- 1355 **E1/54.1** Transcript, 27 March 2012, Kaing Guek Eav *alias* Duch, 14.17.01 to 14.20.44 [“So there was seven members of the Standing Committee.”]; **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156750-51; **E3/65** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00147521; **E3/452** Kaing

Guek Eav *alias* Duch OCIJ Statement, at ENG 00147570; **E3/61** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00195577-78; **E3/1714** Masato Matsushita and Stephen Heder, *Interviews with Kampuchean Refugees at Thai-Cambodia Border*, at ENG 00170749.

1356 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156750-51.

1357 **E1/91.1** Transcript, 18 July 2012, David Chandler, 15.21.40 [“the Party Centre, I think, referred particularly to the -- to the Central Committee.”]; **E1/222.1** Transcript, 11 July 2013, Stephen Heder, 09.35.53 to 09.57.33 [“The ‘Centre’ refers to a level within the Party hierarchy or structure and not necessarily to any specific body of that level”]; **E1/111.1** Transcript, 21 August 2012, Sa Siek, 09.54.27 to 09.57.11 [“The Party Centre ‘was the hierarchy of the country’s administration...(The) Centre must be higher than the sectors or zones’”]. **E3/1684**, David Chandler, *Voices from S-21*, at ENG 00192694, KHM 00191846, FR 00357278 [“the collective leadership of DK, known as ... the Party Centre (‘mocchim pak’) or leading apparatus (‘kbal masin’) to members of the CPK. The Party Centre was the nerve centre of the country”] and [“Its membership altered over time, but its highest-ranking members... Pol Pot, Nuon Chea, Ta Mok, Son Sen, and Khieu Samphan - remained members throughout the regime and, indeed, into the 1990s”].

1358 **E3/130** DK Statute, January 1976, Articles 7.1, 21; **E3/558** Nuon Chea OCIJ Statement (Adversarial Hearing), at ENG 00148699 [“Concerning power: it was not invested in individuals. It was in the Party Congress. Therefore, the collective was respected. Leadership in my Party was collective decision making”].

1359 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00539265; **E1/189.1** Transcript, Philip Short, 6 May 2003, 11.54.06; **E3/20** Elizabeth Becker, *When the War Was Over*, at ENG 00237887; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396720; **E3/2115** Stephen Heder and Brian Tittmore, *Seven Candidates for Prosecution*, at ENG 00393581.

1360 **E1/189.1** Transcript, Philip Short, 6 May 2003, 11.54.06; **E3/367** Sao Sarun OCIJ Statement, at ENG 00278695-96 [...during the Party anniversary perhaps in September 1978...they declared to appoint me as secretary of Sector 105... Pol Pot made the announcement and...Khieu Samphan and Nuon Chea were also in the chairmanship sitting next to him.”]; **E3/1714** Masato Matsushita and Stephen Heder, *Interviews with Kampuchean Refugees at Thai-Cambodia Border*, at ENG 00170749-50 [describing 5th Party Congress that took place “about August 1978”]; **E3/4** Timothy Carney, *The Organization of Power*, at ENG 00105143; **E3/2114** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393835 [indicating that 5th Congress was held around November 1978]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396668-69 [referencing promotions to Standing Committee in November 1978].

1361 **E3/214** DK Statute, January 1976, at ENG 00184038 (Article 7.1).

1362 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156750-51; **E1/189.1** Transcript, Philip Short, 6 May 2003, 11.54.06, 11.57.24 to 11.59.51; **E2/223.1** Transcript, Stephen Heder, 15 July 2013, 11.08.55; **E3/1714** Masato Matsushita and Stephen Heder, *Interviews with Kampuchean Refugees at Thai-Cambodia Border*, at ENG 00170750 [CPK cadre who participated in 5th Party Congress in 1978 states that Central Committee consisted of “mostly tampon secretaries, secretary of Regions, deputy secretary of Regions, members of Regions”]; **E3/4** Timothy Carney, *The Organization of Power*, at ENG 00105140-41, 51-53; **E3/2115** Stephen Heder and Brian Tittmore, *Seven Candidates for Prosecution*, at ENG 00393581; see also **E3/356** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 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.”]; **E3/358** Duch OCIJ Statement, at ENG 00244242 [“Meas Mut and Sam were nominated to the Central Committee in 1975.”]; **E3/454** Duch OCIJ Statement, at ENG 00147606 [“Men San alia Ya was a full rights member of the Central Committee.”].

1363 **E3/214** DK Statute, January 1976, at ENG 00184045 (Article 23).

1364 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156750 [“The central committee convened a meeting every 6 months from 1970 onwards”]; **E3/214**, DK Statute, January 1976, at ENG 00184045 (Article 25).
1365 **E3/12** CPK Directive entitled “Decision of the Central Committee Regarding a Number of Matters,” 30 March 1976, at ENG 00182809-10, 13-14

1366 **E3/740** CPK Central Committee Directive on the use of the terms ‘Angkar’ and ‘Party,’ 11 July 1977.

1367 **E3/763**, **E3/764** CPK Directive entitled “Guidance of the Central Committee of the CPK on the Party’s Policy towards Mised Persons who have joined the CIA, served as Yuon agents, or joined the KGB and opposed the Party, Revolution, People and Democratic Kampuchea,” 20 June 1978, ENG 00275217-20.

1368 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156750 [“In principle, the most important body was the central committee, but in practice it was the standing committee...the political line and decision

making process...established at the standing committee.”]; **E3/557** Khieu Samphan OCII Statement (Adversarial Hearing), at ENG 00153269 [“I specify that all the important decisions were taken by the Standing Committee which was the supreme organ.”]; **E3/452** Kaing Guek Eav *alias* Duch OCII Statement, at ENG 00147570; **E3/453** Kaing Guek Eav *alias* Duch OCII Statement, at ENG 00147584; **E3/454** Kaing Guek Eav *alias* Duch OCII Statement, at ENG 00147602; **E3/448** Kaing Guek Eav *alias* Duch OCII Statement, at ENG 00154910; **E3/1578** Kaing Guek Eav *alias* Duch Statement, at ENG 00194551; **E3/5773** Kaing Guek Eav *alias* Duch OCII Statement, at ENG 00242188; **E3/356** Kaing Guek Eav *alias* Duch OCII Statement, at ENG 00242901 [references to “Standing Committee of the Central Committee”]; **E3/355** Kaing Guek Eav *alias* Duch OCII Statement, at ENG 00242874 [“[T]he most important body within the Party was the Standing Committee of which Pol Pot was Secretary”]; **E1/19.1** Transcript, 8 December 2011, Long Norin, 14.27.49 to 14.30.30.

1369 **E3/27** Khieu Samphan OCII Statement, at ENG 00156750; **E3/108** Khieu Samphan Interview, 9-11 June 2006, at ENG 00000929; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417600; **E1/54.1** Transcript, 28 March 2012, Kaing Guek Eav *alias* Duch 14.17.01 to 14.19.08 [“...Pol Pot as secretary...Nuon Chea was the...first deputy-secretary...”]; **E3/65** Kaing Guek Eav *alias* Duch OCII Statement, at ENG 00147521; **E3/61** Kaing Guek Eav *alias* Duch OCII Statement, at ENG 00195577; **E3/355** Kaing Guek Eav *alias* Duch OCII Statement, at ENG 00242874; **E3/459** Saloth Ban *alias* So Hong OCII Statement, at ENG 00223595; **E3/446** Saloth Ban *alias* So Hong OCII Statement, at ENG 00503164; **E3/24** Rochoem Ton *alias* Phy Phuon OCII Statement, at ENG 00223585; **E3/1714** Masato Matsushita and Stephen Heder, *Interviews with Kampuchean Refugees at Thai-Cambodia Border*, at ENG 00170749.

1370 **E3/218** CPK Standing Committee Meeting Minutes, 26 March 1976, at ENG 00182651, 56-57.
1371 **E1/56.1** Transcript, 29 March 2012, Kaing Guek Eav *alias* Duch, 10.18.21 to 10.26.47 [“Vorn Vet was arrested... at the Central Office ... by Comrade Lin's group and under the direct order from Ta Mok...it was on the 2nd of November 1978”]; **E1/61.1** Transcript, 9 April 2012, Kaing Guek Eav *alias* Duch, 14.31.44 to 14.33.53 [“...Von Vet arrived on the 2nd of November 1978...”]; **E3/451** Kaing Guek Eav *alias* Duch OCII Statement, at ENG 00204342, 56; **E3/108** Khieu Samphan Interview, 9-11 June 2006, at ENG 00000929; **E3/421** Chhouk Rin *alias* Sok OCII Statement, A8, ENG 00414060 [“I was told that SAO Phim committed suicide in Kampong Cham”]; **E3/17** David Chandler, *Brother Number One*, at ENG 00393061 [“...Purges of the East, which began in May 1978 and continued through October,...The party secretary of the zone, Sao Phim, committed suicide in June; his brother-in-law Muol Sambath (Nhim Ros)...was then arrested and brought to Tuol Sleng.”]; **E3/1686** David Chandler, *A History of Cambodia*, at ENG 00422850 [“The man in charge of the eastern zone, an ICP veteran named Sao Phim, committed suicide in June 1978 when summoned to Phnom Penh for ‘consultation’, which he knew meant execution.”]; **E3/48**, Stephen Heder and Brian Tittmore, *Seven Candidates for Prosecution*, at ENG 00393549 [“Duch specified that...Von Vet...arrested in early November 1978...(was) ‘ordered killed by Nuon Chea...I had to exhume the body of Von Vet... to take a picture...because Nuon Chea wanted proof he was killed.’”]; **E3/1876** S-21 Confession of Penh Thuok *alias* Vorn Vet, 6 November - 3 December 1978.

1372 **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417600; **E3/1714** Masato Matsushita and Stephen Heder, *Interviews with Kampuchean Refugees at Thai-Cambodia Border*, at ENG 00170749; **E3/4** Timothy Carney, *The Organization of Power*, at ENG 00105141, 51; **E3/494** Craig Etcheson, Written Record of Analysis, 18 July 2007, at ENG 00142830; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396669 [“Kong Sophal *alias* Keu...promoted to the Standing Committee in November 1978 [and] arrested immediately afterwards and killed at Tuol Sleng.”]; **E3/459** Saloth Ban *alias* So Hong OCII Statement, at ENG 00223595.

1373 **E3/27** Khieu Samphan OCII Statement, at ENG 00156750-51.

1374 CPK Standing Committee Meeting Minutes held at close dates: (a) **E3/197**, **E3/233**: meetings held respectively on 11 and 13 March 1976; (b) **E3/219** & **E3/220**: meetings respectively held on 3 May and 7 May 1976; (c) **E3/221**, **E3/222**, **E3/223**: meetings held successively on 14, 15 and 17 May 1976; (d) **E3/224**, **E3/225**: meetings held respectively on 30 May and 1 June 1976.

1375 **E3/229** CPK Standing Committee Minutes, 22 February 1976, at ENG 00000713-20; **E3/230** CPK Standing Committee Minutes, 22 February 1976, at ENG 00000711-12.

1376 **E3/235** CPK Standing Committee Minutes, 19-21 April 1976, at ENG 00019142-48; see also **E3/197** CPK Standing Committee Minutes, 11 - 13 March 1976 [bearing the date of 11 March at ENG 00182638 and 13 March from 00182640].

1377 **E3/37** Khieu Samphan OCII Statement, at ENG 00156755 [stating that Standing Committee meetings “were often held at K1 office but sometimes at K3 office, Pol Pot’s house, and it could be held in the kitchen”].

- 1378 See Annex 2.
- 1379 **E3/182** CPK Standing Committee Minutes, 9 October 1975.
- 1380 **E3/235, E3/236** CPK Standing Committee Minutes, 19 - 21 April 1976.
- 1381 **E3/232** CPK Standing Committee Minutes, 8 March 1976; **E3/197** CPK Standing Committee Minutes, 11 March 1976.
- 1382 **E3/216** CPK Standing Committee Minutes, 20 - 24 August 1975; **E3/182** CPK Standing Committee Minutes, 9 October 1975; **E3/227** CPK Standing Committee Minutes, 2 November 1975; **E3/228** CPK Standing Committee Minutes, 9 January 1976; **E3/229** CPK Standing Committee Minutes, 22 February 1976; **E3/217** CPK Standing Committee Minutes, 11 March 1976; **E3/218** CPK Standing Committee Minutes, 26 March 1976; **E3/235, E3/236** CPK Standing Committee Minutes, 19-21 April 1976; **E3/221** CPK Standing Committee Minutes, 14 May 1976; **E3/222** CPK Standing Committee Minutes, 15 May 1976; **E3/224** CPK Standing Committee Minutes, 30 May 1976.
- 1383 **E3/232** CPK Standing Committee Minutes, 8 March 1976, at ENG 00182631-34.
- 1384 **E3/216** CPK Standing Committee Minutes, 20 - 24 August 1975, at ENG 00850978 ["It is better to add more force [to the Zone]...The labour force must be increased. Three or four hundred thousand more would not be enough. The current strength of one million persons can only work 50 per cent. It's imperative to add four or five hundred thousand more."]; **E3/154** Telegram 15 from Chon to Brother Pol, 30 November 1975, at ENG 00185064-65 [describing a Policy of moving tens of thousands of Cham from the East Zone to the North Zone; It appears that this Policy was decided by the Standing Committee.].
- 1385 **E3/230** CPK Standing Committee Minutes, 22 February 1976 ["Propose using additional adolescent children from the base areas and handing them over to Industry for management"]; **E3/226** CPK Standing Committee Minutes, 10 June 1976, at ENG 00183367 [noting the use of child labour].
- 1386 **E3/216** CPK Standing Committee Minutes, 24 August 1975, at ENG 00850973 ["the new people are experiencing shortages of food supplies as well as shortages of medicine"]; **E3/232** CPK Standing Committee Minutes, 8 March 1976, at ENG 00182632-33 ["many sick people in [Sector 106], a loss of 40 per cent of the workforce" and "many...of the people in [Sector 103] are ill"].
- 1387 **E3/182** CPK Standing Committee Minutes, 9 October 1975; **E3/232** CPK Standing Committee Minutes, 8 March 1976; **E3/231** CPK Standing Committee Minutes, 8 March 1976; **E3/225** CPK Standing Committee Minutes, 1 June 1976.
- 1388 **E3/216** CPK Standing Committee Minutes, 20 - 24 August 1975; **E3/182** CPK Standing Committee Minutes, 9 October 1975; **E3/230** CPK Standing Committee Minutes, 22 February 1976; **E3/232** CPK Standing Committee Minutes, 8 March 1976; **E3/233** CPK Standing Committee Minutes, 13 March 1976; **E3/235, E3/236** CPK Standing Committee Minutes, 19 - 21 April 1976; **E3/220** CPK Standing Committee Minutes, 7 May 1976; **E3/224** CPK Standing Committee Minutes, 30 May 1976; **E3/226** CPK Standing Committee Minutes, 10 June 1976.
- 1389 **E3/182** CPK Standing Committee Minutes, 9 October 1975; **E3/227** CPK Standing Committee Minutes, 2 November 1975; **E3/231** CPK Standing Committee Minutes, 8 March 1976; **E3/197** CPK Standing Committee Minutes, 11 March 1976; **E3/217** CPK Standing Committee Minutes, 11 March 1976; **E3/233** CPK Standing Committee Minutes, 13 March 1976; **E3/235 & E3/236** CPK Standing Committee Minutes, 19 - 21 April 1976; **E3/219** CPK Standing Committee Minutes, 3 May 1976; **E3/223** CPK Standing Committee Minutes, 17 May 1976.
- 1390 **E3/12** CPK Central Committee Decision, 30 March 1976, at ENG 00182809.
- 1391 **E3/214** CPK Statute, January 1976, at ENG 00184043-44 (Article 19); **E1/189.1** Transcript, 6 May 2013, Philip Short, 13.39.07 to 13.41.00 ["Q...Did (the revolutionary army) also report to the Standing Committee? A. Yes, commanders and the zone leaders and zone military commanders would send telegrams to 870"], 14.16.24 ["The Army was absolutely subordinated to the Party. And it was the Party which took the decisions which the military implemented"]; **E1/191.1** Transcript, 8 May 2013, Philip Short, 16.18.00 to 16.20.02 ["The evidence is that the former Issarak leaders obeyed, pretty scrupulously, the Policy laid down from the Centre"], ["...but no one...among the former Issaraks, who were zone commanders, was going to disobey what the Centre had laid down."], 16.22.45 to 16.24.54 [About the killing of Lon Nol officials and soldiers after 17 April 1975: "It would not have been possible for zone commanders...laid down by the Centre" ... "large scale, systematic killings of particular groups, no, I find it inconceivable that that would have happened outside a broad Policy consensus, which had already laid down."]; **E3/952** Telegram 4 from Pok to Brother Pol, 2 April 1976; **E3/154** Telegram 15 from Chhon to Brother Pol, 30 November 1975; **E3/179 & E3/180** Report from Mo-560, 29 May 1977; **E3/182** CPK Standing Committee Minutes, 9 October 1975, at ENG 00183396 ["When the Standing Committee meets, each person reports" and "The Standing Committee monitors each section's implementation of the line."].

- 1392 **E1/63.1** Transcript, 18 April 2012, Saut Toeung, 15.18.42 to 15.20.53 [“Q. How often did you see Ta Mok in Phnom Penh? A. Once every one or two months. It was rather frequent.... He would come to K-1”], 15.26.34 to 15.28.34 [“Q. And did you ever see Ta Nhim come to Phnom Penh for meetings with Nuon Chea or other Party leaders ...? A. Yes, they would -- he would come to Phnom Penh on a regular basis. ... He would go to K-1 [where] he would stay there until he returned.”], 15.28.34 [“Q. Did you see [Sao Phim] come to Phnom Penh for meetings with Nuon Chea and the other Party leaders? A. Yes, it was their routine...he would come to K-1 to attend meetings there...once every two or three months.”]; **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 11.18.25 to 11.20.00 [“Sometimes the meetings were held once a month, sometimes once every fortnight, but I think that's just my observation”], 11.42.57 to 11.45.28 [“In each meeting there were Mr. Khieu Samphan, Ieng Sary, Nuon Chea, and others. They were there regularly; either the meeting was held monthly or fortnightly.”]; **E3/33** Oeun Tan OCIJ Statement, at ENG 00235128-29.
- 1393 **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 11.09.54 to 11.14.15 [“Q. In this period from '75 to '79, did you ever guard—or provide security for any meetings? A. I used to provide security at the normal workplace... It was in the vicinity of K-1 location.”]; **E1/87.1** Transcript, 14 June 2012, Oeun Tan, 09.31.53 to 09.41.29 [“Q. You mean all the meetings over a period of three and a half years? A. Yes, it is true.”]; **E3/33** Oeun Tan OCIJ Statement, at ENG 00235128-29; **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 09.54.25 to 09.56.54 [“And if the matter was of strictly confidential nature, they did not need to go through telegrams or messages; they had to come in person to the Centre.”], 09.59.30 to 10.01.44 [“For the internal affairs, sometimes it would not be transmitted through a telegram; sometimes it -- communicated through a person who would come to the Centre.”]; **E3/64** Norng Sophang OCIJ Statement, at ENG 00334053 [“As for the messages about the reports on the enemy situation or treason, the Zone Committee came in person to meet the Central Committee.”].
- 1394 **E1/83.1** Transcript, 7 June 2012, Sao Sarun, 11.45.40 to 11.53.08 [“In that meeting we discussed...managing the forces and masses...educate people and raise their awareness about economic matters and how they could help...self-sufficiency...strengthen the defence...”]; **E1/84.1** Transcript, 11 June 2012, Sao Sarun, 09.13.55 to 09.19.10 [“Q....when you returned...after your meeting...with the leaders in Phnom Penh, were you expected to implement instruction that you had received from them? A. Yes.”]; **E3/367** Sao Sarun OCIJ Statement, at ENG 00278696.
- 1395 **E3/232** CPK Standing Committee Minutes on Base Work, 8 March 1976, at ENG 00182628, KHM 00017116, FR 00323932 [“Comrade Sreng, Comrade Hang, Comrade Sot”]; **E3/231** CPK Standing Committee Minutes on Propaganda, 8 March 1976, at ENG 00528385, KHM 00017124, FR 00323930 [Comrade Phoas]; **E3/218** CPK Standing Committee Minutes, 26 March 1976, at ENG 00182651, KHM 00000752, FR 00334967 [“Comrade Ya, Comrade Tum”]; **E3/221** CPK Standing Committee Minutes entitled “Examination of the Reaction of Vietnam During the Fifth Meeting, at ENG 00182693, KHM 00000810, FR 00386175 [“Comrade Ya, Comrade Chan, Comrade Se”]; **E3/226** CPK Standing Committee Minutes on Health and Social Affairs, 10 June 1976, at ENG 00183363, KHM 00017147, FR 00296158 [“Comrade Phea, Comrade Sou, Comade Sei and Cadres of Social Affairs and Health.”].
- 1396 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 11.55.36 to 11.59.20 [“The directives took many forms...to the lower authority”]; **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 14.40.30 to 15.06.26; **E3/1734** Instruction of Office 870, 3 January 1978; **E3/67** Norng Sophang OCIJ Statement, at ENG 00483968-69, 00483972-73; **E3/430 TCW-257** OCIJ Statement, at ENG 00223512-13; See also **E3/779** CPK Directive from M-870 entitled ‘Angkar’s Advice on Cleaning the City,’ 16 October 1976; **E3/740** CPK Central Committee Directive, 11 July 1977, at ENG 00305412; **E3/764** CPK Central Committee Directive, 20 June 1978, at ENG 00275220.
- 1397 **E3/430 TCW-257** OCIJ Statement, at ENG 00223512 [“The Khmer Rouge leadership, after it was known that 870 was the Center level, doing anything and everything originated from there.”].
- 1398 For example, **E3/764** CPK Central Committee Directive, 20 June 1978, at ENG 00275220 [“[i]t is requested to all the regions, sectors, and the military units to take this above Guidance to educate and to conduct meetings inside their respective...organisations...”]; **E3/193** *Revolutionary Flag*, August 1977, at ENG 00399246 [“Propose that every leadership echelon in the Party concentrate on examining, discussing, and studying this presentation conscientiously in order to take it for implementation in their respective Zones and get good results.”]
- 1399 **E1/198.1** Transcript, 29 May 2013, Khieu Samphan, 10.03.42 to 10.08.50 [“Therefore, we build dams and canals in a speedier process... And I, myself, witnessed that in 1976... I saw canals and dams, including Trapeang Thma dam...”]; **E3/18** Khieu Samphan, *Cambodia’s Recent History and the Reasons behind the Decisions I Made*, at ENG 00103780, KHM 00103875, FR 00595487 [“[B]etween 1975 and 1979, I saw with my own eyes... reservoirs in Traeang Thmar (in Phnom Srok, Bantey Meanchey)...”].

E3/235 CPK Standing Committee Minutes, 19-21 April 1976, at ENG 00183421 [stating that the “Standing Committee will go down to the bases in May”]; **E3/216** CPK Standing Committee Minutes, 21-24 August 1975 [describing Standing Committee visit to Northwest Zone]; **E1/21.1** Transcript, 13 December 2011, Nuon Chea, 10.35.21 to 10.41.11 [describing trips to the provinces and visits to cooperatives]; **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 09.41.50 to 09.46.26 [“Pol Pot...went to sectors, to districts, also to zones...He went to Siem Reap sector, Battambang, both at Kampong Chhnang”], 11.57.18 to 11.59.24 [“...he visited canals, he visited sectors as well. But I did not know what he talked about because I was ... about 10 metres away from him. I did not know what he said to the sector committees.”]; **E3/33** Oeun Tan OCIJ Statement, at ENG 00235131; **E1/63.1** Transcript, 18 April 2012, Saut Toeung, 15.05.42 to 15.07.43 [“Q. Did he travel throughout the whole country and visit all provinces? A. He visited Battambang, Kampong Chhnang, Kampong Speu, the East Zone.”], 15.09.21 to 15.13.18 [“Q. Who were the leaders from the regions that you remember Nuon Chea meeting with on these trips? A. To my recollection, they were So Phim, Ta Nhim, Ta Pal, Ta Touch, and others, Khieu (phonetic), Ta Mok -- he frequently met Ta Mok.”], and [“Q. When he went to the provinces, did Nuon Chea ever visit dams or other worksites? A. Yes, he visited very frequently... To my recollection, he visited the 1st January Dam and other 3 dams in Koh Kong and Pursat provinces, and a few other places...”], 15.13.18 to 15.14.39 [“He visited the status of the dam's construction as well as the rice cultivation and the performance of the cooperatives...and met with [the leaders responsible for] them “], 15.14.59 to 15.16.22 [“Q. And who would Nuon Chea meet with when he went to Takeo? A. He met with Ta Mok.”], 15.18.42 to 15.20.53 [“Q. ... Who did [Nuon Chea] meet with when he went to the East Zone? A. He met with Ta So Phim... It was not that frequent, maybe once every two or three months.”], 15.22.33 to 15.24.46 [“Q. Who would [Nuon Chea] meet with when he travelled to Battambang? A. He met with Ta Nhim...the chairman of the zone... probably once every three or four months.”], 15.28.34 to 15.30.37 [“Q. Who would [Nuon Chea] meet with when he went to Kampong Chhnang? A. He would only go to the rice field where people farmed rice.”], 15.30.37 to 15.35.00 [“Q. Who would [Nuon Chea] meet with when he went to Kampong Speu? A. He would meet Ta Pal...the secretary of a sector... I think it could have been two to three times a year.”]; **E1/192.1** Transcript 9 May 2013, Philip Short, 14.08.23 to 14.11.34 [“...he would report back to Pol Pot on what he found in the places he was asked to visit.”], 14.38.45 to 14.42.32 [“But the fact is that during a certain period of time, Pol Pot used Khieu Samphan to make missions to the provinces, and he was sent to assess the situation in the provinces and he came to report back.”]; **E3/464** [REDACTED] OCIJ Statement, at ENG 00226110; **E3/463 TCW-783** OCIJ Statement, at ENG 00204732, 34 [“Pol Pot went down to inspect labor sites, the construction of new dams or canals in the provinces. I drove him to sites like that very frequently”]; **E3/2470** Personal Biography of Bou Phat *alias* Hang, 5 January 1978, at ENG 00768226, KHM 00296593 [“Brother Number 2” presided over the “1st Assembly of Zone 801”]; **E3/3169** Stephen Heder, *Pol Pot and Khieu Samphan*, at ENG 00002771 [“This was evidently an allusion to the investigation he conducted in the West Zone in August 1977, and Pol Pot’s resulting decision to kill Zone Secretary Chou Chet, but not his deputy, Heng Pal.”]; **E3/273** FBIS *Sihanouk Completes 3-Day Tour of North*, 21 January 1976, at EG 00167844; See also **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396541 [“Sihanouk was brought face to face with the awfulness of life...during two provincial tours he made that winter in the company of Khieu Samphan...[It] bowled me over,” he wrote later.... else had imagined.”].

1400 **E3/182** CPK Standing Committee Minutes, 9 October 1975, at ENG 00183394 [“Each sector must have total mastery in the sense of implementing the Party line and the decisions of the Party”]; **E3/65** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00147524; **E3/453** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00147583 [“I attended” “every year...a study session where the Party lines were illustrated...[with] 100 or 200 participants...for a one week period at the Olympic Stadium”]; **E3/214** CPK Statute, January 1976, at ENG 00184045 (Article 23).

1401 **E3/130 & E3/214** CPK Statute, January 1976, at ENG 00184025, 33; **E1/102.1** Transcript, 6 August 2012, Suong Sikoeun, 15.42.15 to 15.44.00 [“as Heng Pich said that all intellectuals arriving from France were all revisionists”]; **E3/1699** Suong Sikoeun OCIJ Statement, at ENG 00223642; **E3/371** Suong Sikoeun OCIJ Statement, at ENG 00290417; **E1/149.1** Transcript, 6 December 2012, Hun Chhunly, 15.55.14 to 15.57.10; **E3/3571** DK Biography of Ok Sakun, 24 December 1976, at ENG 00729604-06, 09-15 [“I now know revisionism to be the number one enemy of our socialist revolution and number one enemy of the Communist Party of Kampuchea”]; **E3/522** DK Notebook entitled “The Diary of the Khmer Rouge Foreign Ministry”, 1976, at ENG 00003331, KHM 00427940, FR 00657902 [Speaking of the enemies: “they are still American Imperialists, the CIA, the revisionists, the KGB, and the Vietnamese.”]; **E3/815** DK Military Meeting Minutes of Secretaries and Deputy Secretaries of Divisions and Regiments, 18 October 1976, at ENG 00877015-16 [The revisionist group is described by Son Sen as being “led by

the Soviet Union and Vietnam”]; **E3/526** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00204297 [stating that the main purpose of the purges of Party cadres was to “prevent revisionism”].

E3/214 CPK Statute, January 1976, at ENG 00184025, 33.

E1/120.1 Transcript, 3 September 2012, Norng Sophang, 11.30.05 to 11.35.36 [“Office 870” was the office for the Party Centre.... referred to the Central Committee”]; **E3/67** Norng Sophang OCIJ Statement, at ENG 00483967-68 [“Committee 870 referred to the Central Committee with Mr. Pol Pot, Nuon Chea, Ieng Sary, and other senior leaders”]; **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 11.30.05 to 11.35.36 [“‘870’ was the Party Centre—or, at the same time, called the Committee of the Centre. And there had not been any change prior to 1975 or after 1975.”]; **E3/67** Norng Sophang OCIJ Statement, at ENG 00483968, at KHM 00294539, at FR 00374936 [“Committee 870 referred to the Central Committee with Mr. Pol Pot, Nuon Chea, and other senior leaders.”]; **E1/77.1** Transcript 29 May 2012, Ny Kan, 11.53.41 to 11.55.21 [“Office 870 referred to the office of the upper echelon... of course it was referred to the office of the upper authority ...”]; **E3/446** Saloth Ban *alias* So Hong OCIJ Statement, at ENG 00503164 [“870 was the Centre, while K-1 was the place where the Centre lived”]; **E3/5748** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00153570; **E3/448** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00154910 [“Office 870 was the head office of the Standing Committee”]; **E3/106** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00177636 [“[They] were arrested at the headquarters of the Standing Committee (Office 870) by Comrade Lin and his men.”]; **E3/37** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00156754 [“Committee 870” or “Organisation 870” referred to the Party leaders]; **E3/446** Saloth Ban *alias* So Hong OCIJ Statement, at ENG 00503164 [stating that “870” had been the codename for the Party headquarters pre-April 1975, and that “Office 870” was the “Centre Party Committee”]; **E3/84** Ung Ren OCIJ Statement, at ENG 00408395 [“Q. Was Committee 870 the Central Committee? A. Yes, it was the Central Committee which can be said that they consisted of senior leaders.”]; **E3/430 TCW-257** OCIJ Statement, at ENG 00223511-12 [“Sometimes they called it Committee 870, sometimes Office 870, meaning that it was still the same Office 870.”]; **E3/740** CPK Central Committee Directive, 11 July 1977, at ENG 00305412 [directive signed by “Committee 870,” with text expressly stating that the directive is from the “Party Central Committee”]; **E3/741** CPK Central Committee Directive, 3 January 1978, at ENG 00296009 [directive regarding situation with Vietnam signed by “Committee 870”]; **E3/64** Norng Sophang OCIJ Statement, at ENG 00840958-59, KHM 00328034-35, FR 00840983-84 [“Q. What did ‘to Committee 870’ mean, and whom did that refer to? A. It referred to the entire Central Committee.”]; **E3/24** Rochoem Ton *alias* Phy Phuon OCIJ Statement, at ENG 00223584-86, at KHM 00204072-74, at FR 00751771-73 [“FL: When did Khieu Samphan replace Doeun at Office 870? PP: Approximately late 1977 or early 1978.”]; **E3/448** Kaing Guek Eav *alias* Duch OCIJ, at ENG 00154910 [“Office 870 was the head office of the Standing Committee...Six persons lived there...Pol Pot, Nuon Chea, Ieng Sary, Vorn Vet, Son Sen, and Khieu Samphan...”]; **E3/71** TCW-639 OCIJ Statement, at ENG 00288632 [“The word committee meant a group of leaders because there were many people in the Committee 870.”], 00288636-37 [“Q. What did ‘leaders’ refer to? A. It referred to all leaders whose chairman was Pol Pot...during the Khmer Rouge period from 75-79, it was Committee 870.”].

E3/37 Khieu Samphan OCIJ Statement, at ENG 00156753, KHM 00156675, FR 00156680 [“Earlier, you said that Soeu Vasi *alias* Doeun was the Chairman of Office 870... A. He was appointed when Pol Pot established his office on the Tonle Bassac riverfront...around June 1975.”]

E3/182 CPK Standing Committee Minutes, 9 October 1975 at ENG 00183393.

E3/355 Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00242874; **E1/55.1** Transcript 28 March 2002 Kaing Guek Eav *alias* Duch, 13.50.23 to 13.53.09

E3/37 Khieu Samphan OCIJ Statement, at ENG 00156754; **E3/18** Khieu Samphan, *Cambodia's Recent History*, at ENG 00103755-56, KHM 00103844-45, FR 00595439-40; See also **E1/68.1** Transcript, 25 April 2012, Saloth Ban *alias* So Hong, 11.12.50 to 11.13.47; **E3/446** Saloth Ban *alias* So Hong OCIJ Statement, at ENG 00503164; **E3/356** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00242902.

E3/182 CPK Standing Committee Minutes, 9 October 1975, at ENG 00183396 [stating that the “Office of the Standing Committee” would make contact “back and forth with each section” and have the “task of monitoring implementation” of the Party lines]; **E3/24** Rochoem Ton *alias* Phy Phuon OCIJ Statement, at ENG 00223584 [“Doeun was in charge of Policy”].

E1/189.1 Transcript, 6 May 2013, Philip Short, 13.51.57 to 13.53.30; **E1/191.1** Transcript, 8 May 2013, Philip Short, 09.59.06 to 10.00.38 [“The Political office of 870, in other countries it would be called the General Office of the Central Committee, is the office which gives implementation to the decisions reached by the Standing Committee. It’s the transmission belt, and as such, obviously plays an absolutely crucial role”], 10.10.30 to 10.12.00; **E1/192.1** Transcript, 9 May 2013, Philip Short, 14.22.25 to 14.23.57 [Speaking of General Office “...it was a highly secret organization and served, if you like, as the nerve

centre for transmissions from the Standing Committee”]; 16.28.10 [“...the General Office, which was the transmission belt for (the Standing Committee) decisions...”]; see also **E1/93.1** Transcript, 20 July 2012, David Chandler, 09.44.38 to 09.46.19 [“To have anyone in that office meant this person had to be trusted by the very top half dozen people in the Party...870 was the nerve centre.”]; **E3/48** Stephen Heder and Brian Tittermore, *Seven Candidates for Prosecution*, at ENG 00393581; **E3/182** CPK Standing Committee Minutes, 9 October 1975, at ENG 00183396-97.

1410 **E3/37** Khieu Samphan OCIJ Statement, at ENG 00156754 [admitting he was responsible for “distribution of goods to the zones”]; **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 11.57.13 [“As for economic affairs, the person who was responsible at the time was...handling the materials to be distributed at the base level.”], 11.59.20 [“...before he distributed those materials to the local levels, he sent the telegrams to my unit first so that I could relay to the local authorities as to how many items or—were to be distributed to any specific locality.”], 15.30.27 to 15.32.59 [“...the telegrams were more about distribution of the goods that Mr. Khieu Samphan would like them to be distributed to the bases.”]; **E1/151.1** Transcript, 11 December 2012, Kham Phan *alias* Phan Van, 15.48.00 – 15.52.18 [Q: Mr. Khieu Samphan sent telegrams relating to material, equipment, healthcare, and social affairs, etc.? A: Yes.”]; **E3/58** Kham Phan *alias* Phan Van OCIJ Statement, at ENG 00250089 [“when [Khieu Samphan] made assignment to the Sector level, then the Sector (K-17) would...assign to the trade or economic section to receive logistics support at the central level such as petroleum, machinery, medicines and cloth”]; **E3/446** Saloth Ban *alias* So Hong OCIJ Statement, at ENG 00503164.

1411 **E3/12** CPK Central Committee Decision, 30 March 1976, at ENG 00182809; **E3/357** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00242937 [“those who had the power to arrest also had the power to decide on execution...there were four categories of persons with such powers...the Standing Committee...and the Secretary of the Office 870 Committee”, referencing the 30 March 1976 decision]; **E3/15** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00251378; **E3/355** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00242873-74.

1412 **E3/557** Khieu Samphan Adversarial Hearing, at ENG 00153269, KHM 00153232-33, FR 00153299 [“For instance, as to the task of the Chairman of helping the Standing Committee to investigate certain cadres, it was only afterwards that I knew, through my readings when I was living in Pailin.”]; **E3/37** Khieu Samphan OCIJ Statement, at ENG 00156756, KHM 00156677, FR 00156683 [“At first this office was not so important, but at a later stage it gained in importance, because it was tasked to monitor suspected members of the party for the standing committee. I learned...when I reached Pailin.”]; **E3/3855** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498280, footnote 193 [stating that Doeun and Pang were required to “assist the Standing Committee in monitoring the various cadres who were under suspicion or to question the various cadres on some matter that the Standing Committee wanted followed-up”]; **E3/15** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00251378 [“...the Central Office Committee, of which Khieu Samphan was the secretary, was a framework which was authorized to conduct a Party’s internal smash surrounding the Central Office.”]; **E3/453** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00147584 [“Chhim Som Aok *alia* (sic) Pang told me that Khieu Samphan attended a meeting with the Standing Committee of the Central Committee on the issue of arresting Chhou Chet *alias* Si, Chairman of the West Zone”]; **E3/61** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00195578 [“As regards Chou Chet... That is how I learned that Khieu Samphan had participated in the meeting.”]; **E1/191.1** Transcript, 8 May 2013, Philip Short, 09.47.42 to 09.49.37 [“Khieu Samphan was sent to evaluate a situation in the provinces and then report back...”]; **E1/192.1** Transcript 9 May 2013, Philip Short, 14.38.45 to 14.42.32 [“‘Consultation’...would be on the basis of Khieu Samphan’s findings after...delicate missions to the provinces...”]; **E3/3169** Stephen Heder, *Pol Pot and Khieu Samphan*, at ENG 00002760; **E3/3169** Stephen Heder, *Pol Pot and Khieu Samphan*, at ENG 00002760, 71 [“This was evidently an allusion to the investigation he conducted in the West Zone in August 1977, and Pol Pot’s resulting decision to kill Zone Secretary Chou Chet, but not his deputy, Heng Pal.”].

1413 **E3/182** CPK Standing Committee Minutes, 9 October 1975, at ENG 00183393.

1414 **E3/456** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00198884-85; **E3/355** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00242874; **E3/356** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00242903; **E3/342** OCP, Revised S-21 Prisoner List, at ENG 00330011 (No. 9546) [indicating that Doeun entered S-21 on 16 February 1977]; **E3/1625** S-21 Confession of Seua Vasi *alias* Doeun, 19 February 1977, at ENG 00011673 & 00183208; **E3/1684** David Chandler, *Voices from S-21*, at ENG 00192742-43; **E1/101.1** Transcript 2 August 2012, Rochoem Ton *alias* Phy Phuon, 11.52.12.

1415 **E3/573** Ieng Sary Statement, 4 January 1999, at ENG 00427599 [“As chairman of 870 transfers and removals of cadres would cross his desk he would be told...was being sent to the Chamkar”]; **E3/190** Ieng Sary Statement, 4 January 1999, at ENG 00081572 [“He confirmed Khieu Samphan’s elevation to

the Central Committee in 1976 and his later appointment to Chairmanship of Office 870.”]; **E1/101.1** Transcript, 2 August 2012, Rochoem Ton alias Phy Phuon, 11.48.16 to 11.50.42 [“So far as I remember, when he was in charge or taking over from Doeun, it meant that he was already in charge from what Doeun could have done.”]; **E1/97.1** Transcript, 26 July 2012, Rochoem Ton alias Phy Phuon, 15.50.30 to 15.53.04 [“...after the disappearance of Doeun, it was Om Khieu Samphan who was in charge.”]; **E1/98.1** Transcript, 30 July 2012, Rochoem Ton alias Phy Phuon, 15.12.07 to 15.15.14 [“...the public at large knew about [Khieu Samphan] and they said that when Doeun disappear, Khieu Samphan was in charge of Office 870.”]; **E3/24** Rochoem Ton *alias* Phy Phuon OCIJ Statement, at ENG 00223584; **E1/190.1** Transcript, 7 May 2013, Philip Short, 10.02.22 [“...it is reasonable to assume, and it ties in with... Khieu Samphan being sent on special missions to the provinces, that Khieu Samphan certainly had an important role in the general office after Doeun left.”]; **E1/66.1** Transcript, 23 April 2012, Saloth Ban *alias* So Hong, 14.14.04 to 14.19.51 [confirming OCIJ statement]; **E3/446** Saloth Ban *alias* So Hong OCIJ Statement, at ENG 00503164-65 [“Upon having seen him during work, I assumed that Mr. Khieu Samphan were the head of Office 870 responsible for logistics as the successor of Soeu Vasy *alias* Doeun who had been arrested earlier”] and [“A46: Perhaps in 1976 or 1977, in the aftermath of Doeun's arrest. At the beginning they both worked together. However when Doeun was arrested he was left alone. He must, therefore, have been the head then.”]; **E3/355** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00242874 [“Khieu Samphan became Secretary of the Office 870 Committee when Soeu Vasi became minister of commerce... Soeu Vasi asked Pol Pot to be appointed minister of commerce around April or May 1976...”]; **E3/456** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00198882 [“I think that from this arrest onwards, he effectively became the Head of Office 870...not a promotion, just an additional task...the way Nuon Chea took Son Sen's position at S-21 when Son Sen had to leave.”]; **E3/107** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00198224 [“I know he had Pol Pot's trust. It was told that he had been appointed Head of Office 870 after the arrest of Soeu Vasy *alias* Doeun...I cannot believe that he could have been "downgraded" in such a way.”]; **E3/356** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00242904 [“Khieu Samphan was the Secretary of the Office 870 committee.”]; **E1/223.1** Transcript, 15 July 2013, Stephen Heder, 09.16.38 [“Q. When Ieng Sary told you that Khieu Samphan had been chairman of 870, was there any obvious doubt in the tone or the way he told you that...? A. No.”]; **E3/3169** Stephen Heder, *Pol Pot and Khieu Samphan*, at ENG 00002760 [“[I]n early 1977 Khieu Saipphan received a promotion: he replaced Deuan as Office 870 Chairman...the Party Secretary...could have more confidence in the conscientiousness of Khieu Samphan as regards purge work.”], at ENG 00002761 [“To assist Pol Pot in the conduct of the general purge, Office 870 Chairman Khieu Samphan was dispatched to the West Zone in August 1977 to conduct an investigation into the confused situation it had provoked there.”]; **E3/48** Stephen Heder and Brian Tittmore, *Seven Candidates for Prosecution*, at ENG 00393581.

1416 **E1/55.1** Transcript, 28 March 2012, Kaing Guek Eav *alias* Duch, 13.53.09 to 13.55.12 [“Pang was in charge of protection of the Central Office S-71. Second in command was Comrade Lin, and third was Kham My.”]; **E3/448** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00154910 [The group's functions included “welcoming of guests, telecommunications (including couriers and telegrams), logistics, food, transport, etc”]; **E3/24** Rochoem Ton *alias* Phy Phuon OCIJ Statement, at ENG 00223584 [“Pang was in charge of 870 administration, and Doeun was in charge of Policy”]; **E3/446** Saloth Ban *alias* So Hong OCIJ Statement, at ENG 00503164 [Pang “oversaw external affairs” for Office 870]; **E1/72.1** Transcript, 3 May 2012, Phean Kean, 09.59.12 to 10.02.41 [“Pang was the person in charge of the office on a daily basis. For example, he would manage day to day tasks in the office, including K-1, K-3, and K-7.”]; **E3/67** Norng Sophang OCIJ Statement, at ENG 00483968; **E3/64** Norng Sophang OCIJ Statement, at ENG 00334047 [“Pang was the one in charge of all offices around the Party Centre (Committee 870). Around the Committee 870 there were many offices...Office of Production and Vegetables Farming called K-8...”]; **E1/121.1** Transcript, 4 September 2012, Norng Sophang, 09.44.43 to 09.48.24 [“S-71...is under the supervision of 870 Committee...Q...S-71, a unit led by Pang, was under the 870 Committee or the Central Committee. Is that an accurate description...? A. Yes, it is correct.”], 09.52.34 to 09.54.14 [“and S-71 was a small unit of the Party Centre, which did not have rights to [cover] the various ministries and did not have rights over the army.”]

1417 **E3/494** Craig Etcheson, Written Record of Analysis, 18 July 2007, at ENG 00142828-29; Update following **E3/448** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00154910 [“The Committee of the Working Group in charge of 870, its functions were the following:...welcoming of guests, telecommunications (including couriers and telegrams)...”]; **E3/464** [REDACTED] OCIJ Statement, at ENG 00226110-11; **E1/72.1** Transcript, 3 May 2012, Pean Khean, 09.59.12, 10.02.41; **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 15.59.15; **E3/448** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00154910 [stating that the group's functions included “welcoming of guests, telecommunications (including

couriers and telegrams), logistics, food, transport, etc”]; **E3/464** [REDACTED] OCIJ Statement, at ENG 00226108-11; **E1/124.1** Transcript, 20 September 2012, Chea Say, 09.44.24, 09.57.49 to 10.00.42, 13.53.02 to 13.54.57 [“I knew Pang as above K-12 Office because he came to contact and communicate with Mr. Meal who was supervisor of K-12.”], 14.12.12 to 14.14.46; **E3/69** Chea Say OCIJ Statement, at ENG 00766338; **E3/385** Leng Chhoeung OCIJ Statement, at ENG 00360127; **E3/463 TCW-783** OCIJ Statement, at ENG 00204734; **E3/464** [REDACTED] OCIJ Statement, at ENG 00226111; **E3/2766** OCIJ Map, at ENG 00429179 [K-5]; **E1/124.1** Transcript, 20 September 2012, Chea Say, 10.07.07; **E3/69** Chea Say OCIJ Statement, at ENG 00766338; **E3/43** Noem Sem OCIJ Statement, at ENG 00365662; **E3/4596** Statement, [REDACTED] at ENG 00739526 [“I hosted guests...who just finished their political studies at Borei Keila K-6 school, a political school of the Party Centre”], ENG 00739556 [“The study took place at the political school for senior cadres called K-6. Nobody knew it was called K-6..my chief told me...Therefore I knew it was called K-6”]; **E3/464** [REDACTED] OCIJ Statement, at ENG 00226111.

1418 **E3/448** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00154910 [stating that S-71’s functions included the “Protection of the Central Office and its cadre[s]”]; **E3/104** Sa Vi OCIJ Statement, at ENG 00204059; **E3/33** Oeun Tan OCIJ Statement, at ENG 00235127-28, 31; **E3/462 TCW-638** OCIJ Statement, at ENG 00223563-64, 66-67; **E3/67** Norng Sophang OCIJ Statement, at ENG 00483968.

1419 **E1/67.1** Transcript, 24 April 2012, Saloth Ban *alias* So Hong, 14.02.02 [“Pang had the authority and he was able to take whoever he wants and whenever he wanted”]; **E1/68.1** Transcript, 25 April 2012, Saloth Ban *alias* So Hong, 13.37.51, 13.56.52 [“Pang came to take away some people and sometimes he ordered his group to come and take away the people. If that is the case, then there would be a letter with a signature of Pang”]; **E3/107** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00198220; **E3/456** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00198883 [S-71 was “generally responsible for the transfer of prisoners to S-21”]; **E3/448** Kaing Guek Eav *alias* Duch Statement, at ENG 00154910; **E3/91** Saloth Ban *alias* So Hong Statement, at ENG 00223593; **E3/459** Saloth Ban *alias* So Hong OCIJ Statement, at ENG 00223596; **E1/98.1** Transcript, 30 July 2012, Rochoem Ton *alias* Phy Phuon, 11.41.06 to 11.44.44 [“Q. Was there a specific unit at Office 870 that was responsible for conducting these arrests? A. At that time people called that Unit Y-10.”]; **E3/24** Rochoem Ton *alias* Phy Phuon OCIJ Statement, at ENG 00223585; **E3/63** Rochoem Ton *alias* Phy Phuon OCIJ Statement, at ENG 00231411 [stating that arrests were conducted by “military personnel from Y-10 of Office 870”]; **E1/206.1** Transcript, 12 June 2013, Sim Hao at 15.34.54 to 15.37.06 [“I only knew from my glance at a plate number that is M-870”] **E3/363** Sim Hao OCIJ Statement, at ENG 00239069 [“...suddenly I saw they pointed the guns at Comrade Chea and dragged him into the vehicle. The license was written with word M-870, 870 in red colour”]; **E3/2782** Ke Pauk Autobiography, at ENG 00089713 [describing arrests of Central Zone cadre by security trucks from Phnom Penh].

1420 **E1/53.1** Transcript, 26 March 2012, Kaing Guek Eav *alias* Duch, 15.48.36 [“Pang would be named as the head of Santebal office of S-71.”]; **E1/55.1** Transcript, 28 March 2012, Kaing Guek Eav *alias* Duch, 15.07.37; **E3/355** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00242874; **E1/124.1** Transcript, 20 September 2012, Chea Say, 09.44.24, 09.57.49 to 09.58.49; **E3/69** Chea Say OCIJ Statement, at ENG 00766338; **E3/24** Rochoem Ton *alias* Phy Phuon OCIJ Statement, at ENG 00223584; **E3/43** Noem Sem OCIJ Statement, at ENG 00365659; **E3/67** Norng Sophang OCIJ Statement, at ENG 00483967; **E3/464** [REDACTED] OCIJ Statement, at ENG 00226110.

1421 **E3/104** Sa Vi OCIJ Statement, at ENG 00204062; **E3/43** Noem Sem OCIJ Statement, at ENG 00365659, 62; **E3/1743** [REDACTED] Statement, 27 July 2005, at ENG 00089699; **E3/448** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00154910; **E3/67** Norng Sophang OCIJ Statement, at ENG 00483967; **E3/1596** S-21 Confession of Chhim Sam Aok *alias* Pang, 28 May 1978; **E3/69** Chea Say OCIJ Statement, at ENG 00766340.

1422 **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 11.05.01 [“Pang worked with Pol Pot, Nuon Chea, and Khieu Samphan at K-1 location... Pang was ordinarily in charge of the messengers and the production section.”]; **E1/72.1** Transcript, 3 May 2012, Pean Khean, 09.59.12 to 10.05.41 [“You said ...Pol Pot, Nuon Chea, Ieng Sary, Khieu Samphan...were senior leaders...was Pang one of the senior leaders...A. Pang was an assistant... less senior than people we just mentioned...Yes it is.”]; **E187.1** Pean Khean Statement, at ENG 00089701 [“It was Pang who arranged meetings, but Haem (Khieu Samphan) who chaired things Politically... Haem (Khieu Samphan) was superior to Pang.”]; **E1/126.1** Transcript, 25 September 2012, Noem Sem, 13.58.38; **E3/464** [REDACTED] OCIJ Statement, at ENG 00226110 [“Pang controlled all offices...such as K-1...K-12. Pang was with uncle Pol Pot...Pang received the joint order from all uncles such as Pol Pot, Ieng Sary, Khieu Samphan, and Nuon Chea...”]; **E3/1743** Noem Sem Statement, at ENG 00089699 [“Haem (Khieu Samphan) was superior to Pang and Lin, from what I could see.”]; see also **E1/124.1** Transcript 20, September 2012, Chea Say, 14.08.54 to 14.14.46 [“[T]he supreme leaders, at that time, were these Uncles...And then below them was Pang.”]; **E3/504** Kaing

Guek Eav *alias* Duch OCIJ Statement, at ENG 00147521 [“Chhim Sam-aok *alias* Pang, who was an assistant to the Party Center...”]; **E3/355** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00242874 [“Under this body was the Office 870 Committee and around this office there was the above mentioned “working group” of which PANG was the secretary. Those under PANG’s orders were part of ‘S-71’.”].

1423 **E3/1596** S-21 Confession of Chhim Sam Aok *alias* Pang, 28 May 1978.

1424 **E1/54.1** Transcript, 27 March 2012, Kaing Guek Eav *alias* Duch, 14.20.44; **E3/37** Khieu Samphan OCIJ Statement, at ENG 00156753; **E3/464** [REDACTED] OCIJ Statement, at ENG 00226110.

1425 **E3/130** CPK Statute, January 1976, Article 6; See section “Development of CPK Policies & Role of Accused (Pre-17 April 1975)” subsection entitled “1st Party Congress (1960)” 8 [“Democratic Centralism”] **E1/66.1** Transcript, 23 April 2012, Saloth Ban *alias* So Hong, 13.47.16 [“In principle [in governing bodies] decision was made collectively”].

1426 **E3/130** CPK Statute, January 1976, Article 6.

1427 **E1/23.1** Transcript, 15 December 2011, Nuon Chea, 10.57.18 [“Mr. President, Article 2, ‘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.”].

1428 **E1/23.1** Transcript, 15 December 2011, Nuon Chea, 11.04.47 to 11.05.55; see also 10.58.59 to 11.00.26 [“The principle was adopted and implemented in every meeting of the Party’s congress. The Party held on to that principle firmly. Q...the entire time that you were Deputy Secretary? A. Mr. President, that is correct.”]; **E1/16.1** Transcript, 5 December 2011, Nuon Chea, 14.18.20 [“...the principle underlying the [CPK] is not the individual ownership of the Party, so the Party is the representation of a collective responsibility, so we work collectively in this Party.”]; **E1/23.1** Transcript, 15 December 2011, Nuon Chea, 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.”].

1429 **E1/23.1** Transcript, 15 December 2011, Nuon Chea, 11.02.32 to 11.04.47.

1430 **E3/558** Nuon Chea OCIJ Statement (Adversarial Hearing), at ENG 00148699, KHM 00148677, FR 00148715; See also **E3/26** Nuon Chea Interview, October 2006, at ENG 00329511, KHM 00000899, FR 00636871; see also **E3/413** Saloth Ban *alias* So Hong OCIJ Statement, 22 July 2009, at ENG 00361012, KHM 00357530, FR 00405455.

1431 **E3/4051** Khieu Samphan Interview, at ENG 00788872.

1432 **E3/210** Khieu Samphan OCIJ Statement, at ENG 00156949, KHM 00156690, FR 00156696; see also **E3/453** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00147583 [“But it was only S-21 that received cadres of the Central Committee, and in order to arrest them the decision had to be made before hand by the Standing Committee of the Party Center.”].

1433 **E3/783** *Revolutionary Flag*, September-October 1972, at ENG 00720211-12 [“The primary meaning of democratic centralism is collective leadership and individual responsibility”] and [the leadership must not: “disrespect the collective, distrust the collective, and disrespect the assignments”, 00720228 [“plans must be proposed by the collective, in accordance with democratic centralism”]; **E3/139** *Revolutionary Flag*, November 1976, at ENG 00455305-09 [“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”]; **E3/787** CPK Circular *What is Angkar’s Ideology and the Party’s Discipline?*, at ENG 00742431-32; **E3/23** DK Ministry of Foreign Affairs Publication entitled “Black Paper: Facts and Evidence of the Acts of Aggression and Annexation of Vietnam against Kampuchea,” September 1978, at ENG 00082540 [“In their report... deliberately told lies...Sary has already come an agreement...the Vietnamese were lying, for according to the method of work and direction of [CPK], any decision should be collectively taken.”].

1434 **E1/91.1** Transcript, 18 July 2012, David Chandler, 10.58.15 [“‘Angkar’...it seems to me that the word, in this context, signifies that the decisions was made—at that meeting were made collectively by the organization itself—in other words, the people who were at the meeting”], **E1/92.1** Transcript, 19 July 2012, David Chandler, 13.41.45 [“It was written by -- it was collectively written, certainly, collectively approved, coming out of the collective leadership.”]; **E1/93.1** Transcript, 20 July 2012, David Chandler, 09.55.42 [“collective decisions all the time.”], 11.09.59 to 11.14.46 [“[T]he leadership of Democratic Kampuchea was more collective ...I would say that the leadership was, from all the evidence I’ve seen since then, more truly collective than the evidence I had to use in 1990.”].

1435 **E1/159.1** Transcript, 11 January 2013, Chhaom Sè, 11.00.10 to 11.02.02 [“...the Special Zone was created from various parts of other zones in order to form the Resistance for the protection of the Phnom Penh zone.”]; **E3/1714** Masato Matsushita and Stephen Heder, *Interviews with Kampuchean Refugees at Thai-Cambodia Border* (Chap Lonh Statement), at ENG 00170743; **E3/9** Philip Short, *Pol Pot: The*

History of a Nightmare, at ENG 00396426; **E3/464** [REDACTED] OCIJ Statement, at ENG 00226107; **E3/43** Noem Sem OCIJ Statement, at ENG 00365658; See also “Development of CPK Policies & Role of Accused (Pre-17 April 1975)” subsection “CPK Military Command Structure.”

1436 **E1.76.1** Transcript 28 May 2012, Ny Kan, 10.18.30 to 10.22.27 [“Sector 15 in Special Zone was transferred to the West Zone in late 1975 and became Sector 32.”]; **E3/4** Timothy Carney, *The Organization of Power*, at ENG 00105141 [Throughout this document, geographic references are to the Zones as defined in the following official map of Democratic Kampuchea: E3/475 Map, Administrative Map of DK].

1437 **E1/154.1** Transcript, 14 December 2012, Suon Kanil, 11.49.11 to 11.50.58; **E3/344** Suon Kanil *alias* Neang OCIJ Statement, at ENG 00384426; **E3/420** Prom Sou OCIJ Statement, at ENG 00422380-82; **E1/194.1** Transcript, 21 May 2013, Prom Sou, 10.48.42 [“Kang Chap was the Chairman of the new North Zone in Siem Reap. There were 101 and 103 within that zone.”], 10.55.42 to 11.00.40 [“Nuon Chea made an announcement to appoint Kang Chap as the chairman of the zone, and the sectors were no longer autonomous because the zone was established... Siem Reap area. This event occurred probably in late 1977.”]; **E3/429** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00403922; **E3/2782** Ke Pauk Autobiography, at ENG 00089714.

1438 Sector 105 covered Mondulkiri and Sector 505 comprised communes in Kratie: **E1/88.1** Transcript, 19 June 2012, Yun Kim, 10.15.54 to 10.19.41 [“...that [Kratie] 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”]; **E3/410** Yun Kim OCIJ Statement, at ENG 00412191-92; **E3/409** TCCP-142 OCIJ Statement, at ENG 00412183 [Sector 505 “informed the Central Committee on various situations on a monthly basis,” including “enemy situations, production situations and general people situations”]; **E3/57** Kham Phan *alias* Phan Van OCIJ Statement, at ENG 00290505 [“Sector 105 covered only Mondulkiri province. From 1975 to 1979 Mondulkiri province was an autonomous Sector. All types of works were reported directly to the Centre.”]; **E1/151.1** Transcript, 11 December 2012, Kham Phan *alias* Phan Van, 11.49.59 [Sector 105 “...was an autonomous sector”], 11.46.51 [“My father [Laing, Secretary of Sector 105] had to report to Office 870.”]; **E1/81.1** Transcript, 5 June 2012, Sao Sarun, 15.32.33 [“Q. During the Democratic Kampuchea regime, was Sector 105 considered an autonomous sector? A. Yes, it was referred to as an independent sector.”]

1439 **E3/214** & **E3/130** CPK Statute, January 1976, at ENG 00184038-44 (Articles 7, 12-20). **E1/55.1** Transcript, 28 March 2012, Kaing Guek Eav *alias* Duch, 09.38.30 to 9.41.44 [“Each Zone was divided into sectors, the sectors were then divided into districts”]; **E1/17.1** Transcript, 6 December 2011, Klan Fit *alias* Klan Vet, 15.37.30 to 15.40.00 [“...there were districts down to the village and down to the group.”]; **E1/88.1** Transcript, 19 June 2012, Yun Kim, 10.01.50 to 10.04.15 [“The high level of the commune is the district...”], 10.10.11 [“...the district committees, the sub-district committees, and sometime it also went lower to the village committee, and of course the district committees and those people working in the offices throughout the province, as well as the military...”]; **E1.76.1** Transcript 28 May 2012, Ny Kan, 10.52.02 [“In the West Zone, to my knowledge, consisted of Sector 32, Sector 31; these were the two sectors. And as for Sector 37, I am not sure...(Sector 32) normally a sector comprised three districts.”]; **E1/81.1** Transcript, 5 June 2012, Sao Sarun, 15.08.36 [“Q. How many communes were there in Pech Chenda district? A. There were four communes. Q. Do you recall the name of those four communes?”], 15.10.34 [“There were five districts [subordinated to Sector 105].”].

1440 **E3/144** Pol Pot Speech, *Long Live the 17th Anniversary of the Communist Party of Kampuchea*, 29 September 1977, at ENG S 00012693. [“The collective peasant cooperatives throughout the country, which were founded in 1973 ... are developing and being strengthened”] and [“...our cooperative units also continue to increase in size. On the average, 50% of the cooperatives are made up of 700 to 1,000 families, 30% of 400 to 600 families and 20% of 100 to 300 families... Only a small number still remain the size of villages.”]; **E1/55.1** Transcript, 28 March 2012, Kaing Guek Eav *alias* Duch, 09.38.30 to 09.41.44: [“...each district had a committee appointed by the CPK to govern the task and administration of that district. Districts were then further divided into communes, later to be called cooperatives.”]; **E1/88.1** Transcript, 19 June 2012, Yun Kim, 09.28.47 to 09.34.06 [About the creation of cooperatives in Kratie on Nuon Chea’s request: “Nuon Chea convened a meeting giving instructions regarding the cooperatives. He told the meeting participants to implement the establishment of the cooperatives.”]; **E1/151.1** Transcript, 11 December 2012, Kham Phan *alias* Phan Van, 11.51.51 to 11.55.58; **E1/194.1** Transcript, 21 May 2013, Prom Sou, 09.22.12 to 09.25.50 [“In Sector 103 of Preah Vihear province...at a later stage, then the community was transformed into a cooperative and by then people ate communally...(the cooperative) was established in 1973.”]; **E1/34.1** Transcript, 26 January 2012, Prak Yut, 10.25.03 to 10.26.22.

1441 **E3/214** & **E3/130** CPK Statute, January 1976, at ENG 00184039 (Article 9).

- 1442 **E3/4628** Pech Chim OCIJ Statement, at ENG 00379303 [“...the Southwest Zone committee included Ta Mok ... Zone secretary; Kang Chab *alias* Se ... deputy secretary; Chou Chet *alias* Sy was a member; and the secretaries of all the Sectors were also the members. ...the secretaries of the Sectors had to serve as the members of the Southwest Zone.”].
- 1443 **E3/214 & E3/130** CPK Statute, January 1976, at ENG 00184043 (Article 18.3).
- 1444 **E3/214 & E3/130** CPK Statute, January 1976, at ENG 00184043 (Article 18); **E1/155.1** Transcript, 17 December 2012, Suon Kanil, 09.13.31 to 09.17.20 [“I attended a Zone assembly meeting ...in 1976 or 1977”]; **E3/760** *Revolutionary Flag*, June 1976, at ENG 00509611 [Zone Conference held from 3 June to 7 June 1976]; **E3/193** *Revolutionary Flag*, August 1977, at ENG 00399222 [25 July 1977 “West Zone Cadre Conference”]; Examples corroborating the fact that zones held assemblies: **E1.77.1** Transcript 29 May 2012, Ny Kan, 09.08.09 to 09.12.13 [“...normally there would be assemblies, the zone assemblies that would be the regular ones... people from the commune branches would also be envisaged to take part in the assemblies”], 09.12.13 -09.14.51 [“Normally, people who would chair the assemblies were the secretaries of the zone...on one occasion, there were senior people from the upper echelon and, at that time, I saw Ta Nuon Chea.”].
- 1445 **E1/84.1** Transcript, 11 June 2012, Sao Sarun, 10.07.44 to 10.10.08 [“My appointment was announced during the [Party] congress held in September 1978.”]; **E3/424** Meas Voeun OCIJ Statement, at ENG 00421072 [Paet Soeung “nominated” as new North Zone Chairman at meeting in Siem Reap attended by Pol Pot and Ta Mok]; **E3/409 TCCP-142** OCIJ Statement, at ENG 00412180 [Last Secretary of autonomous Sector 505 received his appointment papers from the CPK Central Committee prior to transfer to Kratie]; **E3/367** Sao Sarun OCIJ Statement, at ENG 00278695 [“In late 1977 or early 1978 after the death of Ta Laing...I met with Pol Pot, Son Sen and Nuon Chea and Pol Pot...convinced me to work and replace Laing”], 00278695-96 [“At the nationwide assembly...in September...they declared to appoint me as secretary of Sector 105... Pol Pot made the announcement and Ieng Sary, Ieng Thirith, Khieu Samphan and Nuon Chea were also in the chairmanship sitting next to him.”].
- 1446 **E3/12** CPK Central Committee Decision, 30 March 1976, at ENG 00182809; **E3/214 & E3/130** CPK Statute, January 1976, at ENG 00184038, 45 (Article 7, 23.2).
- 1447 **E3/1714** Masato Matsushita and Stephen Heder, *Interviews with Kampuchean Refugees at Thai-Cambodia Border* (Chap Lonh Statement), at ENG 00170750 [CPK cadre who participated in 5th Party Congress in 1978 stated that Central Committee consisted of “mostly tambon secretaries, secretary of Regions, deputy secretary of Regions, member of Regions”].
- 1448 Ta Mok was Southwest Zone Secretary and Sao Phim East Zone Secretary: **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156750-51; **E3/108** Khieu Samphan Interview, 9 - 11 June 2006, at ENG 00000929; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417600; **E1/54.1** Transcript, 28 March 2012, Kaing Guek Eav *alias* Duch, 15.11.54; **E1/55.1** Transcript, 28 March 2012, Kaing Guek Eav *alias* Duch, 09.36.18 to 09.38.30; **E3/65** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00147521; **E3/61** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00195577; **E3/459** Saloth Ban *alias* So Hong OCIJ Statement, at ENG 00223595; **E3/1714** Masato Matsushita and Stephen Heder, *Interviews with Kampuchean Refugees at Thai-Cambodia Border* (Chap Lonh Statement), at ENG 00170749; **E1/156.1** Transcript, 8 January 2013, Sa Vi, 10.17.32 to 10.19.37 and 15.11.46 [“Leaders from various zones, sectors and districts would attend certain meetings at K-1, including Ta Mok from the Southwest Zone and So Phim from the East Zone”].
- 1449 Ros Nhim was Northwest Zone Secretary: **E3/459** Saloth Ban *alias* So Hong OCIJ Statement, at ENG 00223595; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417600; **E3/494** Craig Etcheson, Written Record of Analysis, 18 July 2007, at ENG 00142830; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396673; **E3/4** Timothy Carney, *The Organization of Power*, at ENG 00105141; **E1/55.1** Transcript, 28 March 2012, Kaing Guek Eav *alias* Duch, 09.36.18 to 09.38.30 [“The secretary of the East Zone – namely So Phim – secretary of the Southwest...Chet *alias* Si, Kang Chap – were all members of the Central Committee.”].
- 1450 Ke Pauk was Central Zone Secretary, Men San Northeast Zone Secretary, Chou Chet West Zone Secretary and Kang Chap North Zone Secretary: **E1/194.1** Transcript, 21 May 2013, Prom Sou, 10.48.42 [“Kang Chap was the Chairman of the new North Zone in Siem Reap. There were 101 and 103 within that zone.”]; **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156751; **E3/454** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00147606; **E3/448** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00154910; **E3/107** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00198224; **E3/1714** Masato Matsushita and Stephen Heder, *Interviews with Kampuchean Refugees at Thai-Cambodia Border* (Chap Lonh Statement), at ENG 00170750; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396425, 668, 671; **E3/4** Timothy Carney, *The Organization of Power*, at ENG 00105140-41.

- 1451 **E3/4628** Pech Chim OCIJ Statement, at ENG 00379303 [“...the Southwest Zone committee included Ta Mok...Zone secretary; Kang Chab *alias* Se...deputy secretary; Chou Chet *alias* Sy was a member; and the secretaries of all the Sectors were also the members...the secretaries of the Sectors had to serve as the members of the Southwest Zone.”]; see also **E1/155.1** Transcript, 17 December 2012, Suon Kanil, 09.15.00 to 09.17.20 [“[W]hen zone meetings were convened, only members of the zone committee would attend such meetings, and there were five members of the zone.”]; **E1.76.1** Transcript 28 May 2012, Ny Kan, 10.59.40 to 11.01.51 [“Ta Si was the Head of the zone and Ta Pal was the second person to Ta Si, and Ta Pal was also in charge of the sector.”].
- 1452 **E1/151.1** Transcript, 11 December 2012, Kham Phan *alias* Phan Van, 14.01.3513.57. to 14.04.1101. [“Ta Sarun at that time was the Secretary of Ou Reang. When [he] became the secretary of Sector 105.”], 14.15.07 [“Q. Did all the district secretaries belong to the Sector 105 Committee? A. According to the hierarchical structure, of course, they were members of the sectors”]; **E1/33.1** Transcript, 25 January 2012, Prak Yut, 14.39.45 to 14.41.25; **E1.76.1** Transcript 28 May 2012, Ny Kan, 11.32.37 to 11.35.20 [“Q. Who were the members of Sector 15 or 32 Committee? A. Members comprised of those who were responsible at the district levels...”] and [“Generally, the secretaries of the district were members of the sector committee... under the sector there were district secretaries. And they were members of the sector committees.”], 11.44.23 to 11.46.29 [About Ta Sarun, Secretary of Sector 31, West Zone: “...it was the hierarchical structure of the organization at that time. And as the secretary of sector, automatically he becomes a member of the zone (committee)”]; **E1/82.1** Transcript, 6 June 2012, Sao Sarun, 09.37.06 [“Q. Who normally attended the District Committee with which you chaired? A. Normally there were members of the District Committee and the secretary of communes would be in the district.”] **E1/88.1** Transcript, Yun Kim, 19 June 2012, 09.45.23 to 09.47.13 [“I had attended several sessions with the leaders of the district and province because people at the district were also members of the provincial party”]
- 1453 **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401488; **E3/20** Elizabeth Becker, *When the War Was Over*, at ENG 00237731, 8234; **E3/369** [REDACTED] OCIJ Statement, at ENG 00272715; **E1/159.1** Transcript, 11 January 2013, Chhaom Se, 14.01.48 to 14.11.50.
- 1454 **E3/405** Chhaom Se OCIJ Statement, at ENG 00406211; **E3/182** CPK Standing Committee Minutes, 9 October 1975.
- 1455 Division 164 was formerly Division 3 in Southwest Zone and became the DK Naval Division based in Kampong Som under the command of Meas Mut: See **E3/70 TCW-398** OCIJ Statement, at ENG 00407789; **E3/5708** [REDACTED] OCIJ Statement, at ENG 00387289; **E3/5700** [REDACTED] OCIJ Statement, at ENG 00387265; **E3/409 TCCP-142** OCIJ Statement, at ENG 00412180; **E3/448** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00154911; **E3/107** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00198221; **E3/4628** Pech Chim OCIJ Statement, at ENG 00379303; **E3/1016** Report from Mut to Brother 82, 5 January 1976 [referencing “monthly report of Unit 164”]; **E3/1750** Telegram from Mut to Brother 89, 23 August 1976; **E3/1135** Report from Mut to Brother 89, 19 October 1976; **E3/1082** Report from Mut, 12 August 1977; **E3/915** Telegram 00 from Mut to Mo-870, 31 December 1977; **E3/997** Report from Mut to Brother 89, 20 March 1978.
- 1456 Division 170 was from the Eastern Zone and was positioned opposite Phnom Penh under the initial chairmanship of Chan Chakrei *alias* Nov Mean: **E3/70 TCW-398** OCIJ Statement, at ENG 00407789; **E3/369** [REDACTED] OCIJ Statement, at ENG 00272715; **E3/1780** S-21 Confession of Chan Chakrey *alias* Nov Mean, 1 June 1976 (arrested 19 May 1976); **E3/2791** S-21 Confession of Chan Chakrey *alias* Nov Mean, 30 August 1976; **E3/342** OCP Revised S-21 Prisoner List, at ENG 00329613 (Entry 416).
- 1457 Division 290 was also from the Eastern Zone (Sector 24) with Comrade Tal as chairman: **E3/822** DK Military Meeting Minutes, 16 September 1976 [describing meeting between Son Sen, Duch and the commanders of Divisions 170 and 290].
- 1458 Division 310 was positioned in Phnom Penh, Chrôy Chângvar, with Sbauv Him *alias* Oeun as initial chairman: **E3/70 TCW-398** OCIJ Statement, at ENG 00407789; **E3/815** DK Military Meeting Minutes, 18 October 1976; **E3/802** DK Military Meeting Minutes, 11 November 1976.; **E3/1593** Ben Kiernan, *The Pol Pot Regime*, at ENG 00104354; **E3/1891** S-21 Confession of Sbauv Him *alias* Euan; **E3/3959** Kung Kim Statement, at ENG 00278684; **E3/342** OCP Revised S-21 Prisoner List, at ENG 00329986 (Entry 8,967) [Oeun entered S-21 on 17 February 1977].
- 1459 Division 450 (North Zone) was initially commanded by Chea Non *alias* Suong: **E3/5537** TCW-659 OCIJ Statement, at ENG 00404296; **E3/1684** David Chandler, *Voices from S-21*, at ENG 00192741; **E3/1593** Ben Kiernan, *The Pol Pot Regime*, at ENG 00104354; **E3/1163** DK Military Report from Raen to Angkar, 14 November 1976, at ENG 00233930; **E3/1892** S-21 Confession of Chea Non *alias* Suong, 23 March 1977; **E3/455** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00149916; **E3/342** OCP Revised S-21 Prisoner List, at ENG 00329627 (Entry 714).

- 1460 Division 502 (DK Air Force) was based at Pochentong Airport and was responsible for the Kampong Chhnang Airport construction with Sou Met *alias* Sou Samet as chairman: **E3/70 TCW-398** OCIJ Statement, at ENG 00407790; **E3/5536** TCW-639 OCIJ Statement, at ENG 00359932; **E3/348** [REDACTED] OCIJ Statement, at ENG 00231406; **E3/5263** [REDACTED] OCIJ Statement, ENG 00282224; **E3/3960** Leng Kim *alias* Kung Kim OCIJ Statement, 9 July 2002, at ENG 00184123; **E3/5263** [REDACTED] OCIJ Statement, at ENG 00282224; **E3/5284** TCW-322 OCIJ Statement, at ENG 00315913-14; **E3/5274** [REDACTED] OCIJ Statement, at ENG 00292865; **E3/5277** [REDACTED] OCIJ Statement, ENG 00292834; **E3/416** [REDACTED] OCIJ Statement, at ENG 00374046, 48; **E3/3962** [REDACTED] OCIJ Statement, at ENG 00293368; **E3/5272** [REDACTED] OCIJ Statement, at ENG 00290657; **E3/5606** TCW-677 OCIJ Statement, at ENG 00508563; **E3/1133** DK Military Report from Met, 1 September 1976.
- 1461 Division 703 (the former Eastern Zone Division 12) was based in Phnom Penh south of Chamkar Mon under the leadership of Comrade Pin: **E1/159.1** Transcript, 11 January 2013, Chhaom Se, 11.06.37 to 11.09.24; **E3/416** [REDACTED] OCIJ Statement, at ENG 00374046; **E3/2117** Huy Vannak, *The Khmer Rouge Division 703: From Victory to Self Destruction*, at ENG 00081292; **E3/70 TCW-398** OCIJ Statement, at ENG 00407789; **E3/815** DK Military Meeting Minutes, 18 October 1976; **E3/802** DK Military Meeting Minutes, 11 November 1976; **E3/1165** Report from Pin (Division 703) to Saom (Office 62), 22 December 1976.
- 1462 Division 801 (based in Ratanakiri, Northeast Zone) was formed by merging brigades 11 and 14 and was commanded by Saur Saroeun *alias* Ta Ol: **E1/157.1** Transcript, 9 January 2013, Ung Ren, 10.55.58 to 10.58.55, 11.55.00 to 11.59.51, 13.38.22 to 13.40.50; **E1/159.1** Transcript, 11 January 2013, Chhaom Se, 11.06.37 to 11.09.24, 11.11.17, 11.50.33 to 11.52.30; **E3/405** Chhaom Se OCIJ Statement, at ENG 00406211-17; **E3/70 TCW-398** OCIJ Statement, at ENG 00407789-90; **E3/5512** TCW-117 OCIJ Statement, at ENG 00403579-80; **E3/402** [REDACTED] OCIJ Statement, at ENG 00381032, 35; **E3/406** TCW-117 OCIJ Statement, at ENG 00404077-78; **E3/5173** Um Keo OCIJ Statement, at ENG 00272662; **E3/1079** Report from Reuan to Uncle 89, 25 December 1976.
- 1463 Division 920 (Mondulkiri, Autonomous Sector 105) was under Division Secretary Nhem San who replaced Men Meng *alias* Chhin after his arrest in February 1977: **E3/70 TCW-398** OCIJ Statement, at ENG 00407789; **E3/799** DK Military Meeting Minutes, 7 September 1976; **E3/2594** S-21 Confession of Men Meng *alias* Chhin, 23 March 1977; **E3/342** OCP Revised S-21 Prisoner List, at ENG 00329818 (Entry 5,118); **E3/367** Sao Sarun OCIJ Statement, at ENG 00278695, 97; **E3/366** [REDACTED] OCIJ Statement, at ENG 00250750; **E3/903** Telegram from Chhin to Brother 89, 8 February 1976; **E3/923** Report from Chhin to Brother 89, 3 March 1976; **E3/1199** Telegram 11 from San to Brother 89, 6 April 1977, at ENG 00531038; **E3/1664** Sara Colm and Sorya Sim, *Khmer Rouge Purges in the Mondulkiri Highlands*, at ENG 00397617, 704.
- 1464 **E3/182** CPK Standing Committee Minutes, 9 October 1975, at ENG 00183398; **E3/5554** [REDACTED] OCIJ Statement, at ENG 00377401; **E1/159.1** Transcript, 11 January 2013, Chhaom Se, 14.13.50 to 14.14.44 [“...the division comprised of three regiments...had to cover different part of the country...including the border with Vietnam”].
- 1465 **E3/5145** [REDACTED] OCIJ Statement, at ENG 00204707; **E1/193.1** Transcript, 20 May 2013, Ieng Phan, 13.41.20; **E3/182** CPK Standing Committee Minutes, 9 October 1975, at ENG 00183398; **E3/5554** TCW-535 OCIJ Statement, at ENG 00377401; **E1/193.1** Transcript, 20 May 2013, Ieng Phan, 09.29.56 to 09.35.02; **E1/182.1**, Transcript, 23 April 2013, Chhouk Rin, 11.24.20 to 11.28.54; **E1/193.1** Transcript, 20 May 2013, Ieng Phan, 15.14.00 to 15.18.15.
- 1466 **E1/193.1** Transcript, 20 May 2013, Ieng Phan, 10.15.54, to 10.20.24, [referencing General Staff documents].
- 1467 **E3/405** Chhaom Se OCIJ Statement, at ENG 00406212; **E3/5512** TCW-117 OCIJ Statement, at ENG 00403579; **E3/3960** Leng Kim *alias* Kung Kim Statement, 9 July 2002, at ENG 00184120-21 (Summary); **E1/159.1** Transcript, Chhaom Se, 11 January 2013, 14.21.54 to 14.24.15 [“Q...within Division 801...were there any special units?...in charge of logistics...A. Yes, it was 806.”].
- 1468 **E3/259** DK Constitution, 6 January 1976, at ENG 00184837-38 (Article 19).
- 1469 **E3/214** CPK Statute, January 1976, at ENG 00184046 (Article 27); **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401498; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396426-27.
- 1470 **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417608 [“There were some matters that Pol Pot, Nuon Chea, and Son Sen decided among themselves without asking SAO Phim...Whether it was security affairs or military affairs...”, 00417617 [“Koe was arrested...but later on I learned that three people, Nuon Chea, Non Sen, and Pol Pot had made the decision.”], 00417633 [“SH...the decisions on which cadres would be arrested...was that all still entirely up to the Military Security Committee? IS:

Yes, completely”]; **E3/94** Ieng Sary Interview, 22 July 1981, at ENG 00342501-02 [“I was not in charge of security...(QS Who was in charge of security?) Three or four very top leaders...QD. Who were those 3 or 4 leaders? Pol Pot, Nuon Chea, So Phim and Son Sen”]; **E3/190** Ieng Sary Interview, 4 January 1999, at ENG 00081571 [“...authority to order an arrest...decisions were made by Pol Pot, Nuon Chea, Son Sen...”]; **E3/93** Ieng Sary Interview, 19 September 1996, at ENG 00078610 [“...there was a committee which considered all questions about security, which comprised four people: Pol Pot, Nuon Chea, Son Sen, and...Yun Yat...All decisions were made by the committee of the four.”]; **E1/60.1** Transcript, 5 April 2012, Kaing Guek Eav alias Duch, 15.18.32 to 15.21.47 [“S-21 was under...Son Sen...However, these security matters...Since it was the affairs of the Party, it was under the direct control of the secretary of the Party and deputy secretary of the Party.”] **E3/83** Kaing Guek Eav alias Duch OCIJ Statement, at ENG 00398166 [“I consider that the Secretary of the military committee was Pol Pot the deputy Secretary was Nuon Chea and the members were Ta Mok, Son Sen and Ke Pork”]; **E3/456** Kaing Guek Eav alias Duch OCIJ Statement, at ENG 00198883; **E3/1699** Suong Sikoeun OCIJ Statement, at ENG 00223642 [“...there was a Party Security Committee consisting of Pol Pot, Nuon Chea, and Son Sen.”]; **E3/86** Democratic National Union Movement (Ieng Sary), *The True Fact about Pol Pot's Dictatorial Regime*, 8 September 1996, at ENG 00081215; **E3/1714** Masato Matsushita and Stephen Heder, *Interviews with Kampuchean Refugees at Thai-Cambodia Border* (Chap Lonh Statement), at ENG 00170748;

1471 **E3/182** CPK Standing Committee Minutes, 9 October 1975, at ENG 00183393; **E1/60.1** Transcript, 5 April 2012, Kaing Guek Eav alias Duch, 15.18.32 to 15.21.47 [“Son Sen, the candidate member of the Central Committee, the head of general staff...Son Sen was in charge of security...”]; **E3/12** CPK Directive entitled “Decision of the Central Committee Regarding a Number of Matters”, at ENG 00182814 [“Comrade Khieu: Deputy Prime Minister for National Defense.”].

1472 See Military Reporting and Communication section below; **E3/182** CPK Standing Committee Minutes, 9 October 1975, at ENG 00183396-97; **E3/426 TCW-398** OCIJ Statement, at ENG 00364071 [“They reported about general military situations and politics...”]; **E1/157.1** Transcript, 9 January 2013, Ung Ren, 14.36.40 to 14.38.33 [“...there was an arrangement between the General Staff and the Logisites.”] **E3/84** Ung Ren OCIJ Statement, at ENG 00408397; **E3/35** Ke Pich Vannak OCIJ Statement, at ENG 00346152; **E3/1237** DK Military Report, *RAK Statistics of Weapons and Ammunition Short and Needed*, 27 May 1976, at ENG 00233998.

1473 For example, Regiments 152, 377 and 488 and offices M-63, and M-62: **E3/797** DK Military Meeting Minutes, 18 August 1976, at ENG 00234456-59; **E3/800** DK Military Meeting Minutes, 16 September 1976, at ENG 00184338-34; **E3/5537** Sokh Chhay OCIJ Statement, at ENG 00404291-92.

1474 **E1/51.1** Transcript, 20 March 2012, Kaing Guek Eav alias Duch, 10.07.46 to 10.11.21 [“...two categories...S21...independent regiment of the Centre. Education, military affairs...supervision of the general staff...confessions...reported...directly to Son Sen, and then to Nuon Chea”]; **E1/189.1** Transcript, 6 May 2013, Philip Short, 11.57.24 [“S-21 ...was under the Security Committee composed of Son Sen, Pol Pot and Nuon Chea”].

1475 See Nuon Chea section, sub-section “Supervision of S-21 Security Office”; **E1/56.1** Transcript, 29 March 2012, Kaing Guek Eav alias Duch, 14.18.18 to 14.21.29 [“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 August 1977, I started sending the documents to Nuon Chea instead.”]; **E3/452** Kaing Guek Eav alias Duch OCIJ Statement, at ENG 00147571; **E3/453** Kaing Guek Eav alias Duch OCIJ Statement, at ENG 00147584; **E3/454** Kaing Guek Eav alias Duch OCIJ Statement, at ENG 00147602; **E3/5763** Kaing Guek Eav alias Duch OCIJ Statement, at ENG 00164366; **E3/15** Kaing Guek Eav alias Duch OCIJ Statement, at ENG 00251380; **E3/426 TCW-398** OCIJ Statement, at ENG 00364071; **E3/70 TCW-398** OCIJ Statement, at ENG 00407788; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417627; **E3/65** Kaing Guek Eav alias Duch OCIJ Statement, at ENG 00147520-22; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417627; **E3/2817** Nic Dunlop, *The Lost Executioner: A Story of the Khmer Rouge*, at ENG 00370218.

1476 **E3/5706** [REDACTED] Statement, 8 August 2001, at ENG 00387320-21 [From 1972 to 1978, he was a member of the Kamchay Mea District Military]; **E3/5534** [REDACTED] OCIJ Statement, at ENG 00425879 [“After 17 April 1975, I became a soldier of the district army that had 3 hundred member units.”].

1477 **E1/93.1** Transcript, 20 May 2013, Ieng Phan, 13.37.20 to 13.39.41 [“He joined the army on 28th July 1970, and initially, he was part of the militia of the Ang Ta Saon commune in Tram Kak District.”]; **E3/521** [REDACTED] OCIJ Statement, at ENG 00163318 [“The word militia was for those who work at the subdistrict level, and at the district level it was called army.”]; **E3/374 TCW-601** OCIJ Statement, at ENG 00336533 [“Militia referred to the commune army who played the role as the current commune police.”]

1478 **E1/92.1** Transcript, 19 July 2012, David Chandler, 14.10.28 to 14.12.52 [“As far as your research takes you, Professor...were those bodies active as at post-April 1975?...A. I would say almost none. It was a

continuing facade...it's pretty clear, by then, the game was up.”]; **E3/118** FBIS, *Kyodo Reports Sihanouk's Remarks to Visitor*, 18 April 1975, at ENG 00166981 [“Khieu Samphan, his deputy premier, will soon issue a statement in Phnom Penh...Sihanouk said he would leave state affairs of the new government to Khieu Samphan and he...international activities.”]; **E3/619** US State Department Telegram entitled “Khieu Samphan Visit to People's Republic of China,” 16 August 1975, at ENG 00413733-34, KHM 00635938-40, FR 00644745-46 [“At this point, Sihanouk seems to have been squeezed even further out of the picture than he was on Khieu Samphan's previous visit in April 1974...Samphan mentioned him in his speech only... final toast”]; See also **E3/197** CPK Standing Committee Minutes on The Front, 11 March 1976, at ENG 00182638, KHM 0000745, FR 00334961 [“II. Opinions of Angkar: ...reasons which led Sihanouk to resign: ...The long term reason: Fundamental class conflict between him and his family and the revolution. He cannot live with us. In the past...as a tactic.”], at ENG 00182639-40, KHM 0000746-47, FR 00334962-63 [“Outside the country, he could join with us. But inside the country, he saw that everything was gone, that there was no future at all...He had no work to do, he was lonely...could not tolerate it.”]; **E3/818** Council of Ministers First Meeting Minutes (Presentation of the Comrade Party Secretary), 22 April 1976, at ENG 00143462 [“If we operate with Sihanouk we cannot move forward speedily. They would seize opportunities to attack us again...But by a little each day they disappeared until there came the day Sihanouk had to resign.”].

1479 **E3/30** FBIS, *RGNUC Prime Minister Transfers Cabinet Portfolios to Interior*, 14 January 1975, at ENG 00166703-04 [“In fact, you have effectively for 1 year and some months abandoned your burdens in favour of our most courageous cadres of the country in the liberated zone.”]; **E3/30** FBIS, *Sihanouk's 15 Nov 74 Decree Relieving RGNUC Ministers*, 15 January 1975, at ENG 00166706; **E3/30** FBIS, *Sihanouk Names New RGNUC Ministers*, 15 January 1975, at ENG 00166707-09.

1480 **E3/30** FBIS, *RGNUC Prime Minister Transfers Cabinet Portfolios to Interior*, 14 January 1975, at ENG 00166703-04 [“I am ready to follow your great example of abnegation as soon as samdech...and those responsible in the country...consider it opportune for me to withdraw from this government...state.”].

1481 **E3/182** CPK Standing Committee Minutes, 9 October 1975, at ENG 00183393-94

1482 **E3/273** FBIS, *Khieu Samphan Report*, 6 January 1976, at ENG 00167810-17.

1483 **E3/273** FBIS, *Press Communique Proclaims New Cambodian Constitution*, 5 January 1976, at ENG 00167802-06.

1484 **E3/259** DK Constitution, 6 January 1976, at ENG 00184836, Chapter 8.

1485 **E3/259** DK Constitution, 6 January 1976, at ENG 00184835, Chapters 5 & 6.

1486 **E3/232** CPK Standing Committee Minutes, 8 March 1976, at ENG 00182630.

1487 **E1/34.1** Transcript, 26 January 2012, Prak Yut, 14.09.40 to 14.11.35 [“I was not aware of what the People's Representatives were ... Ta Noy, who told me that I was about to become a people representative, but I did not, at that time, even know what it meant...I never worked as a representative of the people.”], 14.14.15 to 14.15.51 [“Were you ever, at any time, invited to attend a meeting of the People's Representative Assembly? A. No, I was not.”]; **E3/390** [REDACTED] Statement, at ENG 00436873 [“They called me to the meeting...they instructed that the Assembly belonged to the Party...So what did we discuss in that meeting? Nothing. They just read it out and we raised our hands.”], 00436874 [“[I]t was like when we voted, we just raised our hands in acceptance...Assembly meeting last just two hours...they announced on the radio that the Assembly had for three days busily discussed... laws...ministers”]; **E1/222.1** Transcript, 11 July 2013, Stephen Heder, 15.15.05 to 15.19.55; **E3/274** FBIS, *Results of National Assembly Elections Announced*, 21 March 1976, at ENG 00167985 [“The elections were held at all population bases, peasant cooperatives, factories and revolutionary army units...This was the first time in the history of Cambodia that the people voted.”]; **E3/232** Standing Committee Minutes on Base Work, 8 March 1976, at ENG 00182630 [“If anyone asks, ...do not let it be seen that we want to suppress...do not speak playfully about the Assembly in front of the people to let them see that we are deceptive, and our Assembly is worthless.”]; **E3/231** CPK Standing Committee Minutes, 8 March 1976, at ENG 00528385 [“[I]f we didn't make the information public, we would be seen as a dictatorship, as undemocratic...We will not broadcast the laws governing our elections...will make a few comments on the constitution...education.”].

1488 **E1/121.1** Transcript, 4 September 2012, Norng Sophang, 09.54.14 to 09.56.34 [“According to the experience living through the Democratic Kampuchea regime, everything was managed by the Party, so Party was the supreme body with the highest authority...Committee 870.”]; **E3/12** CPK Central Committee Decision, 30 March 1976, at ENG 00182813 [“The true nature of our state organizations at this time is different from before. Previously, the true nature was a Front. Not now. They are the state organizations totally of our Party.”], 00182814 [“The Government: Must be totally an organization of the Party, directly of our state. The wish is for it to be strong. Must have influence in the Party...with enemies.”]; **E3/182** CPK Standing Committee Minutes, 9 October 1975, at ENG 00183394 [“Each sector

must have total mastery in the sense of implementing the Party line and the decisions of the Party... In bringing up projects, we must ask the Standing Committee's opinion so it may decide and approve"; **E3/818** Council of Ministers First Meeting Minutes (Presentation of the Comrade Party Secretary), 22 April 1976, at ENG 00143461 ["We have put an end to the old government ...and have established a new government...The true nature of our new government is that of...pure Communist Party of Kampuchea."]; **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156749 ["Democratic Kampuchea was a communist regime and it was not very different from other communist regimes...the party leads the state."].

1489 **E3/12** Central Committee Decision Regarding a Number of Matters, 30 March 1976, at ENG 00182813-14.

1490 **E3/12** Central Committee Decision Regarding a Number of Matters, 30 March 1976, at ENG 00182814.

1491 **E3 /197** CPK Standing Committee Minutes on The Front, 11 March 1976.

1492 **E3 /197** CPK Standing Committee Minutes on The Front, 11 March 1976, at ENG 00182640-41.

1493 **E3/275** FBIS, *Sihanouk's Statement Requesting Retirement*, 4 April 1976, at ENG 00167603-04; **E1/149.1** Transcript, 6 December 2012, Dr Hun Chhunly, 11.50.20 to 11.52.16 [Prince Norodom Sihanouk said in Khmer that he would be resigning from his position as the Head of State"]

1494 **E3/275** FBIS, *Khieu Samphan Reads Government Reply*, 4 April 1976, at ENG 00167605.

1495 **E3/275** FBIS, Cabinet Announces Resignation Following Elections, 6 April 1976, at ENG 00167614.

1496 **E1/92.1** Transcript, 19 July 2012, David Chandler, 14.40.13 to 14.41.48 ["Professor, what, if any, conclusions can be drawn....A. I would say, clearly, that the appointments were not made as a result of discussions inside the assembly....That's the significance of...your two dates"].

1497 **E3/165** DK People's Representative Assembly Minutes, 11-13 April 1976, at ENG 00184067-68.

1498 **E3/165** DK People's Representative Assembly Minutes, 11-13 April 1976, at ENG 00184066, 00184068-69.

1499 **E3/163** Prak Yut OCIJ Statement, at ENG 00364085 ["I was elected as a representative in Sector 35...I never went to attend a meetings in Phnom Penh"].

1500 **E3/235** Standing Committee Minutes, 19 - 21 April 1976, at ENG 00183416-17 ["After three days of discussions of matters recorded in the agenda, the Standing Committee has made the following decisions: I. Preparations to organize various committees surrounding Office 870."]; **E3/427** [REDACTED] OCIJ Statement, at ENG 00365653 ["Ministry of Industry reported to Office 870"].

1501 **E3/223** CPK Standing Committee Minutes, 17 May 1976, at ENG 00182711 ["2. Certain tangible aspects...Continue to educate male and female youths...for them to upgrade the spirit of revolutionary vigilance...to report to the ministry and the ministry in turn...report to the Office.]; **E3/846** Report from Ministry of Commerce, 24 October 1976; **E3/1185** Report from Sea Fishery Section, 20 February 1978; **E3/1187** Report from Fisheries Section, 10 June 1978.

1502 **E3/33** Oeun Tan OCIJ Statement, at ENG 00235127-29, 31 ["At K-1, Pol Pot led meetings once monthly. The attendees were Ieng Sary, Nuon Chea and Khieu Samphan but Ieng Thirith did not regularly attend, just...when the meetings involved Social Action."]; see also, e.g., **E3/230** CPK Standing Committee Minutes, 22 February 1976 ["Agenda: Economic Matters Comrade Vorn, Comrade Thuch, and Comrade Van brought up a number of matters related to Industry, Commerce, and Transport, and the matter of Yugoslavia."]; **E3/231** CPK Standing Committee Minutes, 8 March 1976 ["Agenda: Radio broadcast of 20 March 1976 elections; Duty to monitor the news."]; **E3/233** CPK Standing Committee Minutes, 13 March 1976 ["Agenda: Commerce; After the outline reports of Comrade Van and Comrade Thuch regarding contacts with China, the Standing Committee has made the following decisions."]; **E3/219** CPK Standing Committee Minutes, 3 May 1976 ["Foreign Affairs Work...1. Report Comrade Van reported regarding...Conference."]; **E3/220** CPK Standing Committee Minutes, 7 May 1976 ["Commerce Matters...After the report of Comrade Doeun concerning the commerce situation, the meeting decided to set up: 1. The Commerce Committee."]; **E3/223** CPK Standing Committee Minutes, 17 May 1976 ["Agenda: Foreign affairs; 1. Report of the ministry"]; **E3/225** CPK Standing Committee Minutes, 1 June 1976 ["Meeting Regarding Propaganda Works...Agenda: Technical aspects, Intra-party, core Angkar (organization) and the masses."]; **E3/226** CPK Standing Committee Minutes, 10 June 1976 ["Meeting on Health and Social Affairs...I. Report of the Ministry."].

1503 **E3/818** Council of Ministers First Meeting Minutes (Presentation of the Comrade Party Secretary), 22 April 1976, at ENG 00143470 ["On the average government meetings are once monthly...We meet together to disseminate on the situation of our revolution in every aspect...to be in agreement on the general views of the Party...farther."]; **E3/794** Minutes of Council of Ministers' 2nd Meeting, 31 May 1976, at ENG 00182671 ["We decided that there will be meeting at an average of once a month to share the change of situation related to our country and through this...each ministry should be able to handle the common situation."].

1504

E3/818 Council of Ministers First Meeting Minutes (Presentation of the Comrade Party Secretary), 22 April 1976, at ENG 00143465 [“We are not anyone’s satellite...And then we strove to attack and liberate Phnom Penh before them, because we wanted to be clean...C. The matter of us wanting independence and wanting to maintain independence.”], 00143465 [“The enemy is also attacking us. They pursue grudges against us, both in the West and the East. But if we strive to fight with a view to the future, we can counter, we can maintain independence.”], 00143466 [“If we want to be strong outside the country that can be so only after we are strong inside, after we defend and build the country to be strong, after the dike systems and rice harvest reach the Party’s objectives.”], 00143469 [“The specific task fundamental in the ministries is the task of leadership...in Politics, ideology, and organization according to the stance of concentrated democracy, collective leadership...individual responsibility.”], 00143470 [“The Committees of each ministry must strive to their utmost to let the Standing Committee have time to go down to the base...Our aim is to achieve 30 percent of the rice field dams and three tons per hectare...1976.”], 00143472 [“But some people of these countries are bad. Enemy countries have bought them and they come to spy on us. So, this is why diplomatic agents of some countries are CIA agents.”]; **E3/794** Minutes of Council of Ministers’ 2nd Meeting, 31 May 1976, at ENG 00182675 [“1. National Defense Affairs...improved much better than previous month...The contemptible informants were infiltrated [into our territory] but they were all arrested...”], 00182676 [“[T]he protection of the country was better...difficulties were...2) a small number of students that the contemptible assigned to be CIA network...Now, comrades...went down to cooperatives...places.”], 00182677 [“The party guided [the general public] to forcefully farming during rainy season...The general public dared to advocate: why still making dikes during this month...Dike system...Early-Year Short-term Rice.”], 00182678 [“North-Western [zone], they grew rice...everywhere...Man-made canals: There was very strong movement...Eating ration: In general, the ration was enough: two cans...[line people].”], 00182679 [“Human diseases: Still existed...Animal diseases...Housing of the general public: Still not in good condition...Some districts...could at once gather from 10,000 to 20,000 people.”], 00182681 [“In 1976, do whatever...to produce 3 tons of crops per hectare...all over country sides, this duty was also pushed to reach the target of 3 tons per hectare through the resolution of dikes, ditches and canals.”], 00182684 [“1974 till now, we had not yet included [anyone] into the party. But we had...general public... they had limited understanding about the party’s line...[we] caused them to make fertilizer at bases...party’s line.”], 00182684-91 [Ministers attending: “Opinions at the Meeting: Comrade Krin...Comrade Phoas...Comrade Prang...Comrade An...Comrade Phea...Comrade Chey.”]; **E3/659** Ieng Thirith Interview, 1980, at ENG 00182327 [“If you can read the documents, you read the meeting of Conseil des Ministres...there are always instructions and even we invite the governors of the provinces to join us, always we invite.”].

1505

E3/818 Council of Ministers First Meeting Minutes (Presentation of the Comrade Party Secretary), 22 April 1976, at ENG 00143462 [“This is speaking in general...entire Government...individual ministries...must strive to fulfill our tasks along the Party line correctly, carefully, and completely...our revolutionary work.”].

1506

E1/98.1 Transcript, 30 July 2012, Rochoem Ton *alias* Phy Phuon, 10.21.20 [“Who was it that presented the enemy situation at the cell congress...? A. It was Om Ieng Sary who was presenting during the session because he was the highest person in the ministry.”], 10.22.43 to 10.24.23 [“Who was it that provided this instruction...on the distinction between adversarial and internal disputes? A. It was Om Ieng Sary, again, who had to clarify this...antagonistic contradiction could have been.”], 10.24.23 [“The term ‘adversarial contradiction’ had to be eradicated...we could not live or get along well together and we have to take some actions...because keeping them alive means killing the revolution.”], 10.27.21 to 10.29.05 [“Do you recall receiving directions to be vigilant, to get rid of internal and external enemies? A. Yes, I do...the kind of instruction that was given to us from the very beginning.”], 10.30.52 [“Do you recall being instructed to trace the biographies of cadres in the ministry? A. It was the internal affairs and it must be memorized by members working in the ministry.”], 10.55.51 [“In that congress, Ieng Sary was the presenter and he outlined as to what were considered internal matters.”], 11.02.25 to 11.04.56 [“Om Ieng Sary was the...presenter in the session, and each section would pick up what being lectured during the sessions to be presented in their each respective unit.”], See also 09.53.07 to 09.55.29 [“That was the minutes [E3/522]. That it is...”], 09.55.29 to 09.58.09 [“And that minutes [E3/522] was correct.”], 11.14.42 [“As I already stated, this document [E3/857] was done, and it was in the meeting. And I also am familiar with the document. I received the document during that session.”], 11.21.07 to 11.23.35 [“Om Ieng Sary who made such statement...indicated...sweeping clean effort was done...we continued...because, according to the reports obtained, some people still were not certain...their stance.”], 11.36.45 to 11.44.44 [“He [Ieng Sary] instructed to me that certain confession indicated the implication of KGB or CIA...Office 870 conducted the arrest and they also sent trucks to take people

away...called that Unit Y-10.”], 11.47.16 [“How...did you learn... the people who were implicated? A. On certain occasions...Ieng Sary told me, but at other times Bong So Hong told me...these individuals were to be taken away...So Hong.”], 11.50.08 [“Were there occasions where you took the people who were to be arrested...then picked up by the personnel from Y-10? A. Yes, there were...Office 870 instructed Ieng Sary...would instruct us.”]; **E1/66.1** Transcript, 23 March 2012, So Hong, 15.40.36 [“Within the Ministry of Foreign Affairs...was a transfer process...if somebody committed an offence in house number 1, then they would be transferred to house number 2...transferred to house number 3”]; **E1/67.1** Transcript, 24 March 2012, So Hong, 09.56.59 to 09.59.23 [“When the person was taken away from...Ministry of Foreign Affairs, the person never returned.”]; **E1/102.1** Transcript, 6 August 2012, Suong Sikoeun, 10.01.59 to 10.03.29 [“we had to implement the Party’s lines...whatever decided by the Party we would ...accomplish it...”], 15.29.34 to 15.31.01 [“Did Ieng Sary speak to you about the arrest of Mr. Touch Kaham Doeun? A...during the meeting he read the confession of Touch Kaham Doeun...as to the reasons for the arrest of Touch Kaham Doeun.”]; **E1/103.1** Transcript, 7 August 2012, Suong Sikoeun, 09.22.11 to 09.24.03 [“...as I knew Thiounn Prasith was implicated as a CIA agent...security section intended to arrest him...with Keat Chhon...incriminated...told by Ieng Sary and I learned...during the meeting when he said so.”], 09.33.21 to 09.37.04 [“I listened to the radio...they reported that there were arrests...disappeared from the Ministry of Foreign Affairs.”], 11.08.25 to 11.11.15 [“Q...What was the purpose of Ieng Sary showing certain confessions to you and other staff? A. the situation regarding the production and the fulfilment of the quota set by the Party...enemy...inside and outside.”]; **E1/104.1** Transcript, Suong Sikoeun, 8 August 2012, 15.40.45 to 15.46.07 [Q. Ieng Sary made a presentation. Can you remember what... he talked about? A...he talked about security, about the arrests”], 15.47.58 to 15.50.23 [“Q.Did Ieng Sary talk about any accusations against Sovan Piny...?A.Ieng Sary said that there were two documents incriminating him...said was a traitor”]; **E3/522** DK Ministry of Foreign Affairs Diary, at ENG 00003331 [“The adversarial disputes are those against the revolution. If there are such disputes, we must hand over them to the security sector...For this type of dispute, no need to do things like education, it is to no avail.”] and [“Our enemies... The revolution has pulled out their roots... espionage networks have been smashed ...However ...American imperialists ...KGB ...Vietnam ...must be progressively wiped out...”], 00003332 [“The special aspects...‘high revolutionary vigilance...get rid of the enemies ...country’...1- Continue the socialist revolution...pull out...exploiting classes...2- Continue...to achieve Leap Forward Plan.”], 00003335 [“We must guarantee security and trace the personal biographies in the entire ministry...We must investigate the enemies in the ministry.”], ENG 00003266 [“The common task of the nation is to defend the country, protect the interests of the revolution and construct...achieving the common tasks of the nation for 1976, that is, the plan of three tons per hectare.”], 00003268 [“Grasp...standpoint of Angkar to carry out duties...Grasp tightly the situation of the revolutionary movement inside and outside...implementation of the collective Political line of Angkar...effective way”]; **E3/857** DK Ministry of Foreign Affairs Report “Working with the Committees of Every Unit,” at ENG 00355487 [“1. Enemy activities: At our Ministry’s conference, it was noted that we have basically smashed and swept cleanly away the enemies who were CIA, KGB and Yuon...continue sweeping cleanly...immaculate.”].

1507

E3/1110 DK Ministry of Commerce Meeting Report, 25-26 July 1976, at ENG 00583829 [“I. Enemy situations...Some activities of the bad elements have been calmed after we carried out some measures...2. Our actions...Actions are taken against indisciplined people who cannot be improved.”], 00583830 [“Examining and screening of personal backgrounds are still limited...Actually, we’ve contributed to achieving three tons per hectare and building 30 % of new rice field dike system in 1976.”], 00583831 [“A. Politics...The situations of country...‘cooperatives’ were better grasped...Revolutionary socialism lines were better understood...especially 3 tons of rice yields per hectare in 1976.”], 00583832 [“It is not understood that it is a must to do ultimate class struggles within individuals, the party, core Angkar and the masses.”], 00583833 [“3. Communications with the various bases and ministries...Some requests were to some extent grasped, especially those made for work to storm attack to produce 3 tons per hectare and building 30% of new rice field dike systems throughout the country.”], 00583834 [“4. Future goals...Private ownership...imperialism, feudalism, capitalism, pretty bourgeoisie continues to be completely destroyed...Attack to...ensure the 3 tons per hectare...throughout the country.”]; **E3/153** DK Ministry of Commerce Minutes entitled “Comments on the Report of the Ministry Meeting of 25-26 July,” at ENG 00640205 [“The Party line is targeted at eliminating residuals of oppressive class ideology...Have they been eliminated?...fulfillment of Party obligations is impossible... if they were rooted out, we can leap forward.”], 00640213 [“Political stance and world view should be further strengthened and linked to the three tons of rice per hectare assignment.”], 00640214 [“To give up materialism and corrupt ideology, one has to instill the line of socialist revolution aimed at toppling feudalism and capitalist residuals.”], 00640215 [“Decide at the assembly to strengthen the class

stance, thus contributing to the production plan of three tons per hectare.”]; **E3/962** DK Ministry of Commerce Decision Sending Staff for Interrogation, 17 October 1976, at ENG 00333254 [“Committee of the Ministry of Commerce After Asking for Opinions from the Sections in the Ministry Decides To arrest and send the following persons to security to interrogate for information”], 00333255 [“Measures were taken on 17 October 1976.”]; **E3/174** Ministry of Commerce Decision Sending Staff to Re-education, 17 October 1976, at ENG 00548780 [“After consulting with all the sections, Committee of the Ministry of Commerce Decides to: Send the people with the following names to the re-education centre of the security”], 00548781 [“Decide to implement on 17 October 1976.”]; **E3/846** DK Commerce Committee Ten Day Periodic Report, 24 October 1976, at ENG 00234229 [“At Land Transport two bad combatants who intended to desert...were detained. During interrogation...The Ministry...decided to send him to the Reeducation Office...reported to Angkar dated 21-10-76.”], 00234230 [“School Number 5 detained these six persons...The Ministry took custody of them and sent them to Security...The combatant...was also sent to Security...as listed in the report to Angkar dated 21-10.”], 00234231 [“Some of the masses are worried after we took measures to remove bad groups...Positives...Striving to eliminate the remaining private ownership; Shortfalls...Falling into pacifism...bad groups.”], 00234232 [“The stance of countering and smashing enemy plots is still taken lightly. Some units allow the enemy to carry out activities freely as they please and to make contacts as they please.”], 00234233 [“Positives: Continuous reeducation sessions have been convened for Party members...Continue the screening in the units...must concentrate on additional screening...core organizations and the masses.”]; **E3/1217** Three-Month Plan of Domestic Trade for August, September and October 1976, at ENG 00766742 [“I. Common Political Tasks...to defeat the remnants of the feudal class, capitalists, privatism an[d] private ownership... II. Core Tasks...agitate the masses...at the speed of supper (sic) great leap forward”], 00766744 [“C. Organization...To organize study sessions on the Party’s socialist revolutionary lines and statutes as well as the Kampuchean Communist Youth League’s statutes”], 00766747 [“Despite any shortage, hunger and difficulty...farmers continue to raise up the flag of battle...in order to achieve the Party tasks of...new dyke system...and producing three tonnes of rice per hectare.”]. For witness accounts of purges within the Ministry of Commerce see section “Role of Khieu Samphan Section” subsection “Arrests and the Changing Structure of the Ministry.

1508

E3/808 DK Ministry of Social Affairs Staff’s Notebook, 23 April - 6 November 1978, at ENG 00197599 [“4 May 1978 (Team Meeting) Politics, Consciousness and Assignments...Being interested in activities of traitors.”], 00197601 [“5 May 1978 (Meeting of Material Team) Politics, Consciousness...Being interested in activities of traitors.”], 00197604 [“Assessment relevant to stance of storming attacks to carry out daily duties and contributing to the Party’s overall nationwide duties of making socialist revolution...line on social action and health.”], 00197614 [“Meeting of General Surgical Group - Politics, consciousness and impressions of traitors’ consciences”], 00197618 [“Comrades differentiated clearly between traitors and non-traitors.”], 00197619 [“Comrades take Party principles, give them pride of place and implement them. On the side of the Party or on the side of Yuon?”], 00197636 [“Our Party’s request is that we attack our enemies so that they can no longer raise their heads...After being defeated the...enemy came in and took command...This coup d’état has been totally smashed.”], 00197639 [“Smashing the enemy – do not let them raise their heads.”], 00197641 [“Party Policies There are three duties: 1. Smashing enemies.”], 00197642 [“8 August 1978 Meeting of Unit Chiefs 1. Politics, Consciousness, Assignments and the situation of the enemy”], 00197644 [“Meeting of Reporting...situation of the enemy hasn’t been observed yet...weak solidarity...Surveillance of enemy’s activities is not strict enough.”] 00197645 [“6 October 1978 Meeting of Reporting 1. Situation of the enemy”]; **E3/5488** TCW-346 OCIJ Statement, at ENG 00301183-84 [“Ieng Thirith...leading a Political study meeting...participants write their own biographies, conduct self criticism...announced the names of the traitors and instructed the staff not to follow the traitors.”]; **E3/5580** [REDACTED] OCIJ Statement, at ENG 00367716 [“During the Political studies, Mrs. Ieng Thirith *alias* Phea taught in person...She said that the people who had been arrested were traitors, not to follow their examples, and to strive to work.”] and [“[M]any did disappear...some of the staff never reappeared...Pha-5 was a location for Political study courses.”]; **E3/5571** TCW-116 OCIJ Statement, at ENG 00359919-20 [“She talked about the arrests of senior leaders who had been accused of being traitors like Hou Yun, Hou Nim and Koy Thuon”]; **E3/5493** [REDACTED] OCIJ Statement, at ENG 00340194 [“Ieng Thirith used to hold meetings...about once a week...told me to watch five staff members...saying that they had been implicated”]; **E3/5581** [REDACTED] OCIJ Statement, at ENG 00414584 [“[S]py on the enemy’s action in hospital and be cautious about enemy...There were four to five more people that she asked me to spy on...”]; **E3/398** TCW-501 OCIJ Statement, at ENG 00304347 [“Ieng Thirith chaired the meetings and announced the names of the people who had been arrested and said they were traitors”] and [“They did not tell us in advance; after they had been arrested and had disappeared they held meetings to tell us that

this person or that person was a traitor (and had been arrested)”; E3/5495 ██████ OCII Statement, at ENG 00346949 [“At the end of her speech, she would declare those who had disappeared as traitors. She warned the staff members not to follow their path”]; E3/5497 ██████ OCII Statement, at ENG 00345961 [“Hospital staff members were arrested successively. Sometimes, one or two of them were taken to attend a study course...make the arrests were bodyguards of regiment commanders...they died .”]; E3/5486 TCW-653 OCII Statement, at ENG 00301194 [“...transferred to another ward to be re-educated...labour and tempering place for those who had violated the discipline or committed moral offences”]; E3/365 ██████ OCII Statement, at ENG 00491741 [“[H]ospital staff from the Eastern Zone was removed and replaced by those from the Southwestern Zone...Ieng Thirith got the order ... she instructed me and subordinate units to do so.”]; E3/399 ██████ OCII Statement, at ENG 00305120 [“[T]he people who slept and ate together: they did not trust each other because of the consecutive arrests”]; E3/5496 ██████ OCII Statement, at ENG 00345960 [“Hospital staff members were arrested successively...taken by a motorbike to attend a study course. Those who came...to make the arrests were bodyguards of regiment commanders”]; E3/5578 ██████ Statement, at ENG 00367744 [“I did go to study Politics when Mrs. Ieng Thirith taught in person at a large school at Office K-2....about the arrests of traitors...Ieng Thirith instructed each specialized section to monitor its work”]; E3/5573 TCW-251 OCII Statement, at ENG 00362819 [“Q: Did Ieng Thirith organize any meetings at K-2? A: Yes, she used to organize meetings there”]; E3/5568 TCW 722 OCII Statement, at ENG 00361192 [“Hong, who was in charge of the Political section ...was the person to receive the instructions from the upper Angkar and then disseminated them to the Hospital staff.”]; E3/5570 ██████ OCII Statement, at ENG 00362730 [“Each time there was a training, she called all the trainees to meet in order to educate and encourage them to study hard”].

- 1509 E1/80.1 Transcript, Sar Kimlomouth, 4 June 2012, 09.58.19 to 10.07.34 [confirming OCII statement]; E3/439 Sar Kimlomouth OCII Statement, at ENG 00425916 [A59 - A61]; E1/90.1 Transcript, 21 June 2012, Khiev Neou, 11.14.08 to 11.22.37 [“As for Vorn Vet, I had some contact with him to a degree, and later on I heard of his disappearance.”], 13.35.19 to 13.45.50; E3/342 OCP Revised S-21 Prisoner List, Entry 7347 (Penh Thuk *alias* Sok *alias* Vorn Vet, Prime Minister of Ministry of Economy); E3/451 Kaing Guek Eav *alias* Duch OCII Statement, at ENG 00204342, 56; E3/108 Khieu Samphan Interview, 9-11 June 2006, at ENG 00000929.
- 1510 E3/1550 S-21 Confession of Hu Nim *alias* Phoas.
- 1511 E3/342 OCP Revised S-21 Prisoner List, Entry 10,822 (Toch Phoeun *alias* Phin, Minister for Public Works).
- 1512 E3/342 OCP Revised S-21 Prisoner List, Entry 848 (Cheng An, Minister for Industry).
- 1513 E3/342 OCP Revised S-21 Prisoner List, Entry 903 (Chey Suon *alias* Sen, Minister of State Agriculture).
- 1514 E3/1753 S-21 Confession of Koy Thuon *alias* Thuch *alias* Khuon; E3/342 OCP Revised S-21 Prisoner List, Entry 4,114 (Koy Thuon *alias* Khuon, Minister of Commerce).
- 1515 E3/342 OCP Revised S-21 Prisoner List, Entry 10,781 (Tit Son *alias* Nhem, Deputy Chief of State Commerce Committee); E3/1929 S-21 Prisoner List entitled “State Commerce.”
- 1516 E3/1833 S-21 Confession of Tong Hai *alias* Nget You *alias* Hong, State Commerce, 5 April 1978; E3/5647 ██████ Statement, 7 December 2012, at ENG 00640175; see also E3/458 ██████ OCII Statement, at ENG 00231698.
- 1517 E3/1896 S-21 Confession of Sin Phal Kun *alias* Sou; E3/342 OCP Revised S-21 Prisoner List, Entry 9,332 (Sin Phalkun *alias* Sou, Member of Ministry Committee).
- 1518 E3/1853 S-21 Confession of Leng Sim Hak *alias* Sei; E3/2009 S-21 Prisoner List, 16 February 1978, at ENG 00233722; E3/342 OCP Revised S-21 Prisoner List, Entry 4,664 (Leng Sim Hak *alias* Sey, Chief of April 17 Hospital Office).
- 1519 E1/91.1 Transcript, 18 July 2012, David Chandler, 13.41.12 to 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.”]; E1/95.1 Transcript, 24 July 2012, David Chandler, 15.28.44 to 15.29.40 [“...it exercised its power through...Standing Committee of Central Committee was the ultimate source of power...orders were transmitted and suggestions coming up through the pyramidal structure that I mentioned.”]; E3/494 Craig Etcheson, Written Record of Analysis, 18 July 2007, at ENG 00142834-35.
- 1520 E3/130 CPK Statute, Articles 10(2)(B), 13.4, 16.4.
- 1521 E3/130 CPK Statute, Article 19.4.
- 1522 E3/232 CPK Meeting Minutes, 8 March 1976, at ENG 00182634; E3/12 CPK Central Committee Decision, 30 March 1976, at ENG 00182809; E3/232 CPK Standing Committee Minutes, 8 March 1976, at ENG 00182634.

- 1523 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 11.43.32 [“[I]t is a routine that whoever was the secretary of the zone, then he would be entitled to report directly to Brother Pol.”]; **E1/121.1**, Transcript, 4 September 2012, Norng Sophang, 09.42.53 to 09.44.43 [“And at each zone, the same system was applied, and no one could report directly to the Centre...except...independent sector that was not under any supervision by the zone.”]; **E3/1736** Drawing by Witness Norng Sophang – 870 Organigram, 25 January 2010; **E3/425 TCW-637** OCIJ Statement, at ENG 00421613 [“In case of absence of the sector chairman, the deputy became the acting chairman who reported directly to 870 because Sector 103 was autonomous.”]; E1/151.1 Transcript, 11 December 2012, Kham Phan *alias* Phan Van, 11.49.59 to 11.51.51 [Q. Did...he report to another body...Centre? A. 870 belonged to the Centre. Q...assume Sector 105 was...autonomous? A. If my understanding was correct, it was an autonomous sector”] **E3/58** Kham Phan *alias* Phan Van OCIJ Statement, at ENG 00250088.
- 1524 **E1/154.1** Transcript, 14 December 2012, Suon Kanil, 15.33.00 [“If anything happened in Sector 41, then it had to be reported to the zone, and the zone had to relay it to the Centre for decision.”]; **E1/121.1**, Transcript, 4 September 2012, Norng Sophang, 09.40.45 to 09.42.53 [“[V]illages, sub-districts...communication could not be made directly to the Telecommunication Section...zones were in charge of preparing the messages that were coming to them...forwarded to the upper echelon...Central.”]; **E3/44** [REDACTED] OCIJ Statement, at ENG 00295163; **E3/494** Craig Etcheson, Written Record of Analysis, 18 July 2007, at ENG 00142830 [“This reporting system was implemented throughout the organizational apparatus, with the Zone leadership reporting to 870 on a weekly basis, while lower echelons regularly reported to the Zone leadership”], 00142839 [“The Zone leadership also collected information on Political, economic and security events at the lower echelons, summarized the information and provided it to the Center”], 00142839 [“Ample Zone-to-Center communication was conducted via telegraph and/or couriered messages.”]; **E3/130** CPK Statute, 1976, Article 16.
- 1525 **E3/782** *Revolutionary Flag* September – October 1972, at ENG 00720226 [“In general, we are poor at reporting. Most of the reports are about military activities, and are short of other work. It means that each base does not control...thoroughly.”].
- 1526 **E3/782** *Revolutionary Flag* September – October 1972, at ENG 00720229.
- 1527 **E1/154.1** Transcript, 14 December 2012, Suon Kanil, 15.33.00 [“If anything happened in Sector 41, then it had to be reported to the zone, and the zone had to relay it to the Centre for decision.”]; **E3/344** Suon Kanil OCIJ Statement, at ENG 00384429 [“They followed the chain of command...they sent it from the Centre level down to the Zone, and from the Zone down to the Sector...telegram, related to the Sectors, which was sent to the Central Zone, had to go through my place.”]; **E3/494** Craig Etcheson, Written Record of Analysis, 18 July 2007, at para 55 [“Zone Committees communicated regularly with Sectors, Districts and Communes, as well as with the Center...transmitted Policies and directives from the Center to lower echelons in the Zone, along with its own instructions.”].
- 1528 **E1/154.1** Transcript, 14 December 2012, Suon Kanil, 15.47.10 to 15.49.17 [“It had to go through the Centre first. That was because they did not want us to communicate with each other directly.”]; **E3/344** Suon Kanil OCIJ Statement at ENG 00384430 [“Q... could one zone communicate with another zone directly? A. No, absolutely not. The communication between one zone to another without going through the Centre could not be done.”]; **E1/154.1** Transcript, 14 December 2012, Suon Kanil, 15.45.48 to 15.47.10 [“I still maintain my statement” (see *E3/344* above)]; **E3/74** Suon Kanil OCIJ Statement, at ENG 00384690 [“...were there any other means that the East Zone could use to report directly to the Central Zone without going through Office 870?A. It was not possible because it was the instruction of the upper echelon.”]; **E3/373** [REDACTED] OCIJ Statement, at ENG 00336528; **E3/494** Craig Etcheson, Written Record of Analysis, 18 July 2007, at para 56 [“S-21 confessions... record...alleged direct horizontal communications between Zones...These communications were regarded as evidence of treasonous intent... to enforce a strict hierarchical communications system”].
- 1529 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 14.36.26 to 14.38.25 [“And finally there was an indication of the direction in accordance with the specified code number -- for example, the East Zone with the code number A-75; that is for ‘East Zone’.”]; **E1/153.1** Transcript, 13 December 2012, Kham Phan *alias* Phan Van, 16.28.16 [“Back then [K-17] was called the Messenger Office, and its code name was K-17”] **E3/17** David Chandler, *Brother Number One*, at ENG 00392990; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396392.
- 1530 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 15.13.11 to 15.14.23 [“‘47’ refers to the secret code of His Excellency Son Sen”]; **E3/57** Kham Phan *alias* Phan Van OCIJ Statement, at ENG 00290506 [“The upper echelon had their own code numbers which the ordinary people could not know of...slogan ‘keeping confidential is a victory’...leaders used different code numbers which were changed very often.”].

- 1531 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 11.19.48 to 11.32.25 [“...there were telegrams that were sent to me from the zones, or the bases or the battlefields....”, 11.27.00 [“I attended the telegram training sessions in 1973...”].
- 1532 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 11.29.10 to 11.32.25 [“And Pon, at that time [1974], was not within my section...the groups were divided into two; I was at the rear, and Pon was sent to work at the front line with Pol Pot, west of Phnom Penh.”], 11.37.25 [“When I was working at B-20...the Centre Office was located deep in the jungle...in 1974, there was a division of my unit into two. One was attached to the front line, and the other was attached to the rear.”], 14.48.19 [“My communication with Pon was through secret telegrams...if it was the information about the victory from the battlefield...my section...at the rears would prepare the report...and submit it to the Broadcasting Unit.”], 14.44.44 [“The division of my unit into two back then was done in late 1974.”]; **E1/121.1**, Transcript, 4 September 2012, Norng Sophang, 09.25.02 to 09.31.03 [“...it was Mr Pon’s group...in the battlefields...who then sent these messages to me and our group at the rear so that the messages could be prepared for radio broadcasts.”].
- 1533 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 15.04.47 to 15.07.18 [“...I came to Phnom Penh...almost late 1975...establishment of the...telegram decoding sections...already...in place. Pon and his group had arrived in Phnom Penh...managing these to be in place already.”].
- 1534 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 14.18.18 to 14.20.51 [“Prior to 1975...At each base, zone, and sector, and every unit of a division, there must be a communication section and telegrams for each zone and division.”], 14.33.45 [“Before 1975, the units that sent the telegrams to the upper authorities included the Special Zone, East Zone, North Zone...three other autonomous regions”], 15.32.59 to 15.36.00 [Q...You said to us that prior to 1975 there were telegrams from zones and autonomous sectors. Was that also the case after April 1975...A. Well, the organization of the zones and sectors were the same as the period before 1975.”]
- 1535 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 14.28.31, 14.30.56, 15.11.52 [“Pon and Thé were both in charge of my unit, and at the same time they were in charge of the telegram tapping and sending of the telegrams at the old American Embassy.”].
- 1536 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 11.23.05 [“Pon and Thé worked directly with Pol Pot, and they also had the role of the secretaries...They were instructed from the above or that they took notes in the meeting with the Standing Committee...relayed...them to me.”].
- 1537 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 09.40.17 [“A. During that period of time...use of what we called the Ratno (phonetic), the manual winding device...the message would be sent in the form of like ‘tik tik ta’, which represents...numbers...transmitted through this device.”].
- 1538 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 15.14.23 [“Q...can just confirm ...incoming telegrams...received at K-18...decoded...A. Yes, it is correct.”]; 15.18.57 to 15.21.36 [“After decoding...then typed the text, and place them into the envelopes...recipient would be K-1”].
- 1539 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 11.19.48 to 11.22.43, 11.32.25 [“As for the working structure...there were three units...My section was responsible for telegram translation...there was another group...called the Telegram Receiving and Sending Unit...And...Radio Broadcasting Unit.”], 11.34.30 [“A. At B-20, I did not meet any leaders because all the telegrams which were translated were sent through messengers to the leaders.”], 11.39.30 [“The incoming telegrams were...reports we received...development of the battlefields...outgoing telegrams, was in the form of directives, which included measures, instructions, circulars ...lower authority to implement.”], 11.43.50 to 11.45.45 [“[T]he directives by the upper authority to be handed down to the lower level authorities...whatever instruction...prepare into letters as telegram...Then, we...encode the message so that it became a secret code number.”], 11.47.58 [“When I was working in the jungle...Once I completed decoding the telegrams, then I sent to Angkar, but I did not know who ‘Angkar’ was at that time; I only sent those telegrams to – through messengers.”], 15.32.59 [“But it was, of course, the case in terms of telegrams’ organization. It was like what we did prior to 1975.”].
- 1540 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 15.32.59 [“Q. And did that communication by telegram continue for the entire period that you were in Phnom Penh? A. Yes. Yes, it did. It did continue until the date when the Vietnamese came to Phnom Penh.”].
- 1541 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 15.11.52 to 15.14.23, [At the old American Embassy...place where telegrams would be received and transmitted...all across the country would be sent...also called K-18, and Yuos was the head.”], 15.23.51 to 15.28.34; [“...When the Centre Committee needed anything...Pon would be summoned...instructions would be wished to send to different zones and sector...submit them to ...respective unit...for example K-1...re –decoded.”]; **E3/67** Norng Sophang OCIJ Statement, at ENG 00483973; **E3/465 TCW-363** OCIJ Statement, at ENG 00204755; **E3/64** Norng Sophang OCIJ Statement, at ENG 00334047, 48 [“At first...sent to the translator group who used

code numbers to code its text...sent to the radio communication group...transmitted out in code...from province and zone...code numbers...translation...K-1.”]; **E3/373** [REDACTED] OCIJ Statement, at ENG 00336528 [“Would you describe the sending of those messages? First, I switched on the machine I then typed Morse Code in order to send it to other location. I sent via radio frequency...there were eight [workers]”].

- 1542 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 15.11.52 [“Telegrams from all across the country would be sent and transmitted from there.”], 15.14.23 [“And when the zones or sectors or the commander, like Mr. Son Sen, would like to send the messages, they would do so through K-18.”]; **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 14.06.20 [“[W]as it the case that the military communicated with the Party Centre using K-18...? A. What I know is that the military communication...would be sent through K-18, who then sent to the telegram decoding section.”].
- 1543 **E3/465 TCW-363** OCIJ Statement, at ENG 00204755 [“How many personnel were at Ka-18? What sections were there? A. ... There was a domestic [inside the country] communications section and an external [outside the country] communications section, and a radio section.”].
- 1544 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 15.36.14 to 15.38.28 [“Do I understand correctly that each zone was allocated specific times during a day during which they could transmit coded telegrams to...K-18? A. Yes...The communication...was in accordance with the time of the day.”]; **E1/154.1** Transcript, 14 December 2012, Suon Kanil, 15.01.40 to 15.03.44 [“From the Centre - the zone to the Centre, we would be allowed to communicate...two times only per day; one in the morning, and one in the afternoon.”]; **E3/344** Suon Kanil OCIJ Statement, at ENG 00384429, 31-32; **E3/465** TCW-363 OCIJ Statement, at ENG 00204758 [“[At K-18] We made contact three times a day...telegrams we transmitted were in code...from Office Ka 1...telegrams we received...by messenger from Office Ka 18 back to Office Ka 1...telegrams received also in code.”]; **E1/154.1** Transcript, 14 December 2012, Suon Kanil, 15.13.47 to 15.16.24 [“Q. Was there also a schedule of timing for a telegram from the zone to the sector, please? A. Indeed, there were schedules of timings.”] **E3/344** Suon Kanil OCIJ Statement, at ENG 00384429-30 [“The Zone level just followed the Schedule set by the Centre...fixed times... to make contacts...This was how I knew which telegram came from the Centre”].
- 1545 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 15.40.44 to 14.43.52 [“However, if the circumstances justified, then they could agree with each other that we did not have to communicate at the designated times. We could meet anytime of the day, 24 hours per day.”]; **E3/344** Suon Kanil OCIJ Statement, ENG 00384432. [“[R]egular telegram, the Centre fixed the schedule...twice a day...one was at 6...in the morning and another was at 5...in the afternoon. If it was a special telegram it could be transmitted anytime between 6 am and midnight.”]
- 1546 **E3/344** Suon Kanil OCIJ Statement, at ENG 00384430 [“...the Zone developed the contact schedule for the Sectors...I could know if any telegrams came from the Sectors...able to avoid overlapping when sending or receiving telegrams to or from the Centre or the Sectors.”].
- 1547 **E1/154.1** Transcript, 14 December 2012, Suon Kanil, 15.11.23 to 15.13.47 [“Every telegram that sent to the zone had to be sent directly to him, and then, after receiving the telegrams, he would then send them to his telegram decoder into letters”].
- 1548 **E3/383** Sao Sarun OCIJ Statement, ENG 00350264 [“I had to report daily at least no rice production, climate, and how much or how little had been planted.”]
- 1549 **E1/154.1** Transcript, 14 December 2012, Suon Kanil, 15.01.40 to 15.03.44 [“...we had our own rule. From the...zone to the Centre, we would be allowed to communicate on two occasions only – two times per day; one in the morning, and one in the afternoon.”]; **E3/344** Suon Kanil OCIJ Statement, ENG 00384429.
- 1550 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 15.28.34 [“But on average, on any given day, we would be decoding about 4 to 10 telegrams.”].
- 1551 **E1/121.1**, Transcript, 4 September 2012, Norng Sophang, 09.22.46 to 09.25.02 [“The telegrams that I have examined and seen during these few days’ proceeding before this Court, indeed, reflect the telegrams that my group and I decoded...they are the telegrams that my group and I decoded.”].
- 1552 **E3/1732** Table of Codes and Compound Words Used to Encrypt Telegrams; **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 10.09.09 to 10.15.05, 10.24.13 [“And in relation to the open message...there was very, very few. If it is indeed used, it would be used in plain Morse code in the Khmer character.”], see also 09.54.25 to 09.56.54 [“[I]f there was a secret communication to be made, then secret codes would have to be transmitted through the telegraphic communication through K-18.”]; **E3/71 TCW-639** OCIJ Statement, at ENG 00288630 and E3/5307 Annex at ENG 00381038-39; **E3/44** [REDACTED] OCIJ Statement, at ENG 00295162.
- 1553 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 15.28.34 [“I had to also re-decode into more secret coding. It was several layers of decoding this secret telegrams and it was really complicated.”];

- E1/120.1** Transcript, 3 September 2012, Norng Sophang, 10.17.35 to 10.24.13 ["If we use this square table, it cannot get turned into a final encrypted message for them to transmit yet. For a confidential message, it has to be encrypted at another layer."]; **E3/64** Norng Sophang OCIJ Statement, at ENG 00334051;
- 1554 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 15.09.13, 15.14.23 ["[I]f we can just confirm that in respect of incoming telegrams...they would be received at K-18 before they were decoded at either K-1 or your school...? A. Yes."], 15.16.38 ["[C]ould you help us understand who it was that decided whether an incoming telegram would be sent to K-1 for decoding or to your school? A. Pon was a person who had been authorized... and received."], 15.18.57; **E3/64** Norng Sophang OCIJ Statement, at ENG 00334047-48.
- 1555 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 14.20.51 ["When did you come to Phnom Penh? A. I came to Phnom Penh after the city had already been prepared and organized. It was late 1975 when I got there and moved to this new location."], 14.23.49 ["Apart from teaching, I also decoded telegrams sent to me by Mr. Pon."], 15.09.13 to 15.11.52 ["At K-1, Pon was in charge; but in Sothearos School, I was in charge, but I was supervised by Pon. This is how we were managed."]
- 1556 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 10.58.18 to 11.07.15 ["I used carbon paper and the use of the carbon copies were based on the decision made by Pon or Thé. And sometimes, I just typed that in because the instructions were already given in advance. ... copied to."]; **E3/64** Norng Sophang OCIJ Statement, at ENG 00334055.
- 1557 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 15.13.11 to 15.20.33 [confirming OCIJ statement]; **E3/67** Norng Sophang OCIJ Statement, at ENG 00483969, discussing **E3/1076** Telegram 18 from Son Sen (47), 9 April 1978.
- 1558 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 14.22.28 to 14.24.37 ["M-870 is similar to Office 870. It refers to the Central Committee. Even the term 'Angkar 870' is always interchangeably used to refer to M-870, or to Office 870, or to just 870, which was then the Centre."]; See also 14.28.37 ["If it was M-87, it could mean M-870...because I saw that there -- there was some kind of a removal on that number. And if it were to be M-87, it denotes that it is a short form of M-870."].
- 1559 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 11.52.22 ["...on the salution line, they said --they mentioned "to Brother Pol" or "to Office 870".]; **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 10.27.44 ["...the words "Respected Brother" here is Pol Pot."], 11.32.49 ["...and it was addressed to "Respected Brother", it means it would be referred to Pol Pot."], 11.40.52 ["Q...Respectfully submitted to Comrade Brother Pol...correct in assuming that was Brother Pol Pot? A. Yes, it is correct."]; **E1/81.1** Transcript, 7 June 2012, Sao Sarun, 09.50.28 to 09.53.23 ["Q...during 1978 you sent daily telegrams to the leaders in Phnom Penh. A...correct...sometime on a daily basis...Q...to whom did you address the telegrams...Pol Pot"]]**E3/384** Sao Sarun OCIJ Statement, at ENG 00348374; **E3/383** Sao Sarun OCIJ Statement, at ENG 00350263;
- 1560 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 11.02.40 to 11.07.15 ["[T]he instructions were already given in advance regarding whom the document or the message shall be copied to. But for other messages, which I was not clear, before I typed 'Copied to', I needed to ask for the authority first."], 11.10.27 to 11.13.34 ["That is correct, and my statement is correct."], 11.13.34 to 11.14.40 ["And in certain cases, some Uncles were absent or not present; for instance, Mr. Ieng Sary, sometimes he was overseas...then the message would not be copied to him because...he was overseas.]; **E3/67** Norng Sophang OCIJ Statement at ENG 00483965 ["Almost all telegrams were copied to the Uncles as I had seen in the past; but in case any Uncle was not present, it was not necessary to make a copy for him."]; **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 15.21.36 ["I wish to also make it clear that these messages...would be sent to the leaders...When they were sent to K-1, it suggests that Pon would be the one who managed to have them sent or delivered to the leaders."].
- 1561 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 11.27.38 to 11.30.05 ["The word 'Office' in the copy line means that a copy of that message would be maintained at Office 870. It was a part -- or within the K-1 compound. As for the document, at my office I also maintained a copy at my office."].
- 1562 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 11.27.38 to 11.30.05 ["...the document, at my office I also maintained a copy at my office...if they need to verify the nature of the original document, they would come to my office."].
- 1563 **E3/57** Kham Phan *alias* Phan Van OCIJ Statement, ENG 00290506. ["I kept both of the numbers coded and the text copies. They were kept for at least 6 months until there was an order from the upper rank to burn them up; then I could do it."]
- 1564 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 15.18.57 ["After decoding this into the Khmer text or Khmer telegrams, we then typed the text, and I would then place them into the envelopes, and the recipient would be K-1."]; **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 11.07.15 ["After I

typed it, then I prepared the message, put it in envelopes and sent to K-1.”], 11.10.27 [“At my office, there was a messenger whom I can use to deliver the letter to K-1, and there was a post there at K-1. So I instructed the messenger from my office to deliver the letter to that post in front of K-1 Office.”]; **E3/64** Norng Sophang OCIJ Statement, at ENG 00334047-48 [“after it was translated, a messenger took it back to K-1...I used Khoeun to deliver the translated telegram ...addressed to K-1”]; **E3/464** [REDACTED] OCIJ Statement, at ENG 00226112 [“Mon...translated the telegram for Pol Pot and all uncles at office K-1...he delivered [the translated materials] to uncle Pol Pot. Unlce Pol Pot then managed to send them to the zones, sectors and other uncles.”].

1565 E/86.1 Transcript, 13 June 2012, Oeun Tan, 13.45.12 [Q.Do you recall how often you received telegrams and transmitted them to Pol Pot? A. Sometimes I had to transmit them three to four times a day.”] **E3/33** Oeun Tan OCIJ Statement, at ENG 00235132 [“Were telegrams sent from Phang’s location to Pol Pot frequently? A. Every day; two or three times a day.”];

1566 E1/86.1 Transcript, 13 June 2012, Oeun Tan 13.45.12 to 13.48.39 [“I used to also took them to...Nuon Chea. After Pol Pot had read them all, they had to be transmitted to Nuon Chea.”], 13.38.39 [Q...all telegrams that were sent to Pol Pot you would subsequently carry also to Nuon Chea? Is that correct? A. Yes it is.”] **E3/33** Tan Oeun OCIJ Statement, ENG 00235132-33 [“I received orders from Pol Pot to take telegrams to Nuon Chea...I took them to Pol Pot, and later, after Pol Pot had read them, I took those telegrams to Nuon Chea.”] 00235133 [“When Pol Pot had you take telegrams to Nuon Chea, what did Pol Pot say? He said to send them to Nuon Chea urgently...Pol Pot sent all the telegrams he received on to Nuon Chea.”].

1567 **E3/64** Khieu Samphan OCIJ Statement, at ENG 00334055 [“The Standing Committee also stayed at K-1, so after we had translated a telegram, we typed it in multiple copies...numbers of persons whom to be distributed to...delivered it to each room respectively...deliver them there.”]

1568 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 11.32.49 to 11.35.56 [“Am I correct in concluding that there were two copies...Pol Pot personally and one to Office 870? A...Uncles, they were different...‘Office’, here, referred to Office 870...‘Uncle’ could be referred to Pol Pot.”].

1569 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 11.57.28 to 12.00.42 [“And when the office was copied, it suggests that Brother Doeun would also be the person who received this message that was addressing to the office.”].

1570 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 11.43.32 [“And it is also strange to me that the document was not copied to an Office. So the c.c. section is strange to me.”], discussing **E3/1679** Telegram No. 15 from Chhon to Comrade Brother Pol, 30 November 1975.

1571 **E3/182** CPK Standing Committee Minute, 9 October 1975, at ENG 00183395 [“When a telegram comes in, immediately...the office must hand it to the responsible section immediately, so they can examine...make proposals to the Standing Committee. Some matters are urgent...Party section.”], 00183396 [“In the past, all work was concentrated with Comrade Doeun. At a later date it must be given to each section to consider...The Office of the Standing Committee makes contacts back and forth with each section.”].

1572 **E1/120.1**, Transcript, 3 September 2012, Norng Sophang, 15.29.36 to 15.31.02 (discussing **E3/812** Telegram from Son Sen (47) to Brother, 26 April 1978) [“[G]iven that we see Brother Van’s name in the ‘copy to’ line, what would be the reason to additionally annotate on the first page ‘Brother Van’? A. ...Mr. Pon who wants to stress...related to Foreign Affairs...Uncle Van.”].

1573 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 11.57.13 [“But as for cultural affairs, for example if there was any moral issues among people in society, I believe it was Nuon Chea who was the person in charge.”], **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 10.27.44 to 10.33.07 [“[B]ased on my knowledge, the reason the message had to be sent to Om Nuon Chea because he was in charge of social affairs and culture. So, when it comes to the violation of moral code, it should be Uncle Nuon Chea...sent.”], 11.07.15 to 11.10.27 [“This is -- the handwriting belongs to Thé, who would understand that the content of the message related to Om Nuon. For that reason, he wrote that word, ‘Om Nuon’ – ‘Uncle Nuon’ -- on this message.”]; **E3/513** Telegram 54 from Sarun to Respected Brother, 23 April 1978; **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 11.48.02 to 11.49.35 [discussing **E3/1679** Telegram No 15 from Chhon to Comrade Brother Pol, 30 November 1975].

1574 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 15.13.11 [“This situation was relevant to what happened at the border areas...and Pon knew very well that this information had to be sent to the Ministry of Foreign Affairs so that the Ministry was informed...”].

1575 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 14.02.04 to 14.06.20 [“[T]he work that had to be done in accordance with the Standing Committee...It is true that communication had to be done immediately, expeditiously...on a timely manner...sent to Pon’s section...there.”], discussing **E3/182** CPK Standing Committee Minute, 9 October 1975, at ENG 00183395.

- 1576 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 09.43.06 [“Could you describe...level of discipline... your work? A. In our group...people were of good discipline and everyone was very committed in performing their tasks meticulously...principle laid down by Angkar.”], 11.23.05, [“I implemented subsequently, based on the instructions, the principles and the disciplines set out by the upper echelon, in particular, in regard to the functioning of my office.”].
- 1577 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 11.14.40 to 11.16.26, 11.17.52 to 11.20.52 [“[D]o I understand correctly...that the...Uncles, received the messages that were sent to them? A. It is my conclusion that majority of the messages were received by them...they organized...loyal people...work.”], 15.33.31 to 15.35.03 [“In the meetings that you attended with Pon...was there ever a report that documents addressed to the Uncles were not being delivered to the Uncles? A. No, I did not know about that... I never heard Pon to raise that kind of issue.”]; **E3/64** Norng Sophang OCIJ Statement, at ENG 00334055.
- 1578 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 11.57.28 [“If people would like to be trained on radio communication, they would be asked to contact K-18 that was tasked with that particular field.”].
- 1579 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 14.23.49 [“I was in charge of providing training to people who could have been sent from various provinces...I also taught them to decode secret telegrams”], 14.59.53 to 15.04.47.
- 1580 **E1/120.1** Transcript, 3 September 2012, Norng Sophang 09.40.17 to 09.45.05 [“Concerning the telegram communication, they had their own frequency...And K-18...even sent...secret signal to ensure that the other end of the communication line would be the right person...send the messages to.”].
- 1581 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 10.25.55 to 10.27.44 [“And ‘290’...you can say that telegram consists of 290 CKs because for each CK, there would be five characters...it is easier for the decoder to understand...number of the characters.”], **E3/71 TCW-639** OCIJ Statement, at ENG 00288623 [“Band represents the number of words in the text...I used these numbers to translate telegram...number of the bands increases accordingly.”]; **E3/383** Sao Sarun OCIJ Statement, at ENG 00350262 [What was “Telegram 47” about? It was the numerical order...easy for us to refer to...the Centre set it, and all Sectors or Zones had to do it in the same format.”]; **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 10.55.22 & 10.04.50 [“In general, each message has its heading and the ending. The heading was just based on its location...that was the general form and used... ending, there would be the date...signature of the transmitter or the sender.”].
- 1582 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 10.55.22 to 10.58.18 [“What does ‘54’ represent?...A. This Telegram 54 is a telegram sent and it has already been decoded...number 54 is a sequential number. So it means there was 53 and then this is 54; it’s a sequential number.”]; **E1/121.1** Transcript, Norng Sophang, 4 September 2012, 10.22.38 [How the sequential number was determined ...? A...The sequential number put by the decoding team...regarding that zone...as a general principle...my decoding team, when the number reached 99, it would reset to 01.”]; **E3/71 TCW-639** OCIJ Statement, at ENG 00288623 [“It is the telegram consecutive order number of the sender.”].
- 1583 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 15.23.51 to 15.28.34 [“When the Centre Committee needed anything, then Pon would be summoned to take notes when instructions would be wished to send to different zones and sector.”]; **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 11.25.43 [“Pon and Thé worked directly with Pol Pot, and they also had the role of the secretaries..... relayed by them to me”];
- 1584 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 11.43.50 to 11.45.45 [“Normally, the directives by the upper authority to be handed down to the lower level authorities ... instruction the leaders had... as telegram... secret code number.”], 11.55.36 [“Normally, the directive from Office 870 covers the overall situation of the country -- it covers all the aspects of the country, not limited to economies or culture.”]; **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 14.36.16 and 15.05.27 to 15.09.16, discussing **E3/1734** Instruction of Office 870, 3 January 1978, at ENG 00707388 [“This instruction must be distributed and learned...within the Party committee of zones, sectors, districts, cooperatives, battlefield committees, division committees, regiments, battalions...performance regularly.”]; **E3/64** Norng Sophang OCIJ Statement at ENG 00334052 [“The messages were the directives telling people how to solve food problems; and sometimes there were messages inviting people on behalf of the Committee 870 to the meetings.”]; **E1/154.1** Transcript, 14 December 2012, Suon Kanil, 14.34.21 to 14.37.06 confirming **E3/344** Suon Kanil OCIJ Statement, at ENG 00384429 [stating that most of the telegrams sent from the Centre to the Central Zone office and then on to the Sectors were “directives”]; **E3/383** Sao Sarun OCIJ Statement, at ENG 00350263 [Sector 105 Secretary states that telegrams he sent to Office 870 were responded to with “instructions” from Pol Pot or Nuon Chea].
- 1585 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 10.01.44 [“Regarding the meeting with the Centre, sometimes it was made through the secret telegram...this brother or that brother...meet in person

through a request, through a short transmission by an advance telegram...about it.”], 10.02.49 [“I came across some of the telegrams regarding the invitations to the zone cadres for meetings...for instance, a national meeting at Borei Keila, the message was sent to various zones and sectors...Party’s school.”].

1586 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 11.57.13, 11.59.20 [“And normally, before he distributed those materials to the local levels, he sent the telegrams to my unit first so that I could relay it to the local authorities...it had to go through my unit.”], 15.30.27 [“And, mainly, the telegrams were more about distribution of the goods that Mr. Khieu Samphan would like them to be distributed to the bases....It was once in every 10 days.”]; **E1/120.1** Transcript, 3 September 2012, Norng Sophang 13.46.52 to 13.55.57 [“Q. [W]hy it was necessary for...phone line between your office and...Mr. Khieu Samphan? A. Usually...in the form of a handwriting from him, or...he...would give a phone call...to give such instructions. ...work.”], 13.55.57 [“The content of the messages were similar to a normal letter and it was already typed. Our task was to encrypt that letter or text.”].

1587 **E3/64** Norng Sophang OCIJ Statement at ENG 00334050 [“...transmitted...internal matters...problems with the people or the army...directives...different protective measures...in place to deal with enemy pushing in...cadres and their work plans...distribution of materials.”]

1588 **E3/953** Telegram 04 from Central Zone Secretary Ke Pauk to Pol Pot, 02 April 1976 at ENG 00182658 [“The enemy situation in the entire North Zone ...The enemies are former soldiers in combination with the former cooperative team chairman, They used copies of a photo of Lon Nol...”]; **E3/1144** Telegram 60 from North Zone Secretary Se to Committee 870, 5 September 1977 at ENG 00517923 [“The situation of internal enemy... burrowing from within... Those enemies who were former officials, policemen or soldiers of the previous regime were discovered one after another.”]

1589 **E3/1077** Telegram, 324 from Se, North Zone Secretary to Committee 870, 10 April 1978, at ENG 00340540 [“...The internal situation. There is no important change. The situation is normal. We are continuing to purge the remaining group continuously, including those who oppose our revolution openly and secretly...”]; **E3/950** Telegram 242 from Nhim to Ankar 870, 11 May 1978, at ENG 00185215 [“...reported... Internal enemies [inside the country]... when they were trying to escape away with 40 people, we smashed all of them...”], 00185216 [“Measures: Prevent it more carefully; be more highly vigilant; smash invasive enemies; successively sweep all destructive elements; and prevent all acts of secret moving and looting.”]; **E3/1210** Compilation of Telegrams entitled “The Khmer Rouge Telegrams: ‘Sent and Copied to Uncle Vann,’” N/A at ENG 00003979 [“...we cannot sew clothes in a timely manner because many sewing machines lack thread winders, this because the enemy has destroyed the thread winders.”].

1590 **E3/244** Telegram 16 from Chhon to Pol, 23 January 1978 at ENG 00182755; **E3/243** Telegram 15 from Chhon to Brother Pol, 19 January 1978 at ENG 00532795; **E3/1021** Telegram 20 from YA Secretary of Northeast Zone to Brothers, 03 March 1976 at ENG 00324803; **E3/871** Telegram 21 from Chhon to POL Pot, 2 April 1976 ENG 00185241.

1591 **E3/948** Telegram 13 from M-560 to Committee 870, at ENG 00003534 [“[The situation] in this week is the same as in the previous one...The Region, which faces famine the most, is Region 5”]; **E3/950** Telegram 242 from Nhim to Ankar 870, 11 May 1978, at ENG 00185216 [“2. People’s living conditions: In the zone, shortage occurred in Regions I, 4 and 5, of which the most shortage-hit was Region 5,”]; **E3/1198** Telegram 33 from Sam-un, Division 801, Political Section to Brother Reuan, 5 April 1977 at ENG ? [“...given the shortages the people have, we force them to work hard, then we should be careful they don’t butcher us...the people are starving everywhere, although he puts the emphasis on Districts 81, 82 and 83 in Sector 107.”]; **E3/953** Telegram 04 from Central Zone Secretary Ke Pauk to Pol Pot, 02 April 1976, at ENG 00182658 [“...among the people in the entire Zone there has been much fever and diarrhea. The reason is due to when working and overheating, the brothers and sisters were drinking cold water, not drinking hot water regularly.”]; **E3/1196** Telegram 33 from Chhan to Office 870, 26 November 1976 at 00506647 [“We have not received report from the hospital regarding the combat of malaria... I fail to give some Khmer medicine. We request two tons of 10-by-2 centimetre (sic) nails...build hospital...not...enough nails.”]; **E3/1210** Compilation of Telegrams entitled “The Khmer Rouge Telegrams: ‘Sent and Copied to Uncle Vann,’” N/A at ENG 00003979 [“As for illness, illness has occurred in many cases at grass roots, and dam construction sites because it has been very hot in this dry season...”]

1592 **E3/1091** Telegram 53 from Se to Com. 870, 23 August 1977 at 00327794 [“dams have been constructed, but they cannot hold water...built the dams without thoroughly studying the geography and the territory. People wasted their strength... impact on the production and living standard of the people.”]; **E3/953** Telegram 04 from Central Zone Secretary Ke Pauk to Pol Pot, 02 April 1976 at ENG 00182658 [“...brothers and sisters throughout the Zone...are vigorously on the offensive building the new rice field dyke system according to the goal set by Angkar...”]; **E3/1077** Telegram 324 from Se, North Zone

Secretary to Committee 870, 10 April 1978, at ENG 00340540 ["The situation on the production: Every district in the zone has determined to complete dam building plan in April or in mid May, at the latest..."]; **E3/953** Telegram 04 from Central Zone Secretary Ke Pauk to Pol Pot, 02 April 1976, at ENG 00182659 ["We are now on the offensive making the water sluice gates for the dike and canal systems. Some are made of cement, some of wood."]; **E3/64** Norng Sophang OCIJ Statement at ENG 00334053 ["They included the substances on building dams and canals, requesting materials, internal situation, and any events that took place at the bases."]

1593 **E3/1077** Telegram 324 from Se, North Zone Secretary to Committee 870, 10 April 1978, at ENG 00340542 ["Rice crops at the upper land reached 2 tons to 3 tons per hectare. The lower land got 4 tons to 5 tons, and at some places even 7 tons to 10 tons...green bean...collected, and will be sent to the state subsequently."]

1594 **E3/956** Telegram 14 from M-401 to Angkar, 25 June 1977 at ENG 00776988 ["32 people fleeing...24 arrested...Angkar is requested to communicate with North Zone to check whether there were people fleeing and what kind of measures Angkar will take."]; **E3/1009** Telegram 05 from Central Zone Secretary KE Pauk to Committee 870, 18 April 1978 at ENG 00305346 ["...we keep on fighting against our enemy as strongly as possible and completely and effectively carry out the party's guideline in fighting. Please, Angkar, have comments"] **E3/1218** Report entitled "To respected Brother about the enemy situation in Sectors 101, 102, 104 and 107", 15 November 1976 at ENG 00548802 ["About the enemy situation... Measures...interrogation...obtain confession...arrest...address various conflicts...We already did with *the contemptible*...report to Angkar for further approval."]

1595 **E3/1091** Telegram 53 from Se to Com. 870, 23 August 1977 ["I worked for 10 days in five districts...I convened a congress in each district... the Party's political lines were disseminated as follows..."]; **E3/1188** Telegram 81 from BUTH, 29 January 1976 at ENG 00532772 ["followed assignments made by Angkar"]; **E3/1194** Telegram 10 from Chhan to 'beloved and missed brother, 19 October 1976 at ENG 00548893; ["We already received the telegram on the instruction, and only the sector party was informed of the 4-year plans. Instructions about this have already been made...rice...harvested...request as many bolts as possible"]].

1596 **E3/1219** & **E3/1220** DK Military Report from Mo-401 to Angkar, 20 May 1977; **E3/1092** Report from M-401 to Angkar, 16 July 1978; **E3/1093** DK Military Report from M-401 to Angkar, 23 July 1978; **E3/1094** Report from M-401 to Angkar, 4 August 1978; See also **E3/957** Telegram 14 from Mo-401 to Angkar, 25 June 1977; **E3/1001** Telegram 01 from Seuang, 31 March 1978.

1597 **E3/853** Report from Southwest Zone to Angkar, 3 June 1977.

1598 **E3/1179** Report from M-560 to Angkar, 8 June 1977; **E3/179** & **E3/180** Report from M-560 to Angkar, 29 May 1977; **E3/1183** DK Military Report from Region 3 to Angkar M-560, 22 August 1977; **E3/949** DK Military Report from M-560, 10 May 1978; **E3/950** & **E3/951** DK Military Report from Nhim to Angkar 870, 11 May 1978; **E3/863** Report from Nhim to Angkar 870, 17 May 1978; See also **E3/873** Telegram 63 from Nhim to Angkar 870, 15 June 1978; **E3/883** Telegram 48 from Nhim to Angkar 870, 27 August 1977; **E3/1119** Telegram 84 from Nhim to Angkar 870, 20 October 1977; **E3/1120** Telegram 100 from San (Mo-560) to Nhim, 6 November 1977; **E3/1208** Telegram 21 from Nhim to Angkar 870, 21 December 1977; **E3/242** Telegram 22 from Nhim and Hem to M-870, 22 December 1977; **E3/570** Telegram 38 from Nhim to Angkar 870, 12 August 1977.

1599 **E3/850** Report on Border Situation in Sector 23, 21 May 1977; See also **E3/879** Telegram 45 from Chhon to Brother Pol, 11 November 1975; **E3/871** Telegram 21 from Chhon to Brother Pol, 21 March 1976; **E3/881** Telegram from Lin to M-870, 14 August 1977; **E3/1036** Telegram 32 from Phim to Office 870, 15 September 1977; **E3/890** Telegram 59 to M-870, 28 October 1977; **E3/892** Telegram 60 from Chhon to M-870, 29 October 1977; **E3/976** Telegram 68 from Chhon to Brother Pâ, 6 November 1977; **E3/896** Telegram 82 from Chhon to Brother Pol, 18 November 1977; **E3/897** Telegram 85 from Chhon to M-870, 7 December 1977; **E3/900** Telegram 95 from Chhon to M-870, 13 December 1977, at ENG 00185191; **E3/907** Telegram 3 from Chhon to Brother Pâ, 24 December 1977; **E3/914** Telegram 14 from Phuong to M-870, 31 December 1977; **E3/243** Telegram 15 from Chhon to Brother Phâr, 19 January 1978; **E3/244** Telegram 16 from Chhon to Brother Pol, 23 January 1978; **E3/995** & **E3/996** Telegram 313 from Sè to Committee 870, 19 March 1978.

1600 **E3/952** Telegram 4 from Pok to Brother Pol, 2 April 1976; **E3/1146** & **E3/1147** Telegram 32 from Pork to Committee 870, 29 March 1978.

1601 **E3/1091** Telegram 53 from Sè to Committee 870, 23 August 1977, at ENG 00327793-94 [report from North Zone Secretary after convening meetings in 5 districts to disseminate the Party's Political lines, stating that it was "imperative to purify the cadre step by step at the district and community levels"]; **E3/985** Telegram 225 from Sè to Committee 870, 10 December 1977; **E3/898** Telegram 236 from Sè to Committee 870, 11 December 1977 [requesting approval to merge Siem Reap district, which consisted

primarily of “New People,” with Banteay Srey district, which was mainly ‘Old People’]E3/874 Telegram 50 from Hang to Brother, 18 July 1976; E3/239 Telegram 16 from Pauk to Chief of 870, 30 April 1977; E3/241 Telegram 52 from Sè (Zone 801) to Committee 870, 23 August 1977; E3/1144 Telegram 60 from Sè to Committee 870, 5 September 1977; E3/918 Telegram 254 from Sè to Committee 870, 10 January 1978; E3/996 Telegram 313 from Sè to Committee 870, 19 March 1978; E3/1073 Telegram 324 from Sè to Committee 870, 10 April 1978; E3/1209 Telegram 330 from Sè to Committee 870, 2 May 1978.

1602 E3/1122 Telegram 69 from Vy to Respected Brother, 11 January 1978; E3/919 Telegram 71 from Vy to Respected Brother, 13 January 1978; E3/157 (E3/935 & E3/936) Telegram 08 from Vy to Respected Brother, 21 April 1978; E3/943 Telegram 09 from Vy to Respected Brother, 25 April 1978.

1603 E3/1191 Telegram from Laing to Doeun, 12 October 1976; E3/1192 Telegram 2 from Laing to Brother Nuon, 12 October 1976; E3/1663 Telegram from Chhan to Brother, 18 October 1976; E3/1194 Telegram 10 from Chhan to Beloved Brother, 19 October 1976; E3/1102 Telegram 11 from Chhan to Door, 20 October 1976; E3/1104 Telegram 05-83 from Chhan to Brother, 13 November 1976; E3/1196 Telegram 33 from Chhan to Office 870, 26 November 1976; E3/877 Telegram 54 from Chhan to Mo-870, 20 May 1977; E3/248 Telegram 47 from Sarun to Office 870, 1 January 1978; E3/1078 Telegram 46 from Sarun to M-870, 9 April 1978; E3/938 & E3/156 Telegram 54 from Sarun to Respected Brother, 23 April 1978; E3/1072 Telegram 55 from Sarun to Respected Brother, 24 April 1978.

1604 E3/257 Telegram 89 from Yi to Office 870, 1 May 1977; E3/257 Telegram 95 from Yi to Office 870, 11 May 1977; E3/1206 Telegram 29 from Yi to Mo-870, 14 September 1977; E3/978 Telegram 46 from Thuon to Yi via Office 870, 5 November 1977.

1605 E3/1219 DK Military Report from Mo-401 to Angkar, 20 May 1977 at ENG 00583933 [...report to Angkar...we have purged some of the contemptible traitors...as follows: Sector 32: All have been arrested...sent these contemptible people to S-21...traitors have been purged and smashed]; E3/1092 Report from M-401 to Angkar, 16 July 1978 at ENG 00289921 [“Undercover enemy burrowing from within instigated attacks against the party’s line...relating to issues of working and eating...] and [Sector 31: Nhoep Phan...have interrogated him and received some information...will send him as well as his confessions to Angkar.”] 00289922 -3 [“Sector 32:...district military have arrested 2 enemies...who ran all the way from a unit...military have followed their trail since 28 June 1978...arrest them on 6 July 1978”]; E3/1093 DK Military Report from M-401 to Angkar, 23 July 1978 ENG 00295171 [“...new woman in Angkar, who refused to work...revenge because she used to be in the enemy revolutionary team and because we destroyed her father...she has been arrested and put in re-education camp.”] 00295172 [“...managed to know these enemies’ plans of the activities and thus acted upon them and arrested the enemies day by day...”]; E3/1094 Report from M-401 to Angkar, 4 August 1978 at ENG 00315368 [“...not good elements...screened out from various units...as well as the elements of the 17 April including former civil servants, and some Chinese and Yuon aliens...”], 00315369 [“one enemy was arrested...was a former soldier of ‘A’ Chakrey and ‘A’ Phim...had been a party member but was later screened out by Angkar.”], 00315374 [“Swept clean 4 heads of the hidden enemy burrowing from within.”]; E3/853 Report from Southwest Zone to Angkar, 3 June 1977 at ENG 00185243 [“So far we have successively arrested the enemies who launched activities mentioned above.”]; E3/179 Report from M-560 to Angkar, 29 May 1977 ENG 00183013 [“We, however, gradually smashed all the enemies that have showed up. We still have further measures to investigate and sweep them continually.”]; E3/1183 DK Military Report from Region 3 to Angkar M-560, 22 August 1977, at ENG 00574572 [“There still existed some regime and class enemy”]; E3/949 DK Military Report from M-560, 10 May 1978; E3/950 & E3/951 DK Military Report from Nhim to Angkar 870, 11 May 1978, at ENG 00185215 [“However, when they were trying to escape away with 40 people, we smashed all of them...”]; E3/1119 Telegram 84 from Nhim to Angkar 870, 20 October 1977, at ENG 00441627 [“Another one of those people who fled...was captured...contemptible is someone who was agitating ordinary people to flee. He was captured...”]; E3/1208 Telegram 21 from Nhim to Angkar 870, 21 December 1977; E3/242 Telegram 22 from Nhim and Hem to M-870, 22 December 1977; E3/570 Telegram 38 from Nhim to Angkar 870, 12 August 1977; E3/883 Telegram 48 from Nhim to Angkar 870, 27 August 1977; E3/850 Report on Border Situation in Sector 23, 21 May 1977; E3/879 Telegram 45 from Chhon to Brother Pol, 11 November 1975; E3/871 Telegram 21 from Chhon to Brother Pol, 21 March 1976; E3/881 Telegram from Lin to M-870, 14 August 1977; E3/881 Telegram from Lin to M-870, 14 August 1977; E3/890 Telegram 59 to M-870, 28 October 1977; E3/892 Telegram 60 from Chhon to M-870, 29 October 1977; E3/896 Telegram 82 from Chhon to Brother Pol, 18 November 1977; E3/897 Telegram 85 from Chhon to M-870, 7 December 1977; E3/900 Telegram 95 from Chhon to M-870, 13 December 1977, at ENG 00185191; E3/907 Telegram 3 from Chhon to Brother Pâ, 24 December 1977; E3/914 Telegram 14 from Phuong to M-870, 31 December 1977; E3/243 Telegram 15 from Chhon to Brother Phâr, 19 January 1978; E3/244 Telegram 16 from Chhon to Brother Pol, 23 January 1978; E3/995 & E3/996 Telegram 313 from Sè to

Committee 870, 19 March 1978, at ENG 00185583 [“...the enemy remnants raised their heads...made contact with police, soliders and civil servants, all of who disguised themselves as new people...swept them cleanly away...”]

- 1606 **E3/1219 & E3/1220** DK Military Report from Mo-401 to Angkar, 20 May 1977, at ENG 00583933 [“...the actual rice yield obtained is 50% of rice production...some places, between 60 and 70 percent of rice has been destroyed...the zone in general could not achieve the production of 3 tons per hectare...”]; **E3/1092** Report from M-401 to Angkar, 16 July 1978, at ENG 00289923 [“Based on an examination, the productivity guideline of 3.5 tonnes and 7 tonnes [per hectare] is also seen in fair progress.”]; **E3/853** Report from Southwest Zone to Angkar, 3 June 1977, at ENG 00185244 [“To sum up. at Kampot Province, the paddy-field, which water is available for, covers 6,688 hectares. And fertilizer weighing 1,722 tons have been made.”]; **E3/950 & E3/951** DK Military Report from Nhim to Angkar 870, 11 May 1978, at ENG 00185217 [“Rice planting for the first time...must also be promoted to as much the level as planned.”]; **E3/863** Report from Nhim to Angkar 870, 17 May 1978; See also **E3/873** Telegram 63 from Nhim to Angkar 870, 15 June 1978, at ENG 00321962 [“...a question about how to decide on the elements of soldiers [from previous regime]...would like to ask Angkar 870 what to do...send instructions.”]; **E3/243** Telegram 15 from Chhon to Brother Phâr, 19 January 1978; **E3/244** Telegram 16 from Chhon to Brother Pol, 23 January 1978 [“Harvest result: 2,000 to 7,000 or 8,000 hectares of rice paddy have been harvested in each district...60 per cent of medium-term rice was too ripe and lost.”];
- 1607 **E3/853** Report from Southwest Zone to Angkar, 3 June 1977, at ENG 00185246 [“Nowadays, in Kampot, Kampong Speu and Takeo Province, the people have got cholera, and some people died. Therefore, the local hospitals have launched campaigns against this disease by sending medical workers to examine and treat patients.”]; **E3/179** Report from M-560 to Angkar, 29 May 1977 ENG 00183013 [“People’s living standard is a shortage in many regions .Now, people in Regions 1, 2,4,6 and 7 are the most needy. Most people at support bases eat thin rice soup...people lack clothes”]; **E3/950 & E3/951** DK Military Report from Nhim to Angkar 870, 11 May 1978, at ENG 00185216 [“In the zone, shortage occurred,,[we found out that] the given rice [by Angkar] would be running out by May 10 [1978] and [people] were eating some rive seeds.”]; **E3/879** Telegram 45 from Chhon to Brother Pol, 11 November 1975; **E3/914** Telegram 14 from Phuong to M-870, 31 December 1977, at ENG 00183641 [“A large number of cooperative people and workers in Krek and Memut move to the river sides...facing food shortage now...”].
- 1608 See section “Reports to Office 870” for a detailed analysis. **E3/33** Oeun Tan OCIJ Statement, at ENG 00235133; **E3/59 TCW-780** OCIJ Statement, at ENG 00226103; **E3/5790** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00414348; **E1/120.1**, Transcript, 3 September 2012, Norng Sophang, 15.37.11 [confirming that telegrams were copied to Khieu Samphan], 14.38.39 [confirming that telegrams were copied to Pol Pot], 11.10.27 [copied to Nuon Chea and Ieng Sary]; **E3/64** Norng Sophang OCIJ Statement, at ENG 00334047-49; **E3/67** Norng Sophang OCIJ Statement, at ENG 00483967-69; **E3/190** Ieng Sary Statement, 4 January 1999, at ENG 00081571 [admitting that he received reports from the zones or sectors discussing executions and ill-treatment of prisoners]; **E3/740** CPK Central Committee Directive, *Use of the Terms “Angkar” and “Party”*, 11 July 1977, at ENG 00305412 [confirming that communications addressed to “Angkar” were to the Party Organization, and that communications intended for an individual were to use the person’s name or position].
- 1609 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 11.02.40 to 11.07.15 [“Q. ‘Office’ referred to Office 870....A. The statement that you just read is correct.”]; **E1/120.1** Transcript, 3 September 2012, Norng Sophang , 11.27.38 to 11.30.05 [“‘Office’ in the copy line means that message would be maintained at Office 870...within the K-1 compound.”]; **E3/64** Norng Sophang OCIJ Statement, at ENG 00334055, 59; **E3/464** [REDACTED] OCIJ Statement, at ENG 00226111 [stating that Khieu Samphan “prepared the documents, filed the documents and kept the meeting minutes” at K-3]; **E3/15** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00251376; **E3/355** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00242875; **E3/198** Khieu Samphan Statement, 17 August 2005, at ENG 00184680 [admitting that zone reports were sent to the Chief of Office 870 and that “important documents were kept at K-1 and K-3”].
- 1610 **E3/179 & E3/180** Report from M-560 to Angkar, 29 May 1977 at ENG 00183011, 17; **E3/178** DK Weekly Report from Sector 5 Committee, 21 May 1977, at ENG 00342708-10, 19-20.
- 1611 **E3/64** Norng Sophang OCIJ Statement, at ENG 00334048; **E3/464** [REDACTED] OCIJ Statement, at ENG 00226111; **E3/2766** OCIJ Map, at ENG 00429179.
- 1612 **E1/154.1** Transcript, 14 December 2012, Suon Kanil, 13.41.26 to 13.42.26 [“The short messages ...would be sent through telegrams when the long message would be made in the form of written letters’], confirming **E3/344** Suon Kanil OCIJ Statement, at ENG 00384431.

- 1613 **E3/465** [REDACTED] OCIJ Statement, at ENG 00204758 [“We transmitted those telegrams and the telegrams...were taken by messenger from Office K-18 back to Office K-1.”]; **E3/59 TCW-780** OCIJ Statement, at ENG 00226103 [“They made me deliver the uncles’ letters that were sent through Pang for delivery to other offices...Ministry of Commerce.”].
- 1614 **E3/344** Suon Kanil OCIJ Statement, at ENG 00384433 [“I did not know [the reason] for the disappearance of those district secretaries because the communication related to arrests was not made by the telegram, but by letter through the messenger”].
- 1615 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 09.54.25 to 10.01.44 confirming **E3/64** Norng Sophang OCIJ Statement, at ENG 00334048-49; **E3/24** Rochoem Ton *alias* Phy Phuon OCIJ Statement, at ENG 00223584 [stating that all contacts between the Zones and the Party Centre were made through K-7].
- 1616 **E3/64** Norng Sophang OCIJ Statement, at ENG 00334048-49.
- 1617 **E1/57.1** Transcript, 2 April 2012, Kaing Guek Eav *alias* Duch, 14.09.22 to 14.11.22 [“Son Sen used two messengers to come to S-21...after 15 August 1977, Brother Nuon used two messengers.”]; 13.01; **E1/63.1** Transcript, 24 April 2013, Saut Toeung, 13.44.50 [“Q. Were you also a messenger for Nuon Chea? A. I used to take his letters to Ta Duch at Tuol Sleng.”], confirming **E3/423 TCW-617** OCIJ Statement, at ENG 00414599-600.
- 1618 **E3/426 TCW-398** OCIJ Statement, at ENG 00364071 [“All the divisions of the Centre’s military had to report to the General Staff.”]; **E3/402** Ung Ren OCIJ Statement, at ENG 00381035.
- 1619 **E3/355** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00242881; **E3/5763** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00164363; **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156750; **E3/182** CPK Standing Committee Minutes, 9 October 1975, at ENG 00183393. **E3/1174** Report from Mut to Brother 89, 20 February 1976; **E3/1211** Report from Mut to Brother 89, 22 February 1976, at ENG 00233903 (Excerpts); **E3/1190** Telegram from Mut to Brother 89, 11 June 1976, at ENG 00233960-61; [“As for this matter, please, Angkar, give advice and make decision because as [we] have seen it is fairly clear”]; **E3/1750** Telegram from Mut to Brother 89, 13 August 1976; **E3/1135** DK Letter from Mut to Brother 89, 19 October 1976; **E3/1082** Report from Mut, 12 August 1977; **E3/915** Telegram 00 from Mut to Mo-870, 31 December 1977; **E3/997** Report from Mut to Brother 89, 20 March 1978; **E3/1202** Report from Sok, Committee of Division 170, to Brother 89, 4 June 1977; **E3/1182** Report from Ung Ren to Brother 89, 6 July 1977; **E3/1176** Report from Oeun to Brother 89, 16 March 1976, at ENG 00539056 [“Now I have our brothers secretly watched clearly; then record the voice as proof to submit to Angkar...rice...required to request through Angkar...I would like to request Angkar’s opinions.”]; **E3/1213** DK Military Report from Oeun to Brother 89, 1 May 1976; **E3/1162** Report from Oeun of Division 310, 26 May 1976; **E3/1131** Report from Comrade Ren, 25 November 1976; **E3/1085** Report from Division 310 to Brother 89, 4 November 1977; **E3/1160** DK Military Report from Division 801 to Brother 89, 11 March 1976; **E3/1164** DK Military Report from Reuan to Uncle 89, 25 November 1976, at ENG 00516711, KHM 00052325-27, FR 00532754 [“Anyone who is suspicious of being an enemy must absolutely be arrested”] and [“This is a report of Committee 801 regarding enemy activities and measures we look forward to receiving the Party’s recommendations.”], as authenticated in **E1/159.1** Transcript, 11 January 2013, Chhaom Se, 15.13.08 to 15.18.44; **E3/1079** DK Military Report from Reuan to Uncle 89, 25 December 1976; **E3/1061** DK Military Report from Reuan to Uncle 89, 24 March 1977; **E3/1060** DK Military Report from Reuan Division 801 to Uncle 89, 29 March 1977; **E3/1168** DK Military Report from Reuan to Uncle 89, 30 March 1977 [“I would like to request to remove...in accordance with the Organization’s guiding views...Uncle to please help make this decision.”]; **E3/1109**, Military Report by Comrade Ren of the General Staff to Angkar, 21 September 1976 at ENG 00574474 [“Examining the logistic work such as ammunition has been done; but it has not been properly guarded. The guns have been used according to the Angkar’s instruction.”], at ENG 00574475 [“...continuing social revolution and building socialism: the goal set by the party was to complete 90 to 100 per cent of rice production and to continue attacking...remnants from the previous regime.”]; **E3.1222** Telegram 11 from Deum to Meas Mut, 24 September 1976, at ENG 00233660 [“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...”]; **E3/1161** DK Military Report from Ren to the Office of the General Staff, 12 March 1977, at ENG 00876995 [“We have held a meeting...following the instructions of Angkar... making storming attacks on the tasks that the Party has assigned them...This is proposed for Angkar to help resolve.”]; **E3/1198** Telegram 33 from Sam-un to Brother Reuan (copied to Brother 89), 5 April 1977; **E3/876** Telegram 43 from Leu to Reuan (copied to Brother 89), 23 April 1977; **E3/903** Telegram from Chhin to Brother 89, 8 February 1976; **E3/923** Report from Chhin to Brother 89, 3 March 1976; **E3/1199** Telegram 11 from San to Brother 98, 6 April 1977.

- 1620 **E1/158.1** Transcript, 10 January 2013, Ung Ren, 10.08.47 to 10.12.55 [confirming the contents of **E3/1166**, Report by Comrade Ren from the General Staff, 24 December 1976], 10.16.52 [confirming the contents of **E3/1161** Military Report by Ren, 12 March 1977 and of **E3/1109**, Military Report by Comrade Ren of the General Staff, 21 September 1976, 14.02.32].
- 1621 **E1/130.1** Transcript, 4 October 2012, Meas Voeun, 10.09.29 to 10.11.41 [“They used telegram, and sometimes vehicles were used as he went to report it directly to the General Staff.”].
- 1622 **E1/130.1** Transcript, 4 October 2012, Meas Voeun, 10.14.58 to 10.17.11 and **E1/130.1** Transcript, 4 October 2012, Meas Voeun, 10.26.02 to 10.28.18 [“Regarding the capture of a boat, I would report by telegram to the division.”]
- 1623 **E1/130.1** Transcript, 4 October 2012, Meas Voeun, 10.11.41 referencing **E3/1001** Telegram, 31 March 1978.
- 1624 **E1/93.1** Transcript, 20 May 2013, Ieng Phan, 10.15.54 to 10.20.44.
- 1625 **E1/130.1** Transcript, 4 October 2012, Meas Voeun, 10.17.11 to 10.20.29 [“Q. Did you also communicate by telegraph with the regiments belonging to Division 3? A. Yes, that is also correct.”].
- 1626 **E3/426 TCW-398** OCIJ Statement, at ENG 00364071; **E3/70 TCW-398** OCIJ Statement, at ENG 00407788; **E3/402** Ung Ren OCIJ Statement, at ENG 00381034; **E3/793** DK Military Meeting Minutes, 16 May 1976, at ENG 00184820 [“There’s nothing unusual in the state of the enemy. However, after the organisational dissolution in accordance with the requirements of the organisation...unhappiness in the unit of organisation”]; **E3/795** DK Military Meeting Minutes, 2 August 1976, at ENG 00656569 [“Strength: After they studied [the statute], all cadres and combatants have absorbed the Party’s instructions well”], 00656570 [“After the statute and the decision of the conference have been disseminated, it appears that there is a good progress among our brothers/sisters...elements went into opposition saying it impossible to eat”]; **E3/796** DK Military Meeting Minutes, 12 August 1976; **E3/797** DK Military Meeting Minutes, 18 August 1976; **E3/798** DK Military Meeting Minutes, 30 August 1976; **E3/800** DK Military Meeting Minutes, 16 September 1976; **E3/809** DK Military Meeting Minutes, 19 September 1976; **E3/13** DK Military Meeting Minutes, 9 October 1976; **E3/802** DK Military Meeting Minutes, 11 November 1976, at ENG 00233710 [“The divisions must convene education sessions. Study of the decisions of Congress must draw from the content on building the air, naval, armour, artillery.”]; **E3/803** DK Military Meeting Minutes, 21 November 1976; **E3/804** DK Military Meeting Minutes, 15 December 1976 ENG 00233711 [“Education of Party members has been completed...the trainees clearly absorbed the line to continue making socialist revolution...fastest to implement the party line...got good results.”], 00233715 [“Rice implemented according the regime designated by Angkar”], at ENG 00233720 [“Pistols: Angkar has decided they are not necessary to be carried in general”], 00233720 [“Use of Six Wheeled Trucks:...Angkar has decided they are not to be used for ordinary work.”], 00233720 [“Telephone use: Angkar has instructed no liberal use of phones to avoid the enemy leaning from our communication.”]; [E3/805 DK Military Meeting Minutes entitled “Minutes of Meeting of Division 920”], 16 December 1976, at ENG 00185237 [“Enemy Situations: Internally, there have been no changes since the Organization decided there should be a purge.”]; **E3/807** DK Military Meeting Minutes, 1 March 1977 at ENG 00183952 [“The Party’s evaluation of its perspective on the analysis of contradictions is as follows...”]; **E3/801** DK Military Meeting Minutes, 30 September 1976.
- 1627 **E1/158.1** Transcript, 10 January 2013, Ung Ren, 09.40.49 (referencing the contents of **E3/1585**, List of Participants, 20th October 1976), 09.45.11 (referencing the contents of **E3/847**, List of Participants, 23 November 1976); **E3/13** Minutes of Meeting of Division Secretaries and Son Sen , 9 October 1976.
- 1628 **E1/158.1** Transcript, 10 January 2013, Ung Ren, 09.23.42 to 09.26.04 [“...Division Secretary Saroeun...We knew of the instructions from the Upper Echelon through him, only though the meetings that he relayed those instructions to us...”]; **E1/193.1** Transcript, 20 May 2013, Ieng Phan, 09.37.24 to 09.39.27 [Q...you said that after the high level meetings...the brigade and divisional commanders would then disseminate information downwards to...regimental and battalion levels; is that correct? A. Yes, that is correct.”]
- 1629 **E1/129.1** Transcript, 3 October 2012, Meas Voen, 15.23.13 to 15.25.42 [“...I receive an order from the division commander. And I know for sure that the commander of the division also receive an order from the General Staff.”]; **E1/157.1** Transcript, 9 January 2013, Ung Ren, 13.38.22 [“Personally, I received instructions from Division 801 – that is, from Sou Saroeun.”], 14.22.33 to 14.24.48 [“Sou Saroeun ...the content of the education was about strengthening the Party’s line...”]; **E1/158.1** Transcript, 10 January 2013, Ung Ren, 09.15.52 [“...he instructed each unit to monitor and follow any possible activities of these two groups.”].
- 1630 **E1/130.1** Transcript, 4 October 2012, Meas Voeun, 09.32.01.
- 1631 **E1.72.1** Transcript, 17 May 2012, Pean Khean, 10.18.41 to 10.23.38; **E3/426 TCW-398** OCIJ Statement, at ENG 00346070-72; **E3/70 TCW-398** OCIJ Statement, at ENG 00407788, 91.

- 1632 **E3/229** CPK Standing Committee Minutes, 22 February 1976, at ENG 00182625-26; **E3/217** CPK Standing Committee Minutes, 11 March 1976, at ENG 00182635; **E3/222** CPK Standing Committee Minutes, 15 May 1976, at ENG 00182665-66.
- 1633 **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 15.48.20 to 15.51.08 [“Letters were sent to Son Sen...placed in envelopes. I brought them to Pol Pot.”]; **E3/33** Oeun Tan OCIJ Statement, at ENG 00235133 [“Q. When Pol Pot had you take telegrams to Nuon Chea, what did Pol Pot say? A. He said to send them to Nuon Chea urgently.”]; **E3/64** Norng Sophang OCIJ Statement at ENG 00334052.
- 1634 **E3/426 TCW-398** OCIJ Statement, at ENG 00346070-72; **E3/70 TCW-398** OCIJ Statement at ENG 00407788, 91 [explaining that a report from Division 164 to Son Sen was forwarded to Angkar because “every matter happening must be reported to Angkar”]; **E3/33** Oeun Tan OCIJ Statement, at ENG 00235133; **E3/64** Norng Sophang OCIJ Statement, at ENG 00334052.
- 1635 **E3/1175** Report from Saem to Brother 89, 26 February 1976, at ENG 00525784; **E3/1176** Report from Oeun to Brother 89, 16 March 1976, at ENG 00532761-64; **E3/1135** Report from Mut to Brother 89, 19 October 1976, at ENG 00234455 [note from Son Sen to Nuon Chea requesting authority to search for 2 persons identified in division report]; **E3/1061** Report from Reuan to Uncle 89, 24 March 1977, at ENG 00231377; **E3/1060** Report from Reuan to Uncle 89, 29 March 1977, at ENG 00231374; **E3/1198** Telegram 33 from Sam-un to Reuan, copied to Brother 89, 5 April 1977, at ENG 00531037; **E3/1199** Telegram 11 from San to Brother 89, 6 April 1977, at ENG 00531038; **E3/1082** Report from Mut, 12 August 1977, at ENG 00233972.
- 1636 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 15.14.23 to 15.20.33. [“Q.Are you reading that to be “Brother Van”, in the top left-hand corner?A. Yes...Brother Van refers to Ieng Sary.”]
- 1637 **E1/54.1** Transcript, 27 March 2012, Kaing Guek Eav *alias* Duch, 14.20.44 to 14.28.38 [“Son Sen asked me to tally all the confession...Son Sen received those dossiers...told me that...the brothers in the upper echelons were about to meet...So I had to prepare documents.”].
- 1638 **E3/214 & E3/130** CPK Statute, January 1976, at ENG 00184037 (Article 6.5); **E1/154.1** Transcript, 14 December 2012, Suon Kanil, 15.16.24 to 15.18.44 [“...the order of the flow: Centre to zone, zone to sector, and sector to district.”]; **E3/344** Suon Kanil OCIJ Statement, at ENG 00384427**E3/44** [REDACTED] OCIJ Statement, at ENG 00295163; **E1/89.1** Transcript, 20 June 2012, Yun Kim, 09.24.34 [Speaking of the development of the action plan at the commune level: “...other times it was the instructions from the district level. And during our study session we also received instructions regarding how to make our plan...The upper echelon was the district and the sector levels.”]; **E3/58** Kham Phan *alias* Phan Van OCIJ Statement, at ENG 00250088 [“K-17 office (Sector 105) mostly issued instructions back to the districts.”]; **E1.76.1** Transcript 28 May 2012, Ny Kan, 10.57.09 to 10.59.40 [“the zone secretary would receive the training lessons from the upper authority and then they continued to deliver it to the sector levels, and the sector levels continued to disseminate the training to lower level cadres.”]; **E1.78.1** Transcript 30 May 2012, Ny Kan, 09.36.47 to 09.39.34; **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 11.52.22 [“The upper authorities provided comments or instructions in accordance with the request by the lower authority”]; **E1/82.1** Transcript, 6 June 2012, Sao Sarun, 09.37.06 [“Once there was guidance or instruction from the sector, then we would convene the meeting at the District Committee...”]; 13.33.10 to 13.37.04 [“[Pol Pot] gave such instructions to organize the low level cooperatives...Upon my return to Mondulkiri, the chief of the sector convened a meeting...to provide further details regarding that instruction...All the district secretaries or committees had to attend...”].
- 1639 **E1/222.1** Transcript, 11 July 2013, Stephen Heder, 10.10.48 to 10.16.07 [referencing his interview with Kae Pauk and documents from the Vietnamese archives]; **E3/8** Pol Pot document, “Preliminary Explanation before Reading the Plan by the Party Centre”, 21 August 1976; **E3/154** Telegram 15, from Chhon to “Beloved Brother Pol Pot” 30 November 1975.
- 1640 **E1/215.1** Transcript, 1 July 2013, Pech Chim 10.26.02 to 10.28.14 [“We made the report to the sector and whatever was made by the sector, then we would abide by that decision...The district would make a report to the sector.”], 10.28.14 to 10.52.51 [“The district only had the role to transmit the matter to the sector and if they came for the people...we did not dare to oppose.”]; **E3/214 & E3/130** CPK Statute, January 1976, at ENG 00184042-44 (Articles 13, 16, 19); **E3/430 TCW-257** OCIJ Statement, at ENG 00223512; **E3/400 TCW-505** OCIJ Statement, at ENG 00379170-71; **E3/445 TCW-601** OCIJ Statement, at ENG 00508573-74; **E3/374 TCW-601** OCIJ Statement, at ENG 00336532.
- 1641 **E1/154.1** Transcript, 14 December 2012, Suon Kanil, 15.33.00 to 15.35.06 [“For example, if anything happened in Sector 41, then it had to be reported to the zone, and the zone had to relay it to the Centre for decision. And that was the hierarchical lines of communication then.”], 15.47.10 to 15.49.17 [“It had to go through the Centre first. That was because they did not want us to communicate with each other directly.”]; **E3/344** Suon Kanil OCIJ Statement, at ENG 00384431; **E3/74** Suon Kanil OCIJ Statement, at ENG 00384690; **E3/373** [REDACTED] OCIJ Statement, at ENG 00336528.

- 1642 **E3/214 & E3/130** CPK Statute, January 1976, Article 19.4; **E3/952** Telegram 4 from Pok to Brother Pol, 2 April 1976; **E3/154** Telegram 15 from Chhon to Brother Pol, 30 November 1975; **E3/179 & E3/180** Report from Mo-560, 29 May 1977; **E3/1077**, Telegram from new North zone Secretary Se to Committee 870, 10 April 1978 [“The In Tam group previously used the traitors in Sector 103 whose leader was A Hang.”]; **E3/58** Kham Phan *alias* Phan Van OCIJ Statement, at ENG 00250088 [Sector 105 “K-17 off...prepared a district performance report and sent (it) to the Center on a daily basis.”]; **E3/232** Standing Committee meeting on base work, 8 March 1976, Section 2.3 [Report made by Sector 103 Chairman Hang: “Many of the brothers and sisters of the people in the worksites are ill and have fevers.” And “since January, almost 100 people [in total] have been arrested.”].
- 1643 **E3/214 & E3/130** CPK Statute, January 1976, at ENG 00184039-43 (Articles 6.5, 10, 13 & 16); **E3/851** CPK Report from Sector 4, 28 May 1977, at ENG 00183603 (Excerpts); **E1/17.1** Transcript, 6 December 2011, Klan Fit, 15.03.37 to 15.06.11 [“With regard to reporting to the sector committee, after each meeting we were supposed to report to them.”]; **E1/88.1** Transcript, 19 June 2012, Yun Kim, 11.14.51 to 11.17.01 [At the district level, “we held a meeting weekly, that’s meant for all the commune chiefs, far or near. We had to report about the enemy situation in our respective commune...about the production...”], 11.18.31 to 11.22.16 [At meetings with the district, other communes reported “about enemy situations, about people talking about this or that, and as a result, some people were detained in their communes.”]; **E1/89.1** Transcript, 20 June 2012, Yun Kim, 09.43.36 [Reports from commune to district then to sector were “about security, about agriculture and social matters and other aspects.”]; **E3/410** Yun Kim OCIJ Statement, at ENG 00412191 [“...commune sent the reports to the district and then the district to the province...”]; **E3/58** Kham Phan *alias* Phan Van OCIJ Statement, at ENG 00250088 [Speaking of districts reporting to Sector 105 “The district offices mostly reported on the dam and canal construction, crop production, healthcare, the monitoring of forces, good or bad elements, traitorous or peaceful alliance elements”]; **E1/33.1** Transcript, 25 January 2012, Prak Yut, at 14.14.52 [“Yes, I reported to the superiors concerning, for example, the plans to be implemented, concerning the rice farming.”], 14.18.43 to 14.22.41 [“Yes, all district secretaries reported to the sector.”]; **E1/34.1** Transcript, 26 January 2012, Prak Yut, 12.02.25 to 12.03 [“Reports had to be made through this chain of line—command, for example from commune to district, from district to sector, and the report must be made in writing.”], 13.36.59 to 13.38.40 [“This report included, indeed, the hardships of the people.”]; **E3/164** Prak Yut OCIJ Statement, at ENG 00407799 [dam worksite reported food shortages, hardships and number of sick and dead to district level, who reported to sector]; **E1.78.1** Transcript 30 May 2012, Ny Kan, 09.36.47 to 09.39.34; **E3/2048** Telegram from Phan to Angkar, 3 April 1977, at ENG 00276562; **E3/2048** Telegram from Phan to Angkar, 2 May 1977, at ENG 00276563-64; **E1/215.1** Transcript, 1 July 2013, Pech Chim, above 10.28.14 [report made by district 105 to Sector 13, Southwest zone on enemies], 11.37.08 [reports from communes to district 105], 15.08.24; **E3/400** Pech Chim OCIJ Statement, at ENG 00379171, 73 [“Q: Where did you communicate about the work of the (Chamkar Andaung) rubber plantation with? The Sector or district? A: I reported about my work to the (Central) Zone directly because the rubber plantation was under the Zone control not that of the Sector level.”]; **E3/4626** Pech Chim OCIJ Statement, at ENG 00380137; **E3/4628** Pech Chim OCIJ Statement, at ENG 00379305-06 [Tram Kak District Secretary sent written reports to the Sector level at the end of each month, and forwarded to the Sector significant reports received from communes]; **E3/409 TCCP-142** OCIJ Statement, at ENG 00412183; **E3/5293** TCW-712 OCIJ Statement, at ENG 00351702; **E3/344** Suon Kanil OCIJ Statement, at ENG 00384427 [stating that Central Zone office received daily telegrams from Sectors]; **E1/81.1** Transcript, 5 June 2012, Sao Sarun, 15.29.58 [“All [district secretaries of Sector 105] had to report to the sector.”]; **E1/82.1** Transcript, 6 June 2012, Sao Sarun, 09.29.06 [“I only reported to the sector, and the substance of my report was on the progress made at the rice farming and rice production...Normally, it was once a week.”]; 09.33.09 to 09.37.06 [Sector Committee “met once a month or they met bimonthly... There were many participants from all the districts... [the secretaries of other districts] reported about the cultivation, the situation of the livelihoods of people”], 09.39.56 - 09.43.56 [“Q. As the secretary of the district, have you received reports from the Commune Committee? A. Yes, I received reports regularly. They had to submit reports on a monthly basis.”]; **E3/1019** Report from Kev An (Sector 23 Standing Committee) to East Zone Standing Committee, 20 February 1976 [conveying report from Chantrea District Committee]; **E3/178** DK Weekly Report from Sector 5 Committee, 21 May 1977 [detailed report following Northwest Zone Congress]; **E3/851** Report from Sector 4, 28 May 1977; **E3/1086** Report of Region 1, 28 May 1977; **E3/1181** Report of Sector 5, 27 June 1977, at ENG 00223175-77.
- 1644 **E3/2048** Kraing Ta Chan Security Office reports, 1977 at ENG 00276562 [“After having received successive instructions from *Angkar*...about...purging the enemy officers we have tracked, examined and found...”, 00276563-00079090 [“106 military families smashed”], 00276564 [“Have examined and purged the enemies who held ranks having received the instructions of the party.”]; **E3/4103** Reports

from Communes to District Office, at ERN 00271042 . [“For those people who hold a ranking position, we will send them out to you...and for soldiers...who attempted to destroy our revolution...please give us your advice.”]; **E3/2441** Reports mainly from Kus Commune Cooperative to District Office and from District to Kraing Ta Chan Security Office, at ENG 00369463 [“Those who have ranks”]; **E3/2052** Report Khpop Trabek Commune to Tram Kak District Base, at ENG 00742890 (10 military handed over for *Angkar* to decide then Kit annotation to interrogate harshly.); **E3/2917** Report from Po Pel Commune to District *Angkar*, at ENG 00742890 [“106 households of military personnel equivalent to 393 individuals were smashed...”]; **E3/2438** List of Kampuchea Krom people from Kus Commune, at ENG 00366665 to 00366675 [military ranks all listed]; **E3/4093** Report on Tram Kak District by Choeun, Sorn, Meng and Boeun, 3 August 1978 at ENG 00831486 [“...if children cannot be separated from their mothers...[request]...for interrogation...sweep them all clean...widows from Trapeang Thom Khang Cheung...request to sweep them all clean.”]

1645 **E3/2048** Telegram from Phan to Angkar, 3 April 1977, at ENG 00276562 [Report from Popel commune to Tram Kak district requesting opinion of district]; **E3/2048** Telegram from Phan to Angkar, 2 May 1977, at ENG 00276563-64; **E1/215.1** Transcript, 1 July 2013, Pech Chim 11.31.01 to 11.32.57 [“Q. The confessions and reports...sent from the...security centre...had to go through the district first”]; **E3/400** Pech Chim OCIJ Statement, at ENG 00379173 [“The work of the commune must first go through the district before it was sent to the sector”]; **E3/4628** Pech Chim OCIJ Statement, at ENG 00379305-06 [“...When I was the district committee...Chorn sent me a letter to inform me about it and I forwarded that letter to the sector...”]; **E1/88.1** Transcript, 19 June 2012, Yun Kim, 10.01.50 to 10.04.15 [“Q. And during the period that you were the chief of Voadthonak commune, who was the superior to whom you reported? A. The high level of the commune is the district.”], and 11.13.53 to 11.17.01 [“Q...how did you report to your district secretary on the situation and work in your commune? A..We held a weekly meeting...a reporting meeting comprised of two...or one representative from each commune.”]; **E3/410** Yun Kim OCIJ Statement, at ENG 00412191 [“I never produced any reports on enemies...I only know the commune sent the reports to the district and then the district to the province.”].

1646 **E1/215.1** Transcript, 1 July 2013, Pech Chim, 10.26.02 to 10.28.14 [“We made the report to the sector and whatever was made by the sector, then we would abide by that decision...The district would make a report to the sector”]; **E3/400** Pech Chim OCIJ Statement, at ENG 00379171 [“Q. As a district committee how did you make a report about the work you had implemented at the district level? A. I sent the written report to the sector level at the end of every month.”]; **E3/4628** Pech Chim OCIJ Statement, at ENG 00379306 [“Tram Kak District Secretary sent written reports to the Sector level at the end of each month, and forwarded to the Sector significant reports received from communes...”]; **E3/410** Yun Kim OCIJ Statement, at ENG 00412191 [“...commune sent the reports to the district and then the district to the province...”]; **E3/409 TCCP-142** OCIJ Statement, at ENG 00412183 [“We had a security centre...and the reports of the detentions...were sent to the district committee by the chief of...security centre...the district committee sent reports to the sector committee.”]; **E3/5293** TCW-712 OCIJ Statement, at ENG 00351702 [“[T]he district committee chaired the meetings...Sometimes after the meetings reports were sent to the sector.”]; **E3/164** Prak Yut OCIJ Statement, at ENG 00407799.

1647 **E1/215.1** Transcript, 1 July 2013, Pech Chim, 15.08.38 to 15.08.24 [“Q. Who told you to purge enemy officers? A. The people at the upper echelon. Because at the district level we were responsible ...reported to the sector, and the sector to the Zone. So we followed the instructions from the upper echelon”]; **E3/4626** Pech Chim OCIJ Statement, at ENG 00380137 [“...the Sector reported to Ta Mok about the matters at the security centre.”]; **E1/154.1** Transcript, Suon Kanil, 15.18.44 to 15.20.51 [“Q. Telegram comes in to you at the zone, from the sector A. Ke Pauk had to be...informed of the telegram.Q. ...sectors each had their own telegram operators? A. Yes.”]; **E3/344** Suon Kanil OCIJ Statement, at ENG 00384427 [stating that Central Zone office received daily telegrams from Sectors]; **E3/1019** Report from Kev An (Sector 23 Standing Committee) to East Zone Standing Committee, 20 February 1976 [conveying report from Chantrea District Committee]; **E3/178** DK Weekly Report from Sector 5 Committee, 21 May 1977 [detailed report following Northwest Zone Congress]; **E3/851** Report from Sector 4, 28 May 1977; **E3/1086** Report of Region 1, 28 May 1977; **E3/1181** Report of Sector 5, 27 June 1977, at ENG 00223175-77.

1648 **E1/89.1** Transcript, 20 June 2012, Yun Kim *alias* Kham, 09.44.45 to 09.46.19 [“At the commune level...We only reported verbally...reports would be carried from the district to the sector, but I believe that there was messengers who carried the documents.”]; **E3/410** Yun Kim *alias* Kham OCIJ Statement, at ENG 00412195; **E1/18.1** Transcript, 7 December 2011, Romam Yun *alias* Kham Phi, 19.46.51 to 09.48.37 [“I had to carry the mails or letters to the commune. I brought the letters to Van at the zone.”]; **E3/5780** Romam Yun *alias* Kham Phi OCIJ Statement, at ENG 00350302.

1649 **E3/408** [REDACTED] OCIJ Statement, at ENG 00404729 [“During that time, we did not have written orders.

We only had messengers who brought oral orders.”].

1650 **E1/51.1** Transcript, 20 March 2012, Kaing Guek Eav *alias Duch* 11.56.44 to 11.58.20 [“..The editor in chief of “Revolutionary” magazine – the editor in chief or editors themselves should follow the political and tactical lines of the Party. So they wrote about the policy of the Party...”]; **E1/54.1** Transcript, 27 March 2012, Kaing Guek Eav 10.05.15 to 10.07.09 [“.. Party’s education, they focused on three issues. First, the policy of the Party; second, the stance and ideology; and the third one is the organizational policy of the Party..”]; **E1/112.1** Transcript 22 August 2012 Kim Vun 11.41.20 to 11.43.60 [“Is it fair to say that the newspaper was a method to convey orders that were published in the “Revolutionary Flag” to the mass? Yes, that is correct.”].

1651 **E1/112.1** Transcript, 22 August 2012, Kim Vun 14.03.14 to 14.05.02 [“...if they reached the age of 18 they can join the Youth League, and then they were also allowed to read the “Youth” magazine.”]; **E1/159.1** Transcript, 11 January 2013, Chhaom Se 14.00.27 to 14.01.48 [“I was in the Youth League, and for my memberships as the – in the Youth League, I was allowed to read the...“Youth Flag”, not the “Revolutionary Flag” magazine.”]

1652 **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 11.26.45 to 11.31.46 [“September 1960 through April 1975, were the “Revolutionary Flags” published frequently? A. It was a monthly publication...”]

1653 **E1/23.1** Transcript, 15 December 2011, Nuon Chea, 14.18.58 to 14.21.58 [“Q... the “Revolutionary Flag”? A. The ones who made the “Revolutionary Flag” were the Standing Committee, especially the Secretary of the Party. And me, myself, were the one who wrote it.”]

1654 **E1/23.1** Transcript 15 December 2011, Nuon Chea, 14.18.58 to 14.21.58 [“...publication of the “Revolutionary Flag”...done secretly...distributed to the zones...printing house to publish those documents...we could publish up to hundreds of documents per time.”]; **E1/24.1** Transcript, 10 January 2012, Nuon Chea, 09.39.27 to 09.32.45 [“Q. So it was in the period prior to 17 April 1975 that these documents were handwritten; is that correct? A. It was prior to 1975...”]; **E1/60.1** Transcript, 5 April 2012, Kaing Guek Eav *alias Duch*, 15.54.44 to 15.56.37 [“These “Revolutionary Flag” magazines, from 1971 or 1972, .. were sent or distributed to each zone... reprinted ... in red ink...”]; **E1/111.1** Transcript, 21 August 2012, Kim Vun 14.33.41 to 14.36.59 [“The “Revolutionary Flag” ...by the time I started working at the printing house, there had been several copies of the “Flags” already...”]

1655 **E1/111.1** Transcript, 21 August 2012, Kim Vun, 14.24.13 to 14.27.02 [“... “Revolutionary Flag” and the “Revolutionary Youth”...K-25...was used to print the subsequent pages of the “Revolutionary Flags”... But as for the cover pages, it was printed at K-26.”]

1656 **E1/223.1** Transcript, 15 July 2013, Stephen Heder, 09.33.40 to 09.38.43 [authenticating **E3/724**, *Revolutionary Youth*, July 1975 and **E3/731**, *Revolutionary Flag*, Special Issue, December 1975 to January 1976].

1657 **E1/112.1** Transcript 22 August 2012 Kim Vun 09.20.31 to 09.22.25 [“...I can confirm that these documents are the genuine documents of the Khmer Rouge.”].

1658 **E1/111.1**, Transcript, 21 August 2012, Kim Vun, 15.26.46 - 15.30.02 [“I just saw the copies being loaded on trucks and they would be distributed”]; **E1/23.1** Transcript, 15 December 2011, Nuon Chea, 14.16.51 [“.. the “Revolutionary Flags” were distributed to the zone committees, and it was then up to the zone committees to decide who to be distributed.”]; **E1/54.1** Transcript, 27 March 2012, Kaing Guek Eav *alias Duch*, 10.07.09 to 10.09.20 [“The persons who were in charge of delivering the flags to S-21 were the assistants of the general staff, and the documents were sent through messengers monthly.”]; **E1/23.1** Transcript, 15 December 2011, Nuon Chea, 14.15.37 to 14.16.51 [“ The “Revolutionary Flag” were not published and distributed to everybody. Some were able to obtain a copy and so learn from it, but other were not.”]; **E1/182.1** Transcript, 23 April 2013, Chhouk Rin, 11.05.19 to 11.07.18 [“It was not distributed to everyone. It was distributed to units. For example, three or four people could have only one copy of the magazine...not everyone got copies”]; **E3/362** Chhouk Rin OCIJ Statement, at ENG 00766395; **E1/177.1** Transcript, 8 April 2013, Chhaom Se, 11.57.10 to 11.58.37 [“...it was circulated to Party members. Normally, at each section or each unit, there was a secretary and it was the secretary who disseminated information received from the upper authority.”]; **E1/154.1** Transcript, 14 December 2012, Suon Kanil, 11.35.49 to 11.36.46 [“I saw these magazines because I was working in the printing house, but I was not allowed to read these magazines because they were not for me, after all, they were for party members.”]; **E3/411** Suon Kanil OCIJ Statement, at ENG 00390076-7; **E1/99.1** Transcript, 31 July 2012, Phy Phoun 10.54.00 to 10.56.44 [“I read them from 1977. .. I remember that the copies were distributed to all ministries.”]; **E1/91.1** Transcript, 18 July 2012, David Chandler, 11.08.45 [Q....the “Revolutionary Flag” magazine. Was that widely circulated along with “Revolutionary Youth” magazines? A. No, ..no one outside the party was given access to these two journals.”]; **E1/51.1** Transcript, 20 March 2012, Kaing Guek Eav *alias Duch* 09.37.06 to 09.43.07 [“ E3/25...Revolutionary Flag Q. Have you ever seen this document before? A. Yes, ... and it is the requirement by the Party that Party members read this

“Revolutionary Flag ”]; **E3/415 TCW-796** OCIJ Statement, at ENG 00375696.**E3/410** Yun Kim *alias* Kham OCIJ Statement, at ENG 00412192-93; **E3/70 TCW-398** OCIJ Statement, at ENG 00407793. **E3/46 TCW-82** OCIJ Statement, at ENG 00410258; **E3/403 TCW 506** OCIJ Statement, at ENG 00403010;; **E3/70 TCW-398** OCIJ Statement, at ENG 00407793; **E3/497** [REDACTED] Statement, 26 August 2003, at ENG 00324299.

1659 **E3/25** Article entitled ‘The Presentation of The Comrade Party Representative on the occasion of the 9th Anniversary...Revolutionary Army of Kampuchea, reported in Revolutionary Flag, December 1976-January 1977 at ENG00491406; **E1/93.1** Transcript, 20 July 2012, David Chandler, 09.26.11 to 09.27.49 [“This is a periodical whose readership is reserved to Party members, whose articles are originated by high ranking Party members or articles to reflect speeches delivered by high ranking Party members, generally not named as such.”].

1660 **E3/783** *Revolutionary Flag*, September-October 1972 at ENG 00720209 [“we have also had weaknesses...democratic centralism”], ENG 00720211 [“the cadre must work closely with the masses”], ENG 00720211 [“Leadership must be based on democratic centralism”], ENG 00720212 [“When receiving a circular, each level fails to organize a meeting to discuss and detail the problems...they mostly copy the circular and forward it to the lower levels”] and [“does not hold collective meetings for discussion and decision-making”], ENG 00720213 [“For vital circulars the zone, sector and district committees must organize a study meeting...”] and [“We must work directly from sectors to districts, and from districts to the branches...study the circulars in both secret and open.”], ENG 00720216 [“Therefore, the Party’s cadre must adopt the viewpoints...based on the Party’s line and principles so as to benefit the Party, revolution, class, and people.”], ENG 00720219 [“We must analyse all issues collectively to see the whole view including the easy and difficult.”], ENG 00720221 [“Leadership requires the appointment of a committee in charge of implementing the political line properly”], ENG 00720228 [“This is the leadership stance at each level, to apply and follow up on a lower level’s activities”], ENG 00720230 [“Working requires clear and regular reports. We report on: the enemy, people, all working activities, resolutions and directions...”].

1661 **E3/146**, *Revolutionary Youth* August/September 1974, at ENG 00538752, KHM 00283417, FR 00611817; See also **E3/783** *Revolutionary Flag*, September-October 1972 at ENG 00720206 [“The class struggle this time strikes directly at the heart of the enemy”] and [“attack in adherence of the Party’s lines”]; **E1/52.1** Transcript, 21 March 2012, Kaing Guek Eav, 10.02.23 to 10.04.02 [“...enemies were classified according to the Party’s policy...Revolutionary Flag magazine of 1973...special classes: First, the police and soldiers second special class...those like monks...”].

1662 **E3/785** *Revolutionary Flag* July 1973, at ENG 00713999, KHM 00442048, FR 00741969 [“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.”].

1663 **E3/25** *Revolutionary Flag*, December 1976-January 1977, at ENG00491424, KH00063040, FR00504050 [Our line was to fight to seize the people...the line of drying up the people...1973...Banam town...drying up the people from the enemy...Oudong 1974...]; **E3/785**, *Revolutionary Flag*, July 1973 at ENG 00713996, KHM 00442031, FR 00741964 [“In the evacuation of people from the areas...strong and optimistic views...to successfully send them away to the countryside...Although we...were lack of rice...we dared to evacuate many more people”]; **E1/51.1** Transcript, 20 March 2012, Kaing Guek Eav *alias* Duch ,13.53.10 to 13.54.10 [“I was educated through the “Revolutionary Flag” concerning the evacuation of the population”]; **E1/51.1** Transcript, 20 March 2012, Kaing Guek Eav *alias* Duch ,13.53.10 to 13.54.10 [“People shall be evacuated when the enemy attacked”]; **E1/51.1** Transcript, 20 March 2012, Kaing Guek Eav *alias* Duch ,13.53.10 to 13.54.10 [“It is of course meant to ensure that the enemies would never have people to be on their side. So they would be isolated and helpless because they would have no people to support them.”]; **E1/60.1** Transcript, 5 April 2012, Kaing Guek Eav *alias* Duch, 16.00.01 to 16.02.16 [“...the CPK advised us in the “Revolutionary Flag” of the evacuation of the population from Borei, and when the people were evacuated the enemies were deprived of the people to control, so we had ample opportunity to attack them.”].

1664 **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486214 [“The Presentation of the Party Representative on the Occasion of the 17th Anniversary of the Great Victory of the Founding of the [CPK] and...Official ...Public Announcement of the Party”]; see also **E3/747** *Revolutionary Flag*, August 1978, at ENG 00499781 [“15 Years in the Typhoon of the Great Kampuchean Revolutionary Movement Under the Bright Red and Always Victorious Flag of the Communist Party of Kampuchea.”].

1665 **E1/215.1** Transcript 1 July 2013, Pech Chim 11.16.40 to 11.18.58 [“Q...Revolutionary Flag...April 1977...instructions...did you ever receive instructions from the sector to assess, track, capture and smash the enemy? A. We studied about that. The information was relayed by the sector for our implementation, and I used to attend such study sessions.”]; **E3/135** *Revolutionary Flag*, June 1977, at ENG 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."]; **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401486-87 ["All of these persons are the new peasants who came from the petty bourgeoisie, the feudalists, and the capitalists...they continue to be in conflict with the revolution."]; **E3/166** *Revolutionary Flag*, February-March 1976, at ENG 00517837 ["Every type of horrible element exists among the hundreds of thousands of new people in Battambang..."]; **E3/11** *Revolutionary Flag*, September 1977, at ERN 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."]; **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401482 ["We fundamentally eliminated exploitive production contacts. In type I liberated zones, they were totally eliminated. In the type II liberated zones, in general, they were fundamentally eliminated. The businessmen and pawnbrokers were totally gone."]; **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401483 ["The businessmen and capitalists died...They continue to be in conflict with the revolution."]; **E3/139** *Revolutionary Flag*, November 1976, at ENG 00455313 ["Only when there is struggle to fight to eradicate all opposition forces inside the country can the movement to build our country gain momentum...we must carry out extremely strong class struggle within ourselves."]; **E3/746** *Revolutionary Flag*, July 1978, at ENG 00428291-97, 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."]; **E3/727** *Revolutionary Flag*, May - June 1978 at ENG 00185322-347. ["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..."]; **E3/729** *Revolutionary Youth*, October 1975, at ENG 00357911 ["It is imperative to fight to struggle to build internally...to inspect and monitor...to rectify one another constantly not to take things lightly, not to be sloppy and let things go letting errors continue one after another."]; **E3/729** *Revolutionary Youth*, October 1975, at ENG 00357904 ["Therefore, in the cooperatives class combat and class contradictions are constantly being sorted out...because the movement is constantly seething and must be constantly fighting and constantly sorting out."]; **E3/729** *Revolutionary Youth*, October 1975, at ENG 00357903 ["In a complex situation where more than two million new people have just gone down to live in the countryside and enemy agents and various other bad elements are still chaotically mixed in among the ranks of the new people."]; **E3/729** *Revolutionary Youth*, October 1975, at ENG 00357904 ["in the cooperatives class combat and class contradictions are constantly being sorted out"]; **E3/729** *Revolutionary Youth*, October 1975, at ENG 00357909 ["...feudal individuals and capitalist individuals...are still mixed in...throughout the countryside...Whether wanted or not...whether they realize it or not, [they] are all leading carriers of imperialist-feudalist-capitalist [ideologies]...disseminating them among our...people."]; **E3/193** *Revolutionary Flag*, August 1977, at ENG 00399240 ["The no-good classes holding power in the cooperatives, what is their true nature? They are counter-revolutionary..."]; **E3/25** *Revolutionary Flag*, December 1976 - January 1977, at ERN 00491412 ["The strategic line of the Party that was set in 1960 when the determination was made that it was imperative to...attack and bring down the feudalists, capitalists, and reactionaries in Kampuchea."]; **E3/742** *Revolutionary Flag*, April 1977, at ENG 00478496 ["As for the enemies that are "CIA", "KGB", and "Y[uon]" agents...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."]; **E3/742** *Revolutionary Flag*, April 1977, at ENG 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."]; **E3/742** *Revolutionary Flag*, April 1977, at ENG 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."]; **E3/742** *Revolutionary Flag*, April 1977, at ENG 00478501 ["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."]; **E3/727** *Revolutionary Flag*, May - June 1978, at ENG 00185342 ["Our duty is therefore is to attack absolutely...enemy is being smashed to smithereins, scattered to the winds and liquidated."]; **E3/727** *Revolutionary Flag*, May - June 1978, at ENG 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."]; **E3/746** *Revolutionary Flag*, July 1978, at ENG 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."]; **E3/746** *Revolutionary Flag*, July 1978, at ENG 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.”]; **E3/746** *Revolutionary Flag*, July 1978, at ENG 00428303 [“Even more particularly, in the great mass movement to attack and smash...bringing about a strategic victory for the nation, the people, the Party and the revolution.”]; **E3/11** *Revolutionary Flag*, September 1977 at ENG 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.”]; **E3/742** *Revolutionary Flag*, April 1977, at ENG 00478496 [“sneakily embedded”]; **E3/746** *Revolutionary Flag*, July 1978, at ENG 00428291 [“noxious to the uttermost”]; **E3/746** *Revolutionary Flag*, July 1978, at ENG 00428291 [“the uttermost danger”]; **E3/746** *Revolutionary Flag*, July 1978, at ENG 00428291 [“genocidal”]; **E3/4** *Revolutionary Flag*, July 1976, at ENG 00268917 [“If we did not have profound class struggle... continue class struggle to attack and bring down and totally eliminate the feudal-bourgeoisie class and the other reactionary classes...smash and scatter all opposing forces, so that the country can be defended.”]; **E3/135** *Revolutionary Flag*, June 1977, at ENG 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.”]; **E3/726** *Revolutionary Youth*, February 1978, at ENG 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.”]; **E3/744** *Revolutionary Flag*, February 1978, at ENG 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...”]; **E3/747** *Revolutionary Flag*, August 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.”]; **E3/170** *Revolutionary Flag*, October - November 1977, at ENG 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.”].

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E1/112.1 Transcript, 22 August 2012, Kim Vun, 11.39.34 to 11.43.60 [“What kind of articles did you write based on the “Revolutionary Flag”? A... great leap forwards... an objective to achieve 3 metric tonnes of rice yield per hectare...”]; **E3/748**, *Revolutionary Flag*, October-November 1975, at ENG00495827, KH00063269-70, FR00499711 [“widely expanded ... the co-operative of 1,000 families...start mobilizing...start with simple village cooperatives in some sectors of the northwest zone...”]; **E3/10** *Revolutionary Flag*, September-October 1976, at ENG 00450511. [“When we made socialist revolution, we strengthened and expanded the collective regime and were able to entirely eradicate private ownership and the capitalist regime.”]; **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401486-87 [“This is the collective ownership of the collective masses inside the cooperatives...the state and the cooperatives are going fast, shoulder-to-shoulder, and there are no substantial obstacles. So, it is fast.”]; **E3/724**, **E169/4/1.1.1** *Revolutionary Youth*, 7 July 1975, at ENG 00089735. The cooperatives were intended to temper the “new people” so that they “no longer desire to go anywhere else”; **E3/166** *Revolutionary Flag*, February-March 1976, at ENG 00517831. [“T]he function of co-operatives since the total liberation is to absorb all the new people coming out of all the cities and towns, especially Phnom Penh city and, in the Northwest, Battambang.”]; **E3/166** *Revolutionary Flag*, February – March 1976, at ENG 00517825, 00517828: [“Immediately after the liberation of the entire country... more than two million people who had recently been evacuated from the various cities...tens of thousands and hundreds of thousands of new evacuees from the various cities went to the rural base areas.”]; **E3/10** *Revolutionary Flag*, September - October 1976, at ENG 00450531, FRE 00491897, KHM 00063095 [For the CPK leadership, class struggle also required that they empty towns and cities in order to “prevent uncontrollable ideological containimation [sic] of the revolutionary ranks”]; **E169/4/1.1.1** *Revolutionary Youth*, July 1975, at ENG 00815133. [“I]f the Party had taken no measures to evacuate all the people out of Phnom Penh and other provincial towns, the enemy might have attacked and pounced on us from behind...”]; **E3/729** *Revolutionary Youth*, 10 October 1975, at ENG 00357903 [“After the liberation of the entire country, 99.9% of the Kampuchean people have been obliged to live in the countryside...increase production ...defending and building the country.”]; **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401480-81 [“The Kratie Market was approximately the same as before...We could not gather up the people.... no way out.”]; **E3/748** *Revolutionary Flag*, October - November 1975, at ENG 00495827 [“In our future goals, if the village cooperatives are established...The Party wishes to create a cooperative to carry out all kinds of activities.”], and ENG 00495826 [“The cooperative is mandatory to mobilize the labor forces among the base peasants for all kinds of production...”], and ENG 00495826 [“The

cooperative is a production organization with a real nature of class... that has so far been serving the national democratic Revolution...We must relentlessly strengthen and expand the cooperatives.”]; **E3/146** *Revolutionary Youth*, August -September 1974, at ENG 00538738 [“the task to organize strengthen and expand the cooperative at the rear battleground.”]; **E3/743** *Revolutionary Flag*, July 1977, at ENG 00476160 [“Up until today, our cooperatives have strengthened and expanded politically, ideologically, and organizationally.”]; **E3/215** *Revolutionary Flag*, September 1978, at ENG 00488626 [“our socialist revolution is operating well and is gradually strengthening and expanding itself, with:...our collective cooperative regime throughout the country, constantly strengthening and expanding itself well”]; **E3/139** *Revolutionary Flag*, November 1976, at ENG 00455313 [“We have the strategic lines of socialist revolution and building socialism. This acting is the operational line. ... Push the weak to become strong. Push the strong to be even stronger.”]; **E3/25** *Revolutionary Flag*, December 1976 - January 1977, at ENG 00491400 [“We strengthened and expanded the position of collectivity in general throughout the entire nation and society.”]; **E3/748** *Revolutionary Flag*, October - November 1975, at ENG 00495809 [“This includes a storming attack to accomplish the “three tons per hectare” goals.”] at ENG 00495811[“The entire Party shall build up the stance conducive to the most robust and relentless storming production...fertilizing and selection of reproductive seeds etc.”], and ENG 00495808 [“The Party has to rebuild a new economy in the most rapid manner that is mainly depending on agriculture.”], and ENG 00495813 [“The Centre Party Congress has unanimously decided that the average rice harvesting across the country in 1976 shall be three tons...per hectare of field rice...November 1975, the Centre Party has also unanimously endorsed...above”], at ENG00495827, [“three ton rice yield...can we accomplish...we are on the offensive...we are setting up the preconditions...three tons is for..building the country quickly”]; **E3/25** *Revolutionary Flag*, December 1976 January 1977, at ENG 00491435 [“[T]he essence of socialist revolution [is] building the country well, defending the country well...this means quickly increasing production”]; **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486262[“We must continue striving to raise rapidly the people's standard of living and improve their health, because we need to increase our Kampuchean population to 15 to 20 million over the next 10 years”]; **E3/773** *Revolutionary Youth*, October - November 1977, at ENG 00517902 [“In 1976, our male-female youths in Prasaut district...cooperatives ...achieved the 3 tons per 1 hectare plan of the Party totally...followed the correct and bright line of our Communist Party of Kampuchea.”]; **E3/759** *Revolutionary Flag*, April 1976, at ENG 00517865 [“When the cooperatives are strong, clearly three tons per hectare can be achieved.”]; **E3/4** *Revolutionary Flag*, July 1976, at ENG 00268920 [“[W]e are launching strong storming attacks to implement the task of three tons per hectare by 1976.”]; **E3/139** *Revolutionary Flag*, November 1976, at ENG 00455282 [“[T]he conference in 1975 determined that during 1976 throughout the whole country we had to go all out in growing rice to reach three tons of paddy per hectare whether we grew one crop or two.”]; **E3/742** *Revolutionary Flag*, April 1977, at ENG 00478494-95 [“[B]uilding socialism in every field, especially strengthening...many additional preconditions to pioneer forward on the offensive to achieve the Party’s three and six tons for 1977...”].

1667 **E1/23.1** Transcript 15 December 2011 Nuon Chea 14.01.46 to 14.05.11 [“...Honorary Red Flags were given to any Party branches who accomplished something...for doing good for the Party... for good coordination”].

1668 **E3/135**, *Revolutionary- Flag*, June 1977 at ENG00446846.

1669 **E1/181.1** Transcript, 22 April 2013, Chhouk Rin, 14.15.57 [“We came to attend the training course and “Flag” number 7 was the material for the training.”]; **E1/88.1** Transcript, 19 June 2012, Yun Kim, 10.10.11 to 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.”]; **E3/ 410** Yun Kim *alias* Kham Statement, at ENG 00412192; **E1/50.1** Transcript ,19 March 2012, Kaing Guek Eav *alias Duch*, 15.46.42 to 15.50.15 (in respect of his time at M-13) [“In one year, all zone and cadres were called upon to join a study session...with Pol Pot...had to study...Revolutionary Flags...this is a must; they have to do that.”]; **E1/51.1** Transcript, 20 March 2012, Kaing Guek Eav *alias Duch* 13.40.38 to 13.46.04 [“...There were also annual sessions where we were informed of the “Revolutionary Flag” – or “Revolutionary Flags” were handed over to participants.”]; **E1/54.1** Transcript, 27 March 2012, Kaing Guek Eav *alias Duch* 10.07.09 to 10.09.20 [“Q. And, as part of your study sessions that you held at S-21– did you teach the content of that document to your staff as well, or not? A. Yes, I did.”]; **E1/63.1** Transcript, 18 April 2012, Saut Toeung 14.32.27 to 14.34.35 [“We were instructed, or briefed by the leader of our group, including Pang, who was reading them for us...At K-7 and K-10.”]; **E1/64.1** Transcript, 19 April 2012, Saut Toeung 11.56.32 to 11.58.34 [“Q. What was the main purpose of reading this magazine? A. In order to enhance our understanding and comprehension of the ‘Revolutionary Flag’.”]; **E1/66.1** Transcript 23 April 2012, Saloth Ban 09.47.47 to 09.49.31 [“Back then, at that time, I did not understand what was constituted as ideology, but I received trainings. I was

trained with...the “Revolutionary Flag”]; **E1/70.1** Transcript, 30 April 2012, Saloth Ban, 09.15.46 to 09.18.06 [“...in the common study sessions, when Pang would also attend...other people from ministries would also be invited...documents from the Standing Committee would be handed out to participants”]; **E1/76.1** Transcript, 28 May 2012, Ny Kan 09.48.30 to 09.50.20 [“Those who conducted trainings or education sessions with us, they extracted portions of the “Revolutionary Flags” to introduce to us.”]; **E1/76.1** Transcript 28 May 2012 Ny Kan 09.48.30 to 09.50.20 [“...they told us to jot down important points, but as for the materials, hard copy materials, we did not receive.”]; **E1/112.1** Transcript, 22 August 2012 Kim Vun 11.39.34 to 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.”]; **E1/177.1** Transcript, 8 April 2013, Chhaom Se 11.54.34 to 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.”]; **E3/408** [REDACTED] OCIJ Statement, at ENG 00404732; **E3/428** [REDACTED] OCIJ Statement, at ENG 00374951; **E3/352** [REDACTED] OCIJ Statement, at ENG 00195709; **E3/428** [REDACTED] OCIJ Statement, at ENG 00374951; **E3/505** [REDACTED] Statement, at ENG 00275411.

1670 **E1/111.1** Transcript, 21 August 2012, Kim Vun, 15.19.43 to 15.22.19 [“So the content was very much wanted in the “Revolutionary Flags” because the “Flags” served as the medium for communicating the message to the other people.”] and 15.22.19 to 15.24.21 [“...those cadres who were informed would then have to impart this to others.”]; **E1/54.1** Transcript 27 March 2012 Kaing Guek Eav *alias* Duch, 10.07.09 to 10.09.20 [“Q. And, as part of your study sessions that you held at S-21—or your training sessions you held at S-21—did you teach the content of that document to your staff as well, or not? A. Yes, I did.”]; **E3/380** Kim Vun OCIJ Statement, at ENG 00365642; **E3/408** [REDACTED] OCIJ Statement, at ENG 00404732; **E3/410** Yun Kim *alias* Kham Statement, at ENG 00412192.

1671 **E1/181.1** Transcript, Chhouk Rin, 14.13.31 to 14.15.57 [“After this “Flag” number 7 was issued by the [CPK], the issue published in 1976...described the different types of...people who ploughed the field and broke the...plough, these people would be alleged as enemy.”].

1672 **E3/4**, *Revolutionary Flag*, July 1976 at ENG 00268935.

1673 **E1/108.1** Transcript, 15 August 2012, Sa Siek, 15.56.06 to 15.59.30 [“At the Ministry of Propaganda, there was the News Reading Section, the Technical Section, the Telegram Section”]; **E1/111.1** Transcript, 21 August 2012, Kim Vun, 11.28.13 to 11.32.04 [“News to be sent to the radio station were also printed there.”]; **E3/380** Kim Vun OCIJ Statement, at ENG 00365642-45; **E3/381** Kim Vun OCIJ Statement, at ENG 00365528-29; **E3/231** CPK Standing Committee Minutes, 8 March 1976, at ENG 00183360-61; **E3/225** CPK Standing Committee Minutes, 1 June 1976, at ENG 00182715-16, 23 [Pol Pot instructs radio station to “have more revolutionary vigilance,” especially for “enemies burrowing within.”].

1674 See the Role of Khieu Samphan Section at sub section titled “Khieu Samphan’s Continued Participation in Purges of Enemies”; **E3/25** *Revolutionary Flag*, December 1976 - January 1977, at ENG 00491406-37 [Nuon Chea speech on 9th Anniversary of RAK, as internally published to CPK cadres]; **E3/147** FBIS, *Nuon Chea Speaks on Cambodian Army Anniversary*, 17 January 1977, at ENG 00168465-70; **E3/67** OCIJ Statement, Norng Sophang at ENG 00483973 [“These red letters were in Pol Pot’s handwriting...before being sent to be broadcast to the entire country...broadcast on the radio...”].

1675 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 15.06.26 to 15.09.16 [“I used to listen to the statement made by Khieu Samphan, It was done on the 31st of December 1977 through the National Radio of Democratic Kampuchea broadcast”]; **E1/124.1** Transcript, 20 September 2012, Chea Say, 11.04.56 to 11.07.32 [“Q. Did you ever hear any of the leaders speaking on the radio? A. Yes, I did. I heard Khieu Samphan speaking on the radio.”].

1676 **E3/232** CPK Standing Committee Minutes, 8 March 1976, at ENG 00183361 [“Beginning now until the 17th we broadcast all along, every day...From...until the elections we broadcast constantly.”].

1677 **E3/5504** [REDACTED] OCIJ Statement, at ENG 00398838 [“I heard from radio broadcasting that Ta Thuch, Hu Nim and Hou Yuon had been arrested.”]; **E1/109.1** Transcript, 16 August 2012, Sa Siek, 14.09.54 to 14.12.45 [“...broadcasts about one Khmer being able to kill 30 Vietnamese?...it was truly the line.”], and **E1/111.1** Transcript, 21 August 2012, Sa Siek, 09.09.10 to 09.11.38 [“...that was the statement to be broadcast to the soldiers...”]; **E1/109.1** Transcript, 16 August 2012, Sa Siek, 14.14.48 to 14.16.24 [“At each battlefield after the fighting, we arrested...the surrendered Vietnamese soldiers who later on were interviewed and the content of the interviews would be aired.”]; **E3/361** OCIJ Statement, Chhouk Rin at ENG 00766455 [“Democratic Kampuchea Radio broadcast information from the confessions of Vietnamese prisoners of war who had been captured.”]; **E3/292 & E3/1663**, FBIS, *Confession Shows SRV Spying in Cambodian Waters After 5 Feb*, 28 February 1978, at ENG 00169289-90; **E3/1362** FBIS, *Confessions of Captured Vietnamese Soldiers*, 4 May 1978, at ENG 00169986-87; **E3/176** BBC/SWB, *Confession of Vietnamese Spy*, 7 April 1978, at ENG S 00010493; **E3/1248**

BBC/SWB, *Other Reports on Vietnam and Cambodia*, 27 January 1978, at ENG S 00008930; **E3/1258** DK Ministry of Foreign Affairs, *Evidences on the Vietnamese Aggression Against Democratic Kampuchea*, July 1978, at ENG S 00004905-43; **E3/23 & E3/266** DK Ministry of Foreign Affairs, Black Paper, September 1978.

1678 **E3/379** Sa Siek OCIJ Statement, at ENG 003233230 [“Like broadcasts about the Party line...building forces...construction of canals... defence of the country.”]; **E109.1** Transcript, 16 August 2012, Sa Siek, 14.05.03 to 14.07.22 [“I believed that it was a good radio broadcast to encourage people to be forces of the Party’s line”]; **E1/108.1** Transcript, 15 August 2012, Sa Siek, 14.19.04 to 14.21.48 [“The radio broadcast was meant to educate people to understand the aggressive neighbours, and they were told to devote themselves to defend, to fight, to protect the country and territory.”]; **E1/126.1** Transcript Noem Sem, 25 September 2012, 10.18.2 to 10.20.33 [“Q. Did you ever hear about...the ‘struggle to defend the motherland’ ?A. Yes, I heard those words”]; **E3/43** Noem Sem OCIJ Statement, at ENG 00365658 [“I read international news and national news about building dams and canals”]; **E1/109.1** Transcript, 16 August 2012, Sa Siek, 13.58.28 to 13.59.34 [“The broadcasts was about the encouragement for the people to work hard in the rice field...increase the production from two to three tonnes per hectare”]; **E3/67** Norng Sophang OCIJ Statement, at ENG 00483970, A.14 [“it was broadcast that our country had plenty and was joyful in the great leap forward.”].

1679 See *Role of Khieu Samphan* Section; **E3/232** CPK Standing Committee Minutes, 8 March 1976, at ENG 00182630.

1680 **E3/5234** [REDACTED] OCIJ Statement, at ENG 00288206 [“...on the 17 April 1976...radio...broadcast...interview of Khieu Samphan with North Korean journalists...said...ate three meals a day...In fact, many citizens were dying from starvation.”].

1681 **E3/225** CPK Meeting Minutes Regarding Propaganda Works, 1 June 1976, at ENG 00183362.

1682 **E1/127.1** Transcript, 1 October 2012, Khiev En, 10.02.23 to 10.04.10 [“...we were intercepting news broadcasts by AFP, by Reuters and UPE and Xinhau.”]; **E1/101.9** Transcript, 16 August 2012, Sa Siek, 13.46.24 to 13.49.26 [“Q. What radio broadcasts were you typing? A...it was international news and it would be translated into the Khmer language”]; **E1/127.1** Transcript 1 October 2012, Khiev En, 15.27.40 to 15.29.48 [“I did work on... preparing the tapes to be sent out and broadcast.”].

1683 **E3/4422** The Guardian, *Sihanouk Silent as Insurgents Wait Outside Phnom Penh*, 14 April 1975; **E3/2684** AFP, *Phnom Penh: A Fall and Siege Not Like the Others*, 17 - 30 April 1975; **E3/3720** Financial Times, *No Bloodshed as Phnom Penh Falls*, 18 April 1975; **E3/3367** Chicago Tribune, *Hint Phnom Penh Civilian Exodus*, 19 April 1975; **E3/4157** Washington Post, *Phnom Penh Evacuation Is Ordered; Cambodians Told to Leave Capital*, 19 April 1975; **E3/3375** New York Times, *Communications Blackout Limits News of Cambodia*, 20 April 1975; **E3/3385** Washington Post, *Cambodia Aides Reported Killed and Radio in Cambodia Reports Killings*, 20 April 1975; **E3/2704** AFP, *The Mystery of the Situation in Phnom Penh Continues*, 21 April 1975; **E3/2705** AFP, *The Situation at the French Embassy in Phnom Penh; Important Cambodians Have Left the French Embassy in Phnom Penh*, 21 April 1975; **E3/3392** The Economist, *Cambodia; It’s All Ours*, 26 April 1975; **E3/3721** Newsweek, *White Flags Over Phnom Penh*, 28 April 1975; **E3/2685** AFP, *To the Editors*, 30 April 1975; **E3/3393** Los Angeles Times, *Massive Cambodia Bloodbath Reported*, 4 May 1975; **E3/3394** Washington Post, *Cambodia Bloodbath Seen*, 4 May 1975; **E3/4425** Los Angeles Times, *Executions of Cambodian Officers, Wives Reported*, 5 May 1975; **E3/3363** Time Magazine, *A Khmer Curtain Descends*, 5 May 1975; **E3/4149** Washington Post, *Phnom Penh Was Ghost City*, 5 May 1975; **E3/3364** Washington Post, *Cambodian Ex-Officers, Wives Reported Slain by Khmer Rouge*, 6 May 1975; **E3/3365** Los Angeles Times, *Red Forces ‘Purifying’ Cambodia*, 8 May 1975; **E3/4150** Los Angeles Times, *Evacuees Tell of Executions, Kindness*, 8 May 1975; **E3/3366** Los Angeles Times, *Phnom Penh an Empty, Shattered City*, 8 May 1975; **E3/3987** Chicago Tribune, *Inside Cambodia*, 9 May 1975; **E3/3368** Chicago Tribune, *Cambodians Flee Red Invaders; It’s Clear ‘Some Won’t Survive,’* 9 May 1975; **E3/4153** Los Angeles Times, *Cambodia Leaders Shot, Doctor Says*, 9 May 1975; **E3/4151** Los Angeles Times, *500 More Foreigners Leave Cambodia*, 9 May 1975; **E3/4154** New York Times, *Cambodia Reds Are Uprooting Millions As They Impose a ‘Peasant Revolution,’* 9 May 1975; **E3/4152** New York Times, *Cambodia’s Move In Emptying Cities May Fill Food Need*, 9 May 1975; **E3/4426** Chicago Tribune, *The Murder of Phnom Penh*, 10 May 1975; **E3/4155** New York Times, *Khmer Upheaval*, 10 May 1975; **E3/51** The Times, *International Media Report regarding the evacuation of Phnom Penh*, 11 May 1975; **E3/4156** Washington Post, *Cambodian Transformation*, 11 May 1975; **E3/4427** New York Times, *Cambodia’s Rulers Stress China Ties*, 12 May 1975; **E3/3369** Newsweek, *‘Blood Bath’ in Cambodia*, 12 May 1975; **E3/3370** Washington Post, *Reports Hint ‘Blood Debt’ Being Paid*, 12 May 1975; **E3/3371** Chicago Tribune, *Tragic Atrocities in Cambodia: Henry*, 13 May 1975; **E3/4428** New York Times, *Kissinger Sees Atrocity In Events in Cambodia*, 14 May 1975; **E3/4429** Newsweek, *Cambodia’s ‘Purification,’* 19 May 1975; **E3/4430** Time Magazine, *Long*

March from Phnom-Penh, 19 May 1975; **E3/3372** Washington Post, *What Befell 3 Million Cambodians?*, 4 June 1975; **E3/3301** Washington Post; New York Times, *Lon Nol Officer, Wives Reportedly are Killed; Victors Emptying Cambodian Cities*, *Washington Told*, 5 June 1975; **E3/4158** New York Times, *Urban Exodus Complete, Cambodia Refugees Say*, 13 June 1975; **E3/4433** Chicago Tribune, *Cambodian Describes Red Terror*, 25 June 1975; **E3/4434** Chicago Tribune, *Henry Tells of Cambodia Agony*, 25 June 1975; **E3/4431** Los Angeles Times, *Cambodian Toll High - Kissinger*, 25 June 1975; **E3/3374** Washington Post, *Cambodian Civil Toll High, Kissinger Says*, 25 June 1975; **E3/4159** New York Times, *Cambodia's Crime...*, 9 July 1975; **E3/4168** Los Angeles Times, *Cambodia: a Forced Return to the Land*, 12 August 1975; **E3/4436** The Economist, *Cambodia; News from No Man's Land*, 23 August 1975; **E3/4439** The Times, *Phnom Penh Becomes 'Dead City'*, 12 October 1975; **E3/4440** Los Angeles Times, *Cambodia Ex-Leader Says Reds Killed His Brother*, 15 October 1975; **E3/2672** Phnom Penh Home Service, *De Nouvelles épurations au Cambodge; Des Réfugiés Cambodgiens Font état de Massacres; US paper on Reasons for Evacuation; Anniversary of the Women's Organization*, 1976 - 1978; **E3/4441** Far Eastern Economic Review, *The Khmer Rouge's Iron Grip on Cambodia*, 2 January 1976; **E3/4170** AFP, *Cambodia: The New York Times Reports New and Forced Movements with a High Death Toll*, 21 January 1976; **E3/2411** Le Monde, *Cambodia Nine Months Down the Road*, 18 February 1976; **E3/4165** New York Times, *Inside Cambodia*, 27 March 1976; **E3/4445** Wall Street Journal, *The Cambodian Horror*, 16 April 1976; **E3/4446** Time Magazine, *The Khmer Rouge: Rampant Terror*, 19 April 1976; **E3/2682** AFP, *Déclaration d'un Diplomate Khmer*, 24 April 1976; **E3/4447** The Economist, *Cambodia; The End of the Beginning*, 24 April 1976; **E3/4449** The Economist, *Cambodia; Counting the Cost*, 26 February 1977; **E3/4450** New York Times, *Human Rights: The Rest of the World Sees them Differently*, 6 March 1977; **E3/4451** Washington Post, *Forced Cambodian Labor Depicted*, 8 April 1977; **E3/4453** New York Times, *Carter's First Big Crunch*, 20 April 1977; **E3/4455** Chicago Tribune, *Extermination in Cambodia*, 2 May 1977; **E3/4160** New York Times, *Refugees Depict Grim Cambodia Beset by Hunger*, 2 May 1977; **E3/4457** Washington Post, *Cambodia Criticized on Human Rights*, 9 May 1977; **E3/4458** Newsweek, *Cambodia: Horror Stories*, 30 May 1977; **E3/4459** Chicago Tribune, *The Human Rights Clamor Ignores Cambodia's Holocaust*, 7 July 1977; **E3/4460** Washington Post, *Cambodia: Most Brutal Dictatorship*, 21 July 1977; **E3/4167** New York Times, *A U.S. Aide Reports Huge Cambodia Toll Under Rule of Reds*, 27 July 1977; **E3/4461** The Economist, *Out of the Silence: 'Peace with Horror'*, 10 September 1977; **E3/4462** Los Angeles Times, *Cambodia - Our Sinful Sloth*, 16 September 1977; **E3/3739** New York Times, *Cambodian Prime Min Pol Pot says Communist rulers...*, 5 October 1977; **E3/4463** New York Times, *Cambodian Offers Evacuation Motive*, 5 October 1977; **E3/2316** New York Times, *Cambodian Offers Evacuation Motive*, 5 October 1977; **E3/2678** FBIS, *Cambodian CP Officially Unveiled on Founding Anniversary*, 6 October 1977; **E3/4467** The Economist, *Cambodia; What Pot?*, 8 October 1977; **E3/4468** Wall Street Journal, *Cambodia's Communist Regime Begins to Purge Its Own Ranks While Continuing a Crack-Down*, 19 October 1977; **E3/4470** Wall Street Journal, *Lord of the Flies*, 9 November 1977; **E3/4471** New York Times, *World News Briefs: Britain Refuses to Appoint a Cambodian Ambassador*, 10 November 1977; **E3/4472** Los Angeles Times, *Killings Mark Cambodia Power Struggle*, 16 November 1977; **E3/3378** Chicago Tribune, *Cambodia: Extermination of a Society*, 20 November 1977; **E3/4473** Time Magazine, *Tales of Brave New Kampuchea*, 21 November 1977; **E3/4474** Chicago Tribune, *How Can We Help Cambodia*, 29 November 1977; **E3/4161** New York Times, *Cambodian Women Recall Nightmare of 2 Escapes*, 23 December 1977; 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1689 **E3/231** CPK Standing Committee Minutes entitled "Minutes of 8 March 1976 Meeting on Propaganda," 8 March 1976, at ENG 00528386.

1690 **E3/231** CPK Standing Committee Minutes entitled "Minutes of 8 March 1976 Meeting on Propaganda," 8 March 1976, at ENG 00528387.

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1693 **E3/379** Sa Siek OCIJ Statement Transcript, at ENG 00323327 ["It was approximately the 20th...all rooms were introduced to us...this room for reading...they just walked around and introduced like that."].

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1718 **E3/623** Ieng Sary Statement, 18 July 1978, at ENG 00444919/

1719 **E1/16.1** Transcript, 5 December 2011, Nuon Chea, 14.21.29 to 14.31.16; **E1/22.1** Transcript, 14 December 2011, Nuon Chea, 09.42.13 to 09.45.52 ["I was the Deputy Secretary of the Party"]; **E1/23.1** Transcript, 15 December 2011, Nuon Chea, 11.46.24; **E3/54** Nuon Chea OCIJ Initial Appearance, at ENG 00148817, KHM 00148744, FRE 00148921 ["I was Deputy Secretary of the Party"]. See also **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156750; **E3/65** Kaing Guek Eav OCIJ Statement, at ENG 00147521; **E3/61** Kaing Guek Eav OCIJ Statement, at ENG 00195577; **E3/355** Kaing Guek Eav OCIJ Statement, at ENG 00242874; **E3/83** Kaing Guek Eav OCIJ Statement, at ENG 00398162; **E3/446** So Hong *alias* Saloth Ban OCIJ Statement, at ENG 00503164; **E3/24** Phy Phoun OCIJ Statement, at ENG 00223585; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417600; **E3/196** Statement of Nuon Chea entitled "Statement of the Communist Party of Kampuchea to the Communist Workers' Party of Denmark," 30 July 1978, at ENG 00001170 [identifying Nuon Chea as Deputy Secretary of CPK]; **E3/199** Statement of Nuon Chea in DK publication entitled "Speech of Nuon Chea at the Banquet given in honour of the Delegation of PRA Kampuchea" in Peking, China, 3 September 1978, at ENG 00065911 [identifying Nuon Chea as "Deputy Secretary of the Central Committee of the Communist Party of Kampuchea"]; **E3/1714** Stephen Heder and Masato Matsushita, *Interviews with Kampuchean Refugees at Thai-Cambodia Border*, at ENG 00170749; **E1/189.1** Transcript, 6 May 2013, Philip Short, 14.02.47 to 14.04.21.

1720 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156749, KHM 00156618, FRE 00156671 ["Democratic Kampuchea was a communist regime" in which "the party leads the state"]; **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486215 ["the Communist Party of Kampuchea is the true leader of the Kampuchean revolution"]; **E1/91.1** Transcript, 18 July 2012, David Chandler, 10.29.04 [describing Central and Standing Committees as a "supervisory and ... policy-forming body"], 11.43.40 to 11.45.33 ["Highest organisation of the Party, of course, is the Standing Committee and Central Committee"]; **E1/189.1** Transcript, 6 May 2013, Philip Short, 13.42.27 to 13.43.43 ["all the decision-making power resided in the Party structure"].

1721 **E3/130** CPK Statute, Article 7.1.

1722 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156750, KHM 00156619, FRE 00156671-72; **E3/557** Khieu Samphan OCIJ Statement, at ENG 00153269; **E1/91.1** Transcript, 18 July 2012, David Chandler, 14.14.56 to 14.17.23; **E1/189.1** Transcript, 6 May 2013, Philip Short, 13.34.30 to 13.37.45; **E1/55.1** Transcript, 28 March 2012, Kaing Guek Eav, 09.51.37 to 09.56.16 [confirming that "Standing Committee

was within the Central Committee of the CPK” and was “the most powerful organ”]; **E3/452** Kaing Guek Eav OCIJ Statement, at ENG 00147570; **E3/355** Kaing Guek Eav OCIJ Statement, at ENG 00242874; **E3/24** Phy Phoun OCIJ Statement, at ENG 00223584-85 [stating that all orders came from Pol Pot, Nuon Chea and the Standing Committee]; **E3/96** TCW-724 OCIJ Statement, at ENG 00346941 [stating that the Standing Committee “made all the decisions”].

1723 **E1/22.1** Transcript, 14 December 2011, Nuon Chea, 11.14.13 to 11.18.02 [“We made our own decisions”].

1724 **E3/227** CPK Standing Committee Minutes, 2 November 1975, at ENG 00183409; **E3/228** CPK Standing Committee Meeting Minutes entitled “Party Propaganda and Reeducation Goals for 1976 and Onward,” 9 January 1976, at ENG 00182614; **E3/230** CPK Standing Committee Meeting Minutes entitled “Economic Matters,” 22 February 1976, at ENG 00182546; **E3/229** CPK Standing Committee Meeting Minutes entitled “National Defense Matters,” 22 February 1976, at ENG 00182625; **E3/232** CPK Standing Committee Meeting Minutes entitled “Base Work,” 8 March 1976, at ENG 00182628; **E3/231** CPK Standing Committee Meeting Minutes entitled “Propaganda Work,” 8 March 1976, at ENG 00183360; **E3/217** CPK Standing Committee Meeting Minutes entitled “Problems on the Eastern Frontier,” 11 March 1976, at ENG 00182635; **E3/197** CPK Standing Committee Meeting Minutes entitled “The Front,” 11 March 1976, at ENG 00182638; **E3/233** CPK Standing Committee Minutes entitled “Commerce,” 13 March 1976, at ENG 00182649; **E3/218** CPK Standing Committee Meeting Minutes entitled “Results of Negotiations with Vietnam regarding the Eastern Border,” 26 March 1976, at ENG 00182651; **E3/219** CPK Standing Committee Meeting Minutes entitled “Foreign Affairs Work,” 3 May 1976, at ENG 00182663; **E3/220** CPK Standing Committee Meeting Minutes entitled “Commerce Matters,” 7 May 1976, at ENG 00182706; **E3/221** CPK Standing Committee Meeting Minutes entitled “Examination of the Reaction of Vietnam During the Fifth Meeting,” 14 May 1976, at ENG 00182693; **E3/222** CPK Standing Committee Minutes entitled “National Defense Matters,” 15 May 1976, at ENG 00182665; **E3/223** CPK Standing Committee Minutes entitled “Foreign Affairs,” 17 May 1976, at ENG 00182708; **E3/224** CPK Standing Committee Meeting Minutes entitled “Agricultural Production Work of the Army,” 30 May 1976, at ENG 00182667; **E3/225** CPK Standing Committee Meeting Minutes entitled “Propaganda Works,” 1 June 1976, at ENG 00182715; **E3/226** CPK Standing Committee Meeting Minutes entitled “Health and Social Affairs,” 10 June 1976, at ENG 00183363.

Ibid.

1725 **E1/99.1** Transcript, 31 July 2012, Phy Phoun, 11.20.19 to 11.23.01 [after liberation of Oudong, witness heard Pang say that “Om Pol Pot was now known as Om Number One and Om Nuon Chea was known [as] Om Number Two”]; **E1/158.1** Transcript, 10 January 2013, Ung Ren, 11.26.30 to 11.28.35 [“Pol Pot was known as Brother Number One, and Nuon Chea was known as Brother Number Two, and everyone was familiar with that”]; **E1/51.1** Transcript, 20 March 2012, Kaing Guek Eav, 10.07.46 to 10.11.21; **E1/53.1** Transcript, 26 March 2012, Kaing Guek Eav, 11.54.17; **E1/22.1** Transcript, 14 December 2011, Nuon Chea, 09.42.13 to 09.45.52 [denying that he used “Brother Number Two” as a name, but admitting that he was second in the Party hierarchy]; **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757546, KHM 00858381, FRE 00849463 [quoting Nuon Chea: “They just called him and me Brother Number One and Two”]; **E3/65** Kaing Guek Eav OCIJ Statement, at ENG 00147522; **E3/82** Kaing Guek Eav OCIJ Statement, at ENG 00398187; **E3/80** Meas Voeun OCIJ Statement, at ENG 00491657; **E3/58** Kham Phan *alias* Phan Van OCIJ Statement, at ENG 00250089.

1727 **E3/218** CPK Standing Committee Meeting Minutes entitled “Results of Negotiations with Vietnam regarding the Eastern Border,” 26 March 1976, at ENG 00182651, 00182656; **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 15.55.34 to 15.58.13 [“It was Nuon Chea who would take over from Pol Pot when he was absent”].

1728 **E3/4001R** Video titled “Additional footage: Nuon Chea interview,” V00800935, at 09:26 to 12:52; **E1/214.1** Transcript, 27 June 2013, 10.12.20 to 10.15.46 [presentation of above clip from video **E3/4001R**]; **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757546, KHM 00858381-82, FRE 00849463-64 [“Before any new initiatives were presented, Pol Pot and Nuon Chea always discussed them together to hammer out the ideas and make sure they agreed on every point.”]. See also **E1/189.1** Transcript, 6 May 2013, Philip Short, 13.37.45 to 13.39.07 [stating that Nuon Chea was at a “higher level as deputy secretary” and that “he and Pol Pot divided responsibility for all aspects of work”].

1729 **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417611. See also **E3/423** Saut Toeung OCIJ Statement, at ENG 00414604 [stating that “Angkar was Pol Pot and Nuon Chea”].

1730 **E1/189.1** Transcript, 6 May 2013, Philip Short, 14.02.47 to 14.04.21; **E1/191.1** Transcript, 8 May 2013, Philip Short, 14.08.36 to 14.11.53.

1731 **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757546, KHM 00858382, FRE 00849463.

1732 **E3/4001R** Video titled “Additional footage: Nuon Chea interview,” V00800935, at 17:12 to 17:47;

E1/214.1 Transcript, 27 June 2013, 10.01.58 to 10.07.13 [presentation of above clip from video **E3/4001R**].

1733 **E3/4001R** Video titled “Additional footage: Nuon Chea interview,” V00800935, at 14:15 to 17:12; **E1/214.1** Transcript, 27 June 2013, 10.01.58 to 10.07.13 [presentation of above clip from video **E3/4001R**].

1734 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 14.01.20 to 14.03.12; **E1/17.1** Transcript, 6 December 2011, Nuon Chea, 09.44.21 to 10.01.56 [“we were charged with the responsibility to devise strategic and tactical lines for the Party”]; **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 11.56.19 [“Tou Samouth, Pol Pot and I were the ones who designed the Party’s political line at the beginning”]; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184661; **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757506-07, KHM 00858278-80, FRE 00849394-95 [Nuon Chea and Pol Pot “searched for the principles that would be the basis of the communist party”].

1735 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 14.08.25; **E1/25.1** Transcript, 11 January 2012, Nuon Chea, 11.41.53 to 11.45.42.

1736 **E3/182** CPK Standing Committee Minutes, 9 October 1975, at ENG 00183393, KHM 00019108, FRE 00292868.

1737 **E3/54** Nuon Chea OCIJ Initial Appearance, at ENG 00148817, KHM 00148744, FRE 00148921.

1738 **E1/60.1** Transcript, 5 April 2012, Kaing Guek Eav, 15.12.36 to 15.14.40 [“‘Party affairs’ mean the recruitment of new members and how disciplinary actions be implemented or imposed on members of the Party who committed wrongdoings”]; **E3/83** Kaing Guek Eav OCIJ Statement, at ENG 00398163 [responsibility for “Party Affairs” included “annual training sessions,” “the recruitment and appointment of new members,” “the naming of members to various positions” and the promotion and smashing of cadre]; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417611; **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 11.57.13 [“if there was any moral issues among people in society, I believe it was Nuon Chea who was the person in charge”]; **E3/64** Norng Sophang OCIJ Statement, at ENG 00334058 [stating that internal Party matters involving “the violation of moral codes” were directed to Nuon Chea because he “was in charge of the people”]; **E1/66.1** Transcript, 23 April 2012, Saloth Ban, 13.57.30 to 14.03.11 [“I knew that Mr. Nuon Chea was responsible for the appointments”]; **E1/70.1** Transcript, 30 April 2012, Saloth Ban, 14.15.25 to 14.17.25 [“I just learned from Pang that ... Nuon Chea was responsible for, rather, appointment”]; **E3/413** TCW-586 OCIJ Statement, at ENG 00361013; **E3/108** Nuon Chea Interview, 10 June 2006, at ENG 00000932-33 [stating that he “re-educated” the bad cadre and “did not allow them to stay in their positions,” but made the mistake of failing “to control my lower cadre”]; **E3/26** Nuon Chea Interview, October 2006, at ENG 00329518 [asserting that cadre known to have committed crimes were “taken for re-education, criticism, or were punished”].

1739 **E1/102.1** Transcript, 6 August 2012, Suong Sikoeun, 14.15.34 [Nuon Chea and Pol Pot spoke at political education sessions conducted in Borei Keila “for the Party’s cadres starting from the chairman or the secretary of the district or sectors committee”]; **E1/96.1** Transcript, 25 July 2012, Phy Phoun, 14.31.11 [after liberation, Nuon Chea provided instruction at “Vihear Preah Keo”]; **E1/73.1**, Transcript, 17 May 2012, Pean Khean, 10.08.24 to 10.19.39 [Nuon Chea provided “high-level political education” at Borei Keila to “senior” cadres from the ministries and “sector level”]; **E3/83** Kaing Guek Eav OCIJ Statement, at ENG 00398163 [stating that Nuon Chea was responsible for “annual training sessions,” which included “political and psychological training and education on organizational matters”]; **E1/64.1** Transcript, 19 April 2012, Saut Toeung, 10.11.43 to 10.13.22; **E3/423** Saut Toeung OCIJ Statement, at ENG 00414594; **E1/215.1** Transcript 1 July 2013, Pech Chim, 11.18.58 to 11.31.01; **E3/401** Pech Chim OCIJ Statement, at ENG 00381028; **E3/69** TCW-91 OCIJ Statement, at ENG 00233152 [sessions attended by hundreds of participants]; **E1/124.1** Transcript, 20 September 2012, Chea Say, 10.17.55 to 10.30.29 [“political study sessions lasted at least three days; never one day” and were taught by Nuon Chea and Khieu Samphan, usually at Borei Keila], 10.57.44 to 11.01.30 [“most of the presentation was made by Nuon Chea”]; **E3/367** Sao Sarun OCIJ Statement, at ENG 00278694, KHM 00251437-38, FRE 00486010; **E1/82.1** Transcript, 6 June 2012, Sao Sarun, 09.54.40 to 10.00.00; **E3/421** Chhouk Rin OCIJ Statement, A4 at ENG 00414059 [“There were hundreds of people coming from all provinces ... between 1976 and 1977. The teachers were Pol Pot and Nuon Chea”]; **E1/181.1** Transcript, 22 April 2013, Chhouk Rin, 13.58.05 [“when I came to study sessions in Phnom Penh, I could also see Mr. Pol Pot and Nuon Chea”], 14.15.57 to 14.21.05; **E1/182.1** Transcript, 23 April 2013, Chhouk Rin, 09.30.00 to 09.33.06 [“I was attending study session attended by many people from across the country. ... we were lectured on the very rigorous political line of the CPK”], 10.55.26 to 11.05.19 [Nuon Chea was presenter at 1976 study session in Phnom Penh attended by 500 participants]; **E1/184.1** Transcript, 25 April 2013, Ruos Suy, 11.54.27 to 11.59.48, 13.36.38 to 13.42.46; **E3/469** Ruos Suy OCIJ Statement, at ENG 00205112-13; **E1/217.1** Transcript, 3 July 2013, Ek Hen, 11.37.13 to 11.39.40, 12.10.20, 14.10.31 to 14.12.11; **E3/474** Ek Hen

Statement, at ENG 00205049-50 [Nuon Chea “came to hold study meetings at Borei Keila for the workers,” with “about 500 people attending”]; **E1/113.1** Transcript, 23 August 2012, Em Oeun, 14.22.12 to 14.37.54; **E1/115.1** Transcript, 27 August 2012, Em Oeun, 09.52.37 to 09.54.59, 10.10.31 to 10.21.42, 11.02.47 to 11.14.22; **E3/1729** Em Oeun Civil Party Application at ENG 00751867; **E3/58** Kham Phan *alias* Phan Van OCIJ Statement, at ENG 00250091 [Nuon Chea and Pol Pot invited Party leaders to attend meetings at Borei Keila to “study about political lines”]; **E1/17.1** Transcript, 6 December 2011, Klan Fit, 14.01.00 to 14.10.46 [training course conducted by Nuon Chea in Phnom Penh after liberation to discuss building “structure of the country”]; **E1/24.1** Transcript, 10 January 2012, Klan Fit, 15.43.11 to 15.55.29; **E3/125** Klan Fit OCIJ Statement, A10 at ENG 00404465 [attended 2 meetings led by Nuon Chea in Borei Keila, including July 1975 meeting attended by “800 base cadres from the commune or higher level” which lasted 9 days]; **E3/374** TCW-601 OCIJ Statement, at ENG 00336533; **E1/111.1** Transcript, 21 August 2012, Kim Vun, 14.14.13 [discussing study sessions held at Borei Keila: “those who were in the upper authority, they -- it would last for months, but for those who were at the lower levels, it would last for two weeks or even one week”].

1740 **E1/215.1** Transcript 1 July 2013, Pech Chim, 11.18.58 to 11.31.01 [in late 1975, attended annual political training for district secretaries conducted by Nuon Chea at Borei Keila which lasted one month]; **E3/401** Pech Chim OCIJ Statement, at ENG 00381028, KHM 00373478, FRE 00426217 [former Tram Kak District Secretary states that he attended “training for all the district secretaries of the entire country” conducted by Nuon Chea in Phnom Penh]; **E1/64.1** Transcript, 19 April 2012, Saut Toeung, 10.11.43 to 10.13.22 [Nuon Chea conducted study sessions at Borei Keila “once every three or four months” attended by “people from various sectors”]; **E3/423** Saut Toeung OCIJ Statement, at ENG 00414594; **E3/69** Chea Say OCIJ Statement, at ENG 00233152 [some political education courses were “organized for only the chiefs”]; **E1/102.1** Transcript, 6 August 2012, Suong Sikoeun, 14.15.34; **E3/57** Kham Phan *alias* Phan Van OCIJ Statement, at ENG 00290506 [district and sector committees took turns going to K-3 for political study sessions]; **E1/82.1** Transcript, 6 June 2012, Sao Sarun, 09.54.40 to 10.00.00; **E1/84.1** Transcript, 11 June 2012, Sao Sarun, 09.34.22 to 09.37.54; **E3/367** Sao Sarun OCIJ Statement, at ENG 00278694, 00278696 [received telegrams from Nuon Chea about “going to study in the educational/learning sessions”]; **E3/1568** Statement, at ENG 00651868-70 [from 1975-77, attended “school for the secretary of all districts throughout the country” held in November each year at Borei Keila]; **E3/2470** Personal Biography of Bou Phat *alias* Hang, 5 January 1978, at ENG 00768225 [“When I came to attend the 1st training at the Party’s school this year before the training in Borei Keila”].

1741 **E3/5748** Kaing Guek Eav OCIJ Statement, at ENG 00153571; **E3/429** Kaing Guek Eav OCIJ Statement, at ENG 00403923 [participants included Duch, Ieng Thirith and Yun Yat, and the subjects instructed by Pol Pot and Nuon Chea included the “12 principles of revolutionary morals”].

1742 **E3/1189** Telegram from Laing to Beloved and Missed Two Brothers, 12 October 1976 [telegram sent to “Brother Nuon” regarding “opening of Party School”]; **E3/1102** Telegram from Laing *alias* Chhan, 20 October 1976 [telegram copied to “Brother Nuon” stating: “We have received the Angkar telegram, which invites our brothers and sisters to attend the training sessions to be held from 26 to 27 October 1976”]; **E3/1103** Telegram from Laing *alias* Chhan to Comrade Doeun, 7 November 1976 [telegram copied to “Brother Nuon” requesting to have Sector youth “participate in the upcoming course at the party’s school”]; **E3/1195** Telegram from Laing to Pang, 25 November 1976 [telegram copied to “Brother Nuon” discussing participation of Sector 105 cadres in various courses].

1743 **E3/423** Saut Toeung OCIJ Statement, A169 at ENG 00414606 [Nuon Chea talked about “traitors” at study sessions]; **E1/64.1**, Transcript, 19 April 2012, Saut Toeung, 10.16.12 to 10.19.13 [Nuon Chea “educated us to protect ourselves from the enemy”]; **E1/215.1** Transcript 1 July 2013, Pech Chim, 11.29.35 to 11.31.01; **E1/217.1** Transcript, 3 July 2013, Ek Hen, 11.37.13 to 11.45.52; **E3/474** Ek Hen OCIJ Statement, at ENG 00205049-50; **E1/184.1** Transcript, 25 April 2013, Ruos Suy, 11.54.27 to 11.59.48 [confirming that Nuon Chea “used to describe – to mention traitors”], 13.36.38 to 13.42.46 [Nuon Chea discussed “monitoring of the network of traitors” and taught “who were the traitors, which string and level were arrested” and that “we must keep an eye on ... strings that had infiltrated in us”]; **E3/469** Ruos Suy OCIJ Statement, at ENG 00205112-13; **E1/113.1** Transcript, 23 August 2012, Em Oeun, 14.35.53 to 14.37.54 [Nuon Chea talked about “finding individuals who burrow within the Party” and “people who were opposing the Party,” referring to “soldiers in the previous regimes”]; **E1/115.1** Transcript, 27 August 2012, Em Oeun, 11.08.28 to 11.14.22 [Nuon Chea identified Koy Thuon, Keo Meas and Chan Chakrey as traitors, and “we were told not to follow the footsteps of those individuals. Otherwise, we also would be – end up being executed”], 11.18.00 to 11.20.30 [Nuon Chea talked about “spy networks” including CIA, KGB and “Yuan agents”]; **E3/1729** Em Oeun Civil Party Application at ENG 00751867; **E3/69** Chea Say OCIJ Statement, at ENG 00233152 [cadre instructed by Nuon Chea and Khieu Samphan on “preventing the hidden enemy” and told to “watch the activities of one another”];

E1/182.1 Transcript, 23 April 2013, Chhouk Rin, 10.59.45 to 11.05.19 [subjects at study sessions included “elimination of the enemy, burrowing from within”], 14.14.04 to 14.23.34 [Nuon Chea lectured about “the purge of the enemy” at study session attended by witness]; **E3/421** Chhouk Rin OCII Statement, A4 at ENG 00414059 [Nuon Chea “taught how to follow the enemy’s trail and when we found one enemy we had to cleanse that enemy”].

1744 **E3/474** Ek Hen OCII Statement, at ENG 00205049-50 [at study session, Nuon Chea discussed “striving to work [to keep] up with the plans”]; **E3/401** Pech Chim OCII Statement, at ENG 00381028 [district secretaries instructed by Nuon Chea on how “to control the people properly”]; **E1/73.1**, Transcript, 17 May 2012, Pean Khean, 10.16.41 to 10.19.39 [instructed on political line to “rebuild the country” and to “encourage the people and the popular masses to build canals and dams to ensure that the country can prosper quickly”]; **E3/367** Sao Sarun OCII Statement, at ENG 00278694, KHM 00251437-38, FRE 00486010 [attended meeting at Borei Keila at which “Nuon Chea gave the presentations on economic lines”]; **E1/82.1** Transcript, 6 June 2012, Sao Sarun, 09.54.40 to 10.00.00; **E1/124.1** Transcript, 20 September 2012, Chea Say, 10.17.55 to 10.20.32 [“the main theme would be on working hard ... working hard to build the country”], 10.26.16 to 10.28.17 [Nuon Chea focused on “strengthening or working hard”]; **E1/182.1** Transcript, 23 April 2013, Chhouk Rin, 09.30.00 to 09.33.06 [Nuon Chea provided instruction on growing rice, and CPK “made it very clear about how they controlled the population”]; **E3/421** Chhouk Rin OCII Statement, A4 at ENG 00414059 [Nuon Chea “talked about management of agricultural system with the requirement of producing 3 tons of rice per hectare”]; **E1/113.1** Transcript, 23 August 2012, Em Oeun, 14.22.12 to 14.35.53 [political training sessions discussed falling “in line” with the Party’s “great leap forward” policy to “transform the country ... to a communist country”].

1745 **E1/217.1** Transcript, 3 July 2013, Ek Hen, 11.45.52; **E3/474** Ek Hen OCII Statement, at ENG 00205049-50 [study session led by Nuon Chea discussed “defending the territory so the Yuon would not invade”]; **E1/73.1**, Transcript, 17 May 2012, Pean Khean, 10.16.41 to 10.19.39 [subject of “national defence” and political line “to defend the country:” “we were educated to protect our country from any outside intrusion”]; **E1/24.1** Transcript, 10 January 2012, Klan Fit, 15.43.11 to 15.55.29 [educated by Nuon Chea to take a firm stance “to protect our country”]; **E3/125** TCCP-185 OCII Statement, A10 at ENG 00404465 [Nuon Chea discussed being “our own masters” and protecting country during July 1975 meeting at Borei Keila attended by 800 base cadres]; **E3/374** TCW-601 OCII Statement, at ENG 00336533 [attended study course in Phnom Penh in late 1978 at which Nuon Chea instructed 200 cooperative chiefs to collect forces “in order to fight against the Vietnamese”].

1746 **E1/217.1** Transcript, 3 July 2013, Ek Hen, 11.37.13 to 11.43.46 [“I just heard that he referred to people being traitors in the North Zone, and that Koy Khuon was a traitor”], 11.43.46 to 11.45.52 [“He gave us advice and he said, if we knew that we were affiliated with these networks, we had to be mindful and then stop our association with them before it’s too late”]; **E3/474** Ek Hen Statement, at ENG 00205049-50 [Nuon Chea discussed “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”]; **E1/184.1** Transcript, 25 April 2013, Ruos Suy, 11.54.27 to 11.59.48, 14.27.30 to 14.32.20, 15.39.08 to 15.46.20 [confirming “vivid memory” that tape recording of Koy Thuon confession was played by Nuon Chea at study session]; **E3/469** Ruos Suy OCII Statement, at ENG 00205112-13, KHM 00172052, FRE 00524390; **E1/115.1** Transcript, 27 August 2012, Em Oeun, 11.08.28 to 11.14.22.

1747 **E1/184.1** Transcript, 25 April 2013, Ruos Suy, 11.56.55 to 11.59.48.

1748 **E1/124.1** Transcript, 20 September 2012, Chea Say, 10.28.17 to 10.30.29.

1749 **E1/215.1** Transcript 1 July 2013, Pech Chim, 11.18.58 to 11.25.29.

1750 **E1/215.1** Transcript 1 July 2013, Pech Chim, 11.23.08 to 11.31.01.

1751 **E1/215.1** Transcript 1 July 2013, Pech Chim, 11.29.35 to 11.31.01.

1752 **E3/83** Kaing Guek Eav OCII Statement, at ENG 00398162-63. *See also* **E3/39** Ieng Thirith Statement, Pre-Trial Chamber Appeal Hearing, 24 February 2009, at ENG 00293071-75 [stating that Nuon Chea ordered the arrest and execution of MSA students].

1753 **E1/27.1** Transcript, 1 October 2012, Khiev En, 11.02.46 to 11.15.12, 11.44.01 to 11.50.48 [describing Nuon Chea’s visits to Ministry of Propaganda, where he had a “separate workplace” and documents were delivered to him, and periods he “came to take charge of Office K-33”]; **E3/438** Khiev En OCII Statement, at ENG 00375873-74, KHM 00373434, FRE 00426431; **E1/112.1** Transcript, 22 August 2012, Kim Vun, 10.58.17 to 11.00.30, 13.50.30 to 13.55.07 [Nuon Chea was involved in “administering the day-to-day work” and “came most often” to Ministry of Propaganda when Yun Yat not present, and was responsible for “education program on agriculture”]; **E3/381** Kim Vun OCII Statement, at ENG 00365529; **E1/52.1** Transcript, 12 December 2012, Kham Phan, 10.04.00 to 10.10.40; **E3/447** Kham Phan *alias* Phan Van OCII Statement, at ENG 00486512, 00486516 [driver of Ieng Thirith states that she met with Nuon Chea 2 or 3 times each month at his office at K-3]; **E3/57** Kham Phan *alias* Phan Van OCII

Statement, at ENG 00290509 [“My daily work was to drive Ieng Thirith to visit hospitals and to K-3 to meet with Ta Khieu Samphan *alias* Hem and Nuon Chea”].

1754 **E3/225** CPK Standing Committee Meeting Minutes entitled “Propaganda Works,” 1 June 1976, at ENG 00182718 [comments of “Comrade Deputy Secretary” appear first in Section II, the “Instructional Comments from the Standing Committee”].

1755 **E3/165** DK People’s Representative Assembly Minutes, 11-13 April 1976, at ENG 00184068, 00184071; **E3/274** FBIS, *Results of National Assembly Elections Announced*, 22 March 1976, at ENG 00167985-89, KHM 00896377-87, FRE 00700110-12.

1756 **E3/259** DK Constitution, 6 January 1976, at ENG 00184835 (Articles 5-7).

1757 **E3/274** FBIS, *Results of National Assembly Elections Announced*, 22 March 1976, at ENG 00167985-86 [results broadcast on Phnom Penh Domestic Service radio at 23:00 GMT on 21 March 1976].

1758 **E3/165** DK People’s Representative Assembly Minutes, 11-13 April 1976, at ENG 00184073. *See also* **E3/54** Nuon Chea OCIJ Initial Appearance, at ENG 00148817, KHM 00148744, FRE 00148921 [“I was Deputy Secretary of the Party and President of the Assembly”]; **E3/121** Nuon Chea OCIJ Statement, at ENG 00148827 [stating that he was President of the People’s Assembly]; **E3/199** Statement of Nuon Chea in DK publication entitled “Speech of Nuon Chea at the Banquet given in honour of the Delegation of PRA Kampuchea” in Peking, China, 3 September 1978, at ENG 00065911.

1759 **E3/182** CPK Standing Committee Minutes, 9 October 1975, at ENG 00183393-94; **E3/12** Central Committee Decision Regarding a Number of Matters, 30 March 1976, at ENG 00182812-14.

1760 **E3/12** Central Committee Decision Regarding a Number of Matters, 30 March 1976, at ENG 00182813 [“The true nature of our state organizations at this time is different from before. ... They are the state organizations totally of our Party”], at ENG 00182814 [“The Government: Must be totally an organization of the Party”]; **E3/818** Council of Ministers First Meeting Minutes (Presentation of the Comrade Party Secretary), 22 April 1976, at ENG 00143461 [“The true nature of our new government is that of ... pure Communist Party of Kampuchea”]; **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156749 [“Democratic Kampuchea was a communist regime and it was not very different from other communist regimes...the party leads the state”]; **E1/121.1** Transcript, 4 September 2012, Norng Sophang, 09.54.14 to 09.56.34 [“According to the experience living through the Democratic Kampuchea regime, everything was managed by the Party, so Party was the supreme body with the highest authority”]; **E3/67** Norng Sophang OCIJ Statement, at ENG 00483968-69 [“everything was under the leadership of the Party,” including the State/Government and the People’s Assembly].

1761 **E3/12** Central Committee Decision Regarding a Number of Matters, 30 March 1976, at ENG 00182813-14.

1762 **E1/158.1** Transcript, 10 January 2013, Ung Ren, 10.25.43 to 10.28.28 [in Stung Treng province, “there was no meeting or election held there. The work was decided in a meeting, and then the instructions would be relayed in the announcement ... I did not see any gathering”]; **E1/34.1** Transcript, 26 January 2012, Prak Yut, 14.11.35 to 14.13.06 [no knowledge of election and did not see any people voting in Kampot]; **E3/163** Prak Yut OCIJ Statement, at ENG 00364085 [testimony of named PRA representative that “[t]here was no election” and that she was informed she had been selected as an Assembly member by the local District Secretary]; **E3/390** [REDACTED] Statement, at ENG 00436873 [“Each centre had only one ballot, for instance me, Mat Ly. So they called in the people to vote, saying, if they were dissatisfied, to erase it ... if any of the people dared to strike out the name they were standing and watching”]; **E1/222.1** Transcript, 11 July 2013, Stephen Heder, 15.09.27 to 15.15.05; **E1/54.1** Transcript, 27 March 2012, Kaing Guek Eav, 13.51.47 to 13.55.29 [“there was only one polling station” in Phnom Penh and “no election in other locations”].

1763 **E3/232** CPK Standing Committee Meeting Minutes entitled “Base Work,” 8 March 1976, at ENG 00182630, KHM 00017118, FRE 00323933 [section I.2.D].

1764 **E3/274** FBIS, *Results of National Assembly Elections Announced*, 21 March 1976, at ENG 00167987 [Prak Yut listed as “Seng Yut,” No. 1 on “Representatives of Southwestern Region Peasants”], at ENG 00167989 [“Ung Ren” is No. 25 on the list of “Representatives of the Cambodian Revolutionary Army”].

1765 **E1/158.1** Transcript, 10 January 2013, Ung Ren, 10.54.39 to 10.58.54 [“I only learned that my name was included because my division commander told me that”]; **E1/34.1** Transcript, 26 January 2012, Prak Yut, 14.09.40 to 14.11.35 [told by District Secretary Ta Noy “that I was about to become a people representative ... But this is what I was told, I never worked as a representative of the people”].

1766 **E1/158.1** Transcript, 10 January 2013, Ung Ren, 10.25.43 [“But after, we were never called to attend any meeting”], 10.28.28 [never “presented with any legislation”], 10.56.24 [“Despite having my name included in that Assembly, I was never called to attend any meeting”]; **E1/34.1** Transcript, 26 January 2012, Prak Yut, 14.09.40 to 14.11.35 [“I never worked as a representative of the people ... I never attended any meetings”], 14.14.15 to 14.17.09 [confirms that she never was invited to attend PRA

meetings, not notified of any proposed legislation, and “never voted” on any legislation]; **E3/163** Prak Yut OCIJ Statement, at ENG 00364085. *See also* **E3/390** [REDACTED] Statement, at ENG 00436873-74 [“what did we discuss in that meeting – nothing. They just read it out and we raised our hands...lasted just two hours...they announced on the radio that the Assembly had for 3 days busily discussed in detail the laws”]; **E1/222.1** Transcript, 11 July 2013, Stephen Heder, 15.15.05 to 15.19.55.

1767 **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757493, KHM 00858245, FRE 00849372. *See also* **E1/91.1** Transcript, 18 July 2012, David Chandler, 10.22.55 [stating that the “work of Nuon Chea with the assembly” was “not a major part of his work during the DK regime,” because the assembly was never reconvened after its formation]; **E1/121.1** Transcript, 4 September 2012, Nong Sophang, 11.00.08 [there was “only one time that Nuon Chea sent a message for members to convene the Assembly”]; **E1/54.1** Transcript, 27 March 2012, Kaing Guek Eav, 13.55.29 [stating that PRA was “symbolic,” “had no activities” and only met once, after which “every now and then we could see that the members were gradually arrested and sent to S-21”].

1768 **E1/192.1** Transcript, 9 May 2013, Philip Short, 11.59.19 to 12.00.18.

1769 **E3/558** Nuon Chea OCIJ Adversarial Hearing, 19 September 2007, at ENG 00148699, KHM 00148677, FRE 00148715 [“The Military Committee had the task of national defence and purging internal enemies. As for me, I was on the legislative side”]; **E3/54** Nuon Chea OCIJ Initial Appearance, 19 September 2007, at ENG 00148817 [“As for myself, after the liberation, I was in the legislative body, so I was not involved with the executive. ... So I was not involved in anything related to these charges”]; **E1/23.1** Transcript, 15 December 2011, Nuon Chea, 10.46.10 [asserting that the review of biographies and questioning of cadres regarding political tendencies was “not my job because I was in the legislation, and the interrogation was part of the administration job”].

1770 **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757560, KHM 00858404, FRE 00849479.

1771 **E3/280** FBIS, *Pol Pot Takes ‘Temporary’ Leave From Post*, 27 September 1976, at ENG 00168118 [broadcast on Phnom Penh Domestic Service at 23:00 GMT 26 September 1976]; **E3/192** SWB, *Pol Pot’s Temporary Sick Leave from Premiership*, 27 September 1976, at ENG S 00003883, FRE S 00632833, KHM S 00662004; **E1/51.1** Transcript, 20 March 2012, Kaing Guek Eav, 09.37.06 to 09.40.02 [“When Pol Pot was on leave, then there was an announcement in the radios that Nuon Chea was the acting prime minister; that’s what I heard at that time”]; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417626 [“time of the public announcement that Pol Pot was ill ... Nuon Chea replaced him”].

1772 **E3/281** FBIS, *Nuon Chea Receives Albanian Ambassador*, 17 October 1976, at ENG 00168071 [referring to Nuon Chea as “acting prime minister of the Government of Democratic Cambodia”]; **E3/269** Democratic Kampuchea News Bulletin No. 14/76, 11 November 1976, at ENG 00525825, KHM 00597037, FRE 00389125 [report that “interim Prime Minister” Nuon Chea received Albanian Ambassador Dhimiter Stamo on 17 October 1976]; **E3/147** FBIS, *Nuon Chea Speaks on Cambodian Army Anniversary*, 17 January 1977, at ENG 00168465-70, KHM 00679792-802, FRE 00698444-50 [Phnom Penh Domestic Service radio broadcast of speech by “acting prime minister” Nuon Chea on occasion of RAK 9th anniversary]; **E3/191** SWB, *Nuon Chea’s Speech at Army Anniversary Meeting*, 17 January 1977, at ENG S 00004073-76, KHM 00649940-47, FRE 00623110-13 [BBC-SWB report of radio broadcast of speech by “acting Premier” Nuon Chea]; **E3/544** Peking Review, *9th Anniversary of Founding of Revolutionary Army*, 28 January 1977, at ENG S 00005866, KHM S 00807441, FRE S 00802372 [describing speech given by “Acting Prime Minister” Nuon Chea on the history of the RAK]; **E3/485** Report from French Ambassador to China, 24 January 1977, at ENG 00519825, FRE 00391070, KHM 00524036 [describing visit of Chinese delegation to Cambodia and stating that Nuon Chea “is still interim Prime Minister in the absence of Pol Pot who is, from all indications, ill”]; **E3/285** FBIS, *Khieu Samphan, Nuon Chea Greet Pakistani National Day*, 22 March 1977, at ENG 00168531, FRE 00741948, KHM 00699188-89 [message from State Presidium Chairman Khieu Samphan and “Acting Prime Minister” Nuon Chea to Pakistan President and Prime Minister]; **E3/285** FBIS, *Nuon Chea Congratulates India’s Desai*, 25 March 1977, at ENG 00168541, KHM 00897511 [message of congratulations from “Acting Prime Minister” Nuon Chea to new Prime Minister of India]; **E3/285** FBIS, *Nuon Chea Greets Pakistan’s Bhutto on Re-election*, 28 March 1977, at ENG 00168543, KHM 00897512 [message of congratulations from “Acting Prime Minister” Nuon Chea to Prime Minister of Pakistan]; **E3/286** FBIS, *Acting Premier Greets Burmese Counterpart on Election*, 30 March 1977, at ENG 00168192, FRE 00896374, KHM 00899399 [message of congratulations from “Acting Prime Minister” Nuon Chea to new Prime Minister of Burma]; **E3/263** SWB, *Cambodian Acting Premier’s Message to Burmese Premier*, 1 April 1977, at ENG S 00004143, FRE 00622993, KHM 00291033 [noting that “Nuon Chea was appointed Acting Premier on 27th September 1976 because of the ill-health of Premier Pol Pot”]; **E3/1245** *Nouvelles du Kampuchea Democratique*, Telex Message from Nuon Chea to Maung Maung Ka,

30 March 1977, at ENG 00484193, FRE S 00006771, KHM 00641725 [message of congratulations from “Acting Prime Minister” Nuon Chea to new Prime Minister of Burma, published by the Voice of Democratic Kampuchea]; **E3/286** FBIS, *Bulgarian Leaders’ Message*, 17 April 1977, at ENG 00168222, FRE 00896374, KHM 00899400 [message of congratulations from Bulgarian leaders to State Presidium Chairman Khieu Samphan and “Acting Prime Minister” Nuon Chea on occasion of 2nd DK anniversary]; **E3/286** FBIS, *Bhutto’s Message*, 18 April 1977, at ENG 00168232, FRE 00896375-76, KHM 00899401-02 [message of congratulations from Pakistan Prime Minister Bhutto to “acting prime minister” Nuon Chea]; **E3/286** FBIS, *Yugoslavia’s Djuranovic*, 20 April 1977, at ENG 00168231, FRE 00896375, KHM 00899401 [message of congratulations from Yugoslavia president to “acting prime minister” Nuon Chea]; **E3/287** FBIS, *Leaders Greet Vietnamese on Victory Anniversary*, 3 May 1977, at ENG 00168121-22, FRE 00698451-52, KHM 00679826-28 [message of greetings from State Presidium President Khieu Samphan and “Acting Prime Minister” Nuon Chea to SRV leaders]; **E3/287** FBIS, *Khieu Samphan, Nuon Chea Greet Sri Lanka Leaders*, 21 May 1977, at ENG 00168151, FRE 00698466, KHM 00679849-50 [message of congratulations from State Presidium Chairman Khieu Samphan and “Acting Prime Minister” Nuon Chea to President and Prime Minister of Sri Lanka on occasion of their national day]; **E3/2677** French Ministry of Foreign Affairs Circular Note No. 210, 5 July 1977, at ENG 00751818-19, FRE 00389459, KHM 00810725-26 [“Since September 1976, Mr. Nuon Chea has been standing in for Pol Pot”]; **E3/143** FBIS, *Nuon Chea Greets Malaysian Leader on National Day*, 30 August 1977, at ENG 00168724, KHM 00904132 [message of congratulations from “Acting Prime Minister” Nuon Chea to Prime Minister of Malaysia]; **E3/143** FBIS, *Cambodian Leaders Greet SRV Leaders on National Day*, 2 September 1977, at ENG 00168727-28, KHM 00904133-34 [message of greetings from State Presidium Chairman Khieu Samphan and “Acting Prime Minister” Nuon Chea to SRV leaders on occasion of SRV 32nd anniversary]; **E3/1403** SWB, *End of Burmese Government Delegation’s Visit to Cambodia*, 3 September 1977, at ENG S 00007907, FRE S 00743144, KHM S 00687041 [DK radio broadcast that “Acting Premier” Nuon Chea received visiting delegation from Burma on 2 September 1977]; **E3/143** FBIS, *Nuon Chea Hla Phone Meeting*, 2 September 1977, at ENG 00168729, KHM 00904135 [report that “acting prime minister” Nuon Chea received Burmese delegation led by U Hla Phone]; **E3/143** FBIS, *Burmese Foreign Minister Concludes Visit – Hla Phone Speech*, 2 September 1977, at ENG 00168729-30, KHM 00904137-38 [speech by Burmese Foreign Minister U Hla Phone referring to his meeting with “acting Prime Minister Nuon Chea”]; **E3/143** FBIS, *Khieu Samphan-Nuon Chea Message*, 8 September 1977, at ENG 00168738-39, FRE 00687146-48, KHM 00658446-48 [message of greetings from State Presidium Chairman Khieu Samphan and “Acting Prime Minister” Nuon Chea to DPRK President Kim Il-song on occasion of 29th anniversary of the DPRK]; **E3/486** Report from French Embassy in Thailand to Minister of Foreign Affairs, 29 September 1977, at ENG 00658709, FRE 00391083, KHM 00634831 [report of Pol Pot’s “re-emergence” in trip to China, noting that Nuon Chea “took over as acting prime minister” during Pol Pot’s extended absence since 26 September 1976].

1773 **E3/281** FBIS, *Leaders’ Message Congratulates Hua Kuo-feng*, 25 October 1976, at ENG 00168073 [“message from Democratic Cambodian State Presidium Chairman Khieu Samphan, Cambodian People’s Representative Assembly Standing Committee Chairman Nuon Chea and Prime Minister Pol Pot”]; **E3/282** FBIS, *Government Leaders Greet Albanian Anniversary*, 28 November 1976, at ENG 00168045-46 [“message from President Khieu Samphan, People’s Assembly Chairman Nuon Chea and Prime Minister Pol Pot”]; **E3/283** FBIS, *Radio Details DPRK Army Troupe’s 16-30 Nov Tour*, 1 December 1976, at ENG 00167721; **E3/283** FBIS, *Cambodian Leaders Greet Lao Counterparts on National Day*, 1 December 1976, at ENG 00167724; **E3/283** FBIS, *Leaders Congratulate Castro, Roca on Appointments*, 7 December 1976, at ENG 00167732.

1774 **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417626, FRE 00332707, KHM 00062487 [“time of the public announcement that Pol Pot was ill ... He was not sick...he really did have a crisis ... So then I, the First Deputy Prime Minister had to go up to replace him, but no, Nuon Chea replaced him”]; **E3/86** DNUM Statement entitled “The True Fact About Pol Pot’s Dictatorial Regime,” 8 September 1996, at ENG 00081215, FRE 00614094, KHM 00224431 [Ieng Sary DNUM statement that “it was Nuon Chea, the personality No. 2 in the Party and then President of the National Assembly who was designated by Pol Pot to replace him as Prime Minister ad interim” in 1976].

1775 **E3/147** FBIS, *Nuon Chea Speaks on Cambodian Army Anniversary*, 17 January 1977, at ENG 00168465-70, KHM 00679792-802, FRE 00698444-50 [Phnom Penh Domestic Service radio broadcast of speech by “acting prime minister” Nuon Chea at “16 January ‘mass rally’ in Phnom Penh marking ninth anniversary of Cambodian Revolutionary Army”]; **E3/191** SWB, *Nuon Chea’s Speech at Army Anniversary Meeting*, 17 January 1977, at ENG S 00004073-76, KHM 00649940-47, FRE 00623110-13 [BBC-SWB report of radio broadcast of speech by “acting Premier” Nuon Chea at “16th January meeting marking the Cambodian Revolutionary Army anniversary”]; **E3/544** Peking Review, 9th Anniversary of

Founding of Revolutionary Army, 28 January 1977, at ENG S 00005866, KHM S 00807441, FRE S 00802372 [describing speech given by “Acting Prime Minister” Nuon Chea on the history of the RAK and its “future militant tasks”]. *See also* **E3/744** *Revolutionary Flag*, February 1978, at ENG 00464051 [one year later, speech marking the “10th anniversary of the birth of the Revolutionary Army” was given by the “Comrade Secretary of the Communist Party of Kampuchea”].

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E3/130 CPK Statute, Article 27.

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E1/189.1 Transcript, 6 May 2013, Philip Short, 13.39.07 to 13.43.43, 14.16.24 [“the Army was absolutely subordinated to the Party. And it was the Party which took the decisions which the military implemented”]; **E1/55.1** Transcript, 28 March 2012, Kaing Guek Eav, 11.21.52 [“The general staff was under the supervision of the Central Committee, so the report had to be filed or made to the Secretary of the Party and deputy secretary of the Party, who were Pol Pot and Nuon Chea”]; **E1/60.1** Transcript, 5 April 2012, Kaing Guek Eav, 10.20.44 to 10.22.55 [“Those who were in control of the army, according to the Party Statute and the real practice, the supreme persons were Pol Pot and Nuon Chea”]; **E1/91.1** Transcript, 18 July 2012, David Chandler, 10.22.55 to 10.24.47 [“I don’t think any major activities of the Revolutionary Army were outside the purview of the Party or were unknown to the Party”].

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See, e.g., **E3/182** CPK Standing Committee Meeting Minutes, 9 October 1975, at ENG 00183396-401 [“Setting up the General Staff,” “organiz[ing] the new Army, Navy, Air Force,” deployment of forces in Ratanakiri and Mondulakiri, construction of “weapons production factory,” use of radar by Air Force]; **E3/229** CPK Standing Committee Minutes of Meeting on “National Defence Matters,” 22 February 1976; **E3/232** CPK Standing Committee Minutes of “Meeting on Base Work,” 8 March 1976; **E3/218** CPK Standing Committee Minutes of Meeting on “Results of Negotiations with Vietnam regarding the Eastern Border,” 26 March 1976.

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See, e.g., **E3/12** Decision of the Central Committee Regarding a Number of Matters, 30 March 1976, at ENG 00182809 [addressing the “right to smash, inside and outside the ranks”]; **E3/763** CPK Circular titled “Guidance of the Central Committee of the Communist Party of Kampuchea on the Party’s Policy towards Misled Persons Who Have Joined the CIA, Served as Yu-on Agents or Joined the KGB and Opposed the Party, Revolution, People and Democratic Kampuchea,” 20 June 1978.

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E3/232 CPK Standing Committee Minutes of “Meeting on Base Work,” 8 March 1976.

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E3/232 CPK Standing Committee Minutes of “Meeting on Base Work,” 8 March 1976, section II.1.

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E3/232 CPK Standing Committee Minutes of “Meeting on Base Work,” 8 March 1976, section III.1.

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E3/453 Kaing Guek Eav OCIJ Statement, at ENG 00147583 [indicating that decisions to arrest Central Committee members were taken by the whole Standing Committee]; **E3/5799** Case 001 Trial Transcript, Kaing Guek Eav, 15 June 2009, 9.57.30 to 10.00.45 [describing practices pursuant to which the “Standing Committee made the decision to arrest,” including decisions to arrest “key people”]; **E1/58.1** Transcript, 3 April 2012, Kaing Guek Eav, 09.33.00 [“the Standing Committee of the Party, in which there was Son Sen and Nuon Chea, was to decide what to do with the confessions ...once he received the confessions, he decided that those people were to be smashed”]; **E1/54.1** Transcript, 27 March 2012, Kaing Guek Eav, 15.04.54 to 15.05.59 [decision to arrest Sector 24 Secretary Chhouk “was decided in that Standing Committee meeting”]; **E1/62.1** Transcript, 10 April 2012, Kaing Guek Eav, 09.52.52 to 09.55.58, 11.37.45 to 11.43.50 [told by Pang that Khieu Samphan participated in Standing Committee meeting deciding to arrest Chou Chet]. *See also* **E3/426** TCW-398 OCIJ Statement, at ENG 00346072 [stating that Son Sen reported to the Party Centre, who approved decisions “to arrest the implicated cadre”].

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E152.1.27.1 Khieu Samphan Interview, at ENG 00792450 (transcript of video **E152.1.27R**); **E152.1.38.1** Khieu Samphan Interview, at ENG 00789052 (transcript of video **E152.1.38R**) [“the Standing Committee decided to arrest Chan Chakrei”]; **E1/54.1** Transcript, 27 March 2012, Kaing Guek Eav, 15.04.54 to 15.05.59; **E1/61.1** Transcript, 9 April 2012, Kaing Guek Eav, 09.47.56 to 09.52.03 [learned of Standing Committee decision to arrest Chhouk through his “superior Son Sen”]; **E3/61** Kaing Guek Eav OCIJ Statement, at ENG 00195577-78; **E3/5790** Kaing Guek Eav OCIJ Statement, at ENG 00414345. *See also* **E3/2990** S-21 Confession of Suos Neou *alias* Chhouk, 15 September 1976, at ENG 00325197 [statement of Chhouk addressed to the “Standing Committee of the Party Centre”].

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E3/1550 Letter from Hu Nim *alias* Phoas, 10 April 1977 at KHM 00008923, ENG 00249844-45, FRE 00766902 [letter also indicates that Hu Nim was arrested when “Pang called me on the phone to work with Angkar”]. *See also* **E3/1154** Letter from Kol to Bang Pol, Bang Nuon and Bang Phim, 15 March 1977 [“implicated” cadre writing directly to Pol Pot, Nuon Chea and Sao Phim to assert that he was “not involved with the enemy betraying the Party”].

1786

E3/1870 Note from Pon to Chey Suon *alias* Non Suon, 15 November 1976, at ENG 00096849.

1787

E3/216 Record of Standing Committee’s Visit to the Northwest Zone, 20-24 August 1975, at ENG 00850977.

1788

E3/218 CPK Standing Committee Minutes of Meeting on “Results of Negotiations with Vietnam

regarding the Eastern Border,” 26 March 1976, at ENG 00182656-57.

1789 **E3/229** CPK Standing Committee Minutes of Meeting on “National Defence Matters,” 22 February 1976, at ENG 00182627; **E3/235** Summary of Decisions of the Standing Committee, 19-21 April 1976, at ENG 00183419. *See also* **E3/374** OCIJ Statement, at ENG 00336533 [in late 1978, Nuon Chea instructed 200 cooperative chiefs to collect forces “in order to fight against the Vietnamese”].

1790 **E3/94** Ieng Sary Interview, 22 July 1981, at ENG 00342501-02, KHM 00578895, FRE 00602000 [stating that “Pol Pot, Nuon Chea, So Phim and Son Sen” were in “charge of security”]; **E3/93** Ieng Sary Interview, 28 August 1996, at ENG 00078610, KHM 00224443, FRE 00347376 [“there was a committee which considered all questions about security, which comprised four people: Pol Pot, Nuon Chea, Son Sen, and Son Sen’s advisor Yun Yat”]; **E3/86** DNUM Statement entitled “The True Facts about Pol Pot’s Dictatorial Regime,” 8 September 1996, at ENG 00081215, KHM 00224430, FRE 00614094 [“Secret Security Committee” composed of “Pol Pot, Nuon Chea, Son Sen, Yun Yat who decided all the killings and massacres”]; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417606-08, 00417633; **E3/190** Ieng Sary Statement, at ENG 00081571; **E1/61.1** Transcript, 9 April 2012, Kaing Guek Eav, 14.20.02 to 14.22.23 [confirming prior statement that “amongst the 7 members of the Standing Committee, three were responsible for security: Pol Pot, Nuon Chea and Son Sen”]; **E3/456** Kaing Guek Eav OCIJ Statement, at ENG 00198883; **E3/83** Kaing Guek Eav OCIJ Statement, at ENG 00398166 [stating that Nuon Chea was Deputy Secretary of the Military Committee and giving example of his knowledge of confidential military affairs]; **E1/189.1** Transcript, 6 May 2013, Philip Short, 11.57.24 to 11.59.51 [“Security Committee composed of Son Sen, Pol Pot and Nuon Chea”]; **E3/3709** Vietnam Courier, *NUFK and RGNU Reinforced*, 3 April 1972 [Nuon Chea appointed “Head of Political Leadership of the Army”]; **E3/1714** Stephen Heder & Masato Matsushita, *Interviews with Kampuchean Refugees at Thai-Cambodia Border*, February-March 1980, at ENG 00170748, KHM 00324762-63, FRE 00649010-11 [CPK military offensive against Phnom Penh was “under the control of the Central Committee Military Committee, Pol Pot and Nuon Chea” with Son Sen “responsible for setting up the battlefield”].

1791 **E3/94** Ieng Sary Interview, 22 July 1981, at ENG 00342501-02, KHM 00578895, FRE 00602000.

1792 **E3/558** Nuon Chea OCIJ Statement, at ENG 00148699; **E1/22.1** Transcript, 14 December 2011, Nuon Chea, 10.47.51 to 10.50.10 [“the evacuation was under the control of the military. For example, the evacuation of Phnom Penh; for that evacuation, there was a military committee who were taking care of that”].

1793 **E1/36.1** Transcript, 31 January 2012, Nuon Chea, 11.01.34 to 11.04.00 [“Pol Pot was in charge of the military committee and I was in charge of education”]; **E1/41.1** Transcript, 9 February 2012, Nuon Chea, 10.14.14 to 10.17.06 [“I was not in the Military Committee; I was at the Assembly. So I was the President of the State Presidium. How could I involve in the military affairs?”].

1794 **E3/94** Ieng Sary Interview, 22 July 1981, at ENG 00342501-02, KHM 00578895, FRE 00602000; **E3/93** Ieng Sary Interview, 28 August 1996, at ENG 00078610, KHM 00224443, FRE 00347376; **E3/86** DNUM Statement entitled “The True Facts about Pol Pot’s Dictatorial Regime,” 8 September 1996, at ENG 00081215, KHM 00224430, FRE 00614094; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417606-08, 00417633; **E3/190** Ieng Sary Statement, at ENG 00081571.

1795 **E1/61.1** Transcript, 9 April 2012, Kaing Guek Eav, 14.20.02 to 14.22.23; **E3/456** Kaing Guek Eav OCIJ Statement, at ENG 00198883; **E3/83** Kaing Guek Eav OCIJ Statement, at ENG 00398166.

1796 **E1/189.1** Transcript, 6 May 2013, Philip Short, 11.57.24 to 11.59.51; **E1/91.1** Transcript, 18 July 2012, David Chandler, 10.22.55 to 10.28.27.

1797 **E3/25** *Revolutionary Flag*, December 1976-January 1977, at ENG 00491407, KHM 00063015, FRE 00504027 [“Today, in the name of the Military Committee of our Party Center, I wish to give a presentation on a number of issues related to the history of our Revolutionary Army”]; **E3/147** FBIS, *Nuon Chea Speaks on Cambodian Army Anniversary*, 17 January 1977, at ENG 00168465-70, KHM 00679792-802, FRE 00698444-50 [Phnom Penh Domestic Service radio broadcast of excerpts of same speech, expressly attributed to Nuon Chea]; **E3/191** SWB, *Nuon Chea’s Speech at Army Anniversary Meeting*, 17 January 1977, at ENG S 00004073-76, KHM 00649940-47, FRE 00623110-13 [BBC-SWB report of same radio broadcast]; **E3/544** Peking Review, *9th Anniversary of Founding of Revolutionary Army*, 28 January 1977, at ENG S 00005866, KHM S 00807441, FRE S 00802372 [describing speech given by “Acting Prime Minister” Nuon Chea on the history of the RAK and its “future militant tasks”].

1798 **E1/157.1** Transcript, 9 January 2013, Ung Ren, 11.52.32 to 11.59.51 [meeting where “Brigade 14 was elevated into Division 801” and “relocated to Ratanakiri” attended by “Pol Pot, Nuon Chea, Ieng Sary, and Son Sen”]; **E3/84** Ung Ren OCIJ Statement, at ENG 00408399, KHM 00398517, FRE 00434426; **E1/159.1** Transcript, 11 January 2013, Chhaom Se, 11.38.49, 11.50.33 to 11.52.30, 13.53.49 to 13.58.10 [Nuon Chea identified as one of the CPK leaders who attended and spoke at Olympic Stadium assembly

relating to the “establishment of the army”], 14.01.48 to 14.06.23, 14.11.50; **E3/5** *Revolutionary Flag*, August 1975, at ENG 00401488, KHM 00063324, FRE 00538963 [“On 22 July 1975 on the occasion of the ceremony ... to establish the Revolutionary Army ... political conference of the CPK Center for approximately 3,000 representatives of every unit of the Revolutionary Army”].

1799 **E1/159.1** Transcript, 11 January 2013, Chhaom Se, 13.58.10 to 14.00.27.

1800 **E3/3709** Vietnam Courier, *NUFK and RGNVC Reinforced*, 3 April 1972 [Nuon Chea appointed “Head of Political Leadership of the Army”].

1801 **E3/2119** Henry Kamm, *Cambodia: Report from a Stricken Land*, at ENG 00394460 [Ieng Sary statement that “only two people knew for certain” about S-21, Son Sen and “Nuon Chea, who was responsible in the party for security”]; **E3/190** Ieng Sary Interview, 4 January 1999, at ENG 00081571 [confirming “key role of Nuon Chea in security matters”].

1802 **E3/39** Ieng Thirith Statement, Pre-Trial Chamber Appeal Hearing, 24 February 2009, at ENG 00293071-75 [“I had nothing to do with Nuon Chea, although I knew what he has done, and I knew he killed people. I knew this. ... Nuon Chea killed all my students”].

1803 **E1/91.1** Transcript, 18 July 2012, David Chandler, 10.22.55 to 10.28.27.

1804 **E1/61.1** Transcript, 09 April 2012, Kaing Guek Eav, 10.03.41 to 10.06.02 [“Pang was a person who was assigned by Bong Nuon to come and go to the S-21 and he would also have access to the confessions of the prisoners”]; **E3/65** Kaing Guek Eav OCIJ Statement, at ENG 00147521-22 [Pang and Lin assigned by Nuon Chea to help with S-21’s work]; **E3/357** Kaing Guek Eav OCIJ Statement, at ENG 00242931-32 [stating that Pang and Lin delivered arrest lists to Duch after 15 August 1977, and occasionally picked up S-21 confessions for Nuon Chea]; **E3/451** Kaing Guek Eav OCIJ Statement, at ENG 00204347 [stating that after he began directly reporting to Nuon Chea, “Pang and Lin could come to my house at any time”]; **E3/60** Kaing Guek Eav OCIJ Statement, at ENG 00195603 [stating that Nuon Chea would send Pang to Duch with questions regarding S-21 confessions]; **E1/156.1** Transcript, 8 January 2013, Sa Vi, 11.35.04 to 11.44.20 [K-1 cadres sometimes received orders from Pang and Lin, and other times “directly from the top” from “Pol Pot and Nuon Chea”]; **E3/464** [REDACTED] OCIJ Statement, at ENG 00226110, KHM 00204741-42, FRE 00503948 [“Pang received the joint order from all uncles such as Pol Pot, Ieng Sary, Khieu Samphan, Nuon Chea in accordance with their expertise (tasks and directions)”].

1805 **E3/37** Khieu Samphan OCIJ Statement, at ENG 00156756; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia from the Early Stage to the Period of Democratic Kampuchea*, at ENG 00498280; **E1/55.1** Transcript, 28 March 2012, Kaing Guek Eav *alias* Duch, 13.50.23 to 13.55.12 [“Pang was the secretary of S-71” and was “in charge of a division protecting the Central Office”]; **E3/107** Kaing Guek Eav OCIJ Statement, at ENG 00198220; **E3/456** Kaing Guek Eav OCIJ Statement, at ENG 00198883 [S-71 was “generally responsible for the transfer of prisoners to S-21,” and “those who were arrested in rural zones had to go through K7 (Centre messengers Office) before being sent to S-21”]; **E3/106** Kaing Guek Eav OCIJ Statement, at ENG 00177636 [stating that Lin arrested Vorn Vet and Cheng An at the Standing Committee headquarters]; **E3/5790** Kaing Guek Eav OCIJ Statement, at ENG 00414348; **E3/5573** Kaing Guek Eav OCIJ Statement, at ENG 00242190; **E3/358** Kaing Guek Eav OCIJ Statement, at ENG 00244242-43 [stating that Lin arrested Ministry of Social Affairs’ cadre]; **E1/67.1** Transcript, 24 April 2012, Saloth Ban *alias* So Hong, 14.02.02 [“Pang ... was able to take whoever he wants and whenever he wanted”]; **E1/68.1** Transcript, 25 April 2012, Saloth Ban *alias* So Hong, 13.37.51, 13.56.52 [“Pang came to take away some people and sometimes he ordered his group to come and take away the people”]; **E3/91** So Hong *alias* Salot Ban OCIJ Statement, at ENG 00223593; **E3/459** So Hong *alias* Salot Ban OCIJ Statement, at ENG 00223596; **E3/24** Phy Phoun OCIJ Statement, at ENG 00223584-85 [all contacts between the Zones and Office 870 were made through K-7]; **E1/98.1** Transcript, 30 July 2012, Phy Phoun, 11.41.06 to 11.44.44 [“Unit Y-10” was “responsible for conducting these arrests”]; **E3/63** Phy Phoun OCIJ Statement, at ENG 00231411 [arrests were conducted by “military personnel from Y-10 of Office 870”]; **E1/121.1** Transcript, 4 September 2012, Norng Sophang, 09.44.43 to 09.48.24 [“S-71...is under the supervision of 870 Committee”], 09.52.34 to 09.54.14 [“S-71 was a small unit of the Party Centre”]; **E3/67** Norng Sophang OCIJ Statement, at ENG 00483967-68; **E3/386** [REDACTED] OCIJ Statement, at ENG 00359924; **E3/435** Pean Khean OCIJ Statement, at ENG 00375889; **E3/2782** (& **E3/2783**) Ke Pauk Autobiography, at ENG 00089713 [describing arrests of Central Zone cadre taken away by security trucks from Phnom Penh]; **E3/811** Minutes of Meeting with the Organisation’s Office, Division 703 and S-21, 9 September 1976 [Pang assigned to “firmly grasp biographies and ideologies” and to “liaise with the various ministries” in relation to possible internal enemies in Divisions 170 and 703]; **E1/55.1** Transcript, 28 March 2012, Kaing Guek Eav, 13.41.52 to 13.53.09 [discussing 9 September 1976 meeting and stating that Pang was “embedded with heavy duties to track” persons who distributed leaflets criticising the DK regime].

1806 **E3/1222** Telegram No. 11 from Comrade Dim to Brother Mut, 24 September 1976; **E3/1223** Telegram

No. 12 from Comrade Dim to Brother Mut, 27 September 1976; **E3/1224** Telegram No. 15 from Comrade Dim to Brother Mut, 6 October 1976; **E3/1225** Telegram No. 16 from Dim to Brother Mut, 6 October 1976; **E3/1226** Telegram No. 17 from Dim to Brother Mut, 8 October 1976.

1807 **E3/1222** Telegram No. 11 from Comrade Dim to Brother Mut, 24 September 1976.

1808 **E3/1223** Telegram No. 12 from Comrade Dim to Brother Mut, 27 September 1976.

1809 **E3/1224** Telegram No. 15 from Comrade Dim to Brother Mut, 6 October 1976.

1810 **E3/1225** Telegram No. 16 from Dim to Brother Mut, 6 October 1976.

1811 **E3/1226** Telegram No. 17 from Dim to Brother Mut, 8 October 1976.

1812 **E3/1222** Telegram No. 11 from Comrade Dim to Brother Mut, 24 September 1976; **E3/1223** Telegram No. 12 from Comrade Dim to Brother Mut, 27 September 1976; **E3/1224** Telegram No. 15 from Comrade Dim to Brother Mut, 6 October 1976; **E3/1225** Telegram No. 16 from Dim to Brother Mut, 6 October 1976; **E3/1226** Telegram No. 17 from Dim to Brother Mut, 8 October 1976.

1813 **E3/1212** Meng-Try Ea, *The Chain of Terror: The Khmer Rouge Southwest Zone Security System*, at ENG 00416443-44; **E3/2818** Ian Harris, *Buddhism Under Pol Pot*, at ENG 00176749; **E3/1689** Report by S-21 Interrogator, March 1977, at ENG 00284045-46, KHM 00227819-22 [reference to confession of Achar Kang].

1814 **E3/1135** Report from Division 164 Secretary Mut to Brother 89, 19 October 1976 [containing note from Khieu to Bang Nuon dated 20 October 1976].

1815 *Ibid.*

1816 **E3/453** Kaing Guek Eav OCIJ Statement, at ENG 00147584; **E3/1579** Kaing Guek Eav OCIJ Statement, at ENG 00398206 [stating that Nuon Chea was “the superior of my superior”]; **E1/54.1** Transcript, 27 March 2012, Kaing Guek Eav, 11.41.56 to 11.43.42 [“Brother Nuon was the -- was in higher position than Brother Khieu”]; **E1/62.1** Transcript, 10 April 2012, Kaing Guek Eav, 15.45.16 to 15.47.49.

1817 **E1/60.1** Transcript, 5 April 2012, Kaing Guek Eav, 15.29.09 to 15.32.02 [“Security across the country reported to the Central Standing Committee, not to Son Sen”]; **E1/55.1** Transcript, 28 March 2012, Kaing Guek Eav, 10.09.48 to 10.11.55 [“S-21 was in the central military committee or structure”]; **E1/56.1** Transcript, 29 March 2012, Kaing Guek Eav, 11.33.37 to 11.39.02 [“S-21 produced documents for the Standing Committee”]; **E1/58.1** Transcript, 3 April 2012, Kaing Guek Eav, 09.33.00 [“the Standing Committee of the Party, in which there was Son Sen and Nuon Chea, was to decide what to do with the confessions”]; **E3/453** Kaing Guek Eav OCIJ Statement, at ENG 00147583; **E3/450** Kaing Guek Eav OCIJ Statement, at ENG 00178060; **E3/15** Kaing Guek Eav OCIJ Statement, at ENG 00251380 [for “the Santebal’s work, the Office of S-21 received direct orders” from Standing Committee representatives Son Sen and Nuon Chea]; **E3/351** [REDACTED] OCIJ Statement, at ENG 00162910-11.

1818 **E3/65** Kaing Guek Eav OCIJ Statement, at ENG 00147522; **E3/453** Kaing Guek Eav OCIJ Statement, at ENG 00147584; **E3/5763** Kaing Guek Eav OCIJ Statement, at ENG 00164366.

1819 **E1/62.1** Transcript, 10 April 2012, Kaing Guek Eav, 15.45.16 to 15.47.49 [“Since I went to see Son Sen when I was under his control, he said what was told to be done by Brother Nuon. I did not just make it up. It showed that above Son Sen was Brother Nuon and then Brother Pol”]; **E1/60.1** Transcript, 5 April 2012, Kaing Guek Eav, 15.29.09 to 15.32.02; **E3/452** Kaing Guek Eav OCIJ Statement, at ENG 00147571; **E3/453** Kaing Guek Eav OCIJ Statement, at ENG 00147584; **E3/454** Kaing Guek Eav OCIJ Statement, at ENG 00147602; **E3/5763** Kaing Guek Eav OCIJ Statement, at ENG 00164366; **E3/1579** Kaing Guek Eav OCIJ Statement, at ENG 00398206; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417627; **E3/426** TCW-398 OCIJ Statement, at ENG 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”], ENG 00346072 [stating that Son Sen reported to the Party Centre, who approved decisions “to arrest the implicated cadre”]; **E3/70** TCW-398 OCIJ Statement, at ENG 00407788, 00407791 [stating that Son Sen went to K-1 every day, and that all matters reported to Son Sen and the General Office were reported to Angkar].

1820 **E1/189.1** Transcript, 6 May 2013, Philip Short, 13.42.27; **E1/62.1** Transcript, 10 April 2012, Kaing Guek Eav, 15.45.16 to 15.47.49.

1821 **E3/5763** Kaing Guek Eav OCIJ Statement, at ENG 00164361 [stating that prior to 15 August 1977, Duch delivered S-21 confessions to Son Sen’s messengers]; **E3/1565** S-21 Confession of Kung Kien *alias* Ing Vet, 16 May 1977, at KHM 00017305, at ENG 00182773 [confession of Division 164 battalion commander sent by Son Sen to Nuon Chea on 23 May 1977 with annotation “Presented to Brother Nuon (personally) secret”]; **E3/83** Kaing Guek Eav OCIJ Statement, at ENG 00398164.

1822 **E3/60** Kaing Guek Eav OCIJ Statement, at ENG 00195601; **E3/454** Kaing Guek Eav OCIJ Statement, at ENG 00147602; **E3/455** Kaing Guek Eav OCIJ Statement, at ENG 00149910; **E3/453** Kaing Guek Eav OCIJ Statement, at ENG 00147584.

1823 **E3/60** Kaing Guek Eav OCIJ Statement, at ENG 00195601, 00195604; **E3/65** Kaing Guek Eav OCIJ Statement, at ENG 00147522 [discussing as one example the interrogation and torture of S-21 detainee

Mil Kavin *alias* Kdat].

1824 **E1/62.1** Transcript, 10 April 2012, Kaing Guek Eav, 15.45.16 to 15.47.49 [“on the 15 of August 1977, I was called ... I met Brother Nuon there. He said: Comrade Khieu now go through the front battlefield, and I am here to lead you”]; **E3/65** Kaing Guek Eav OCIJ Statement, at ENG 00147522; **E3/60** Kaing Guek Eav OCIJ Statement, at ENG 00195600; **E3/426** TCW-398 OCIJ Statement, at ENG 00364071.

1825 **E3/65** Kaing Guek Eav OCIJ Statement, at ENG 00147520-22; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417627; **E3/39** Ieng Thirith Statement, Pre-Trial Chamber Appeal Hearing, 24 February 2009, at ENG 00293075 [“Kaing Guek Eav received orders from Nuon Chea”].

1826 **E1/52.1** Transcript, 21 March 2012, Kaing Guek Eav, 10.12.11 to 10.14.42 [“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”]; **E3/65** Kaing Guek Eav OCIJ Statement, at ENG 00147520, 00147522; **E3/452** Kaing Guek Eav OCIJ Statement, at ENG 00147569; **E3/5748** Kaing Guek Eav OCIJ Statement, at ENG 00153570-71, 00153576; **E3/83** Kaing Guek Eav OCIJ Statement, at ENG 00398164; **E3/2766** Map entitled “Cambodia with DK Zones and Autonomous Regions with Crime Sites,” at ENG 00429178.

1827 **E3/423** Saut Toeung OCIJ Statement, at ENG 00414599-600; **E3/359** Kaing Guek Eav OCIJ Statement, at ENG 00434349; **E3/61** Kaing Guek Eav OCIJ Statement, at ENG 00195573.

1828 **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757521, KHM 00858310, FRE 00849416.

1829 **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417627.

1830 **E3/426** TCW-398 OCIJ Statement, at ENG 00364071 [“Later on in 1977, the Central Committee assigned Son Sen to station at the front line when the Vietnamese attacked in Svay Rieng. Later on, Son Sen took me to work ... in Svay Rieng office in late 1977”]; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417627 [stating that Son Sen went to the East in “late 1977 or early 1978”]; **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757521, KHM 00858310, FRE 00849416 [stating that Son Sen was dispatched to the border “in the fall of 1977”].

1831 **E3/1393** DK Government Statement to the Revolutionary Armed Forces and People of Cambodia, 31 December 1977, at ENG 00713102 [“Since September 1977, the armed forces of SRV, including many infantry units from Hanoi ... have launched consecutive large-scale assaults on DK in order to pillage our rice in the East Zone”]; **E3/1263** DK Government Statement from Ministry of Propaganda, 6 January 1978, at ENG 00337187 [“The Vietnamese army began its invasion in September 1977 along Highway 7 in the Eastern zone. During the first wave of attacks, it took over Memo, Kret”]; **E3/1383** DK Government Statement to United Nations, 6 January 1978, at ENG 00419866 [“Since September 1977, the army of the ‘Socialist Republic of Vietnam’ including many divisions of infantry...has launched...aggressions of invasion against Democratic Kampuchea...in the East Region”]; **E3/1258** DK Government Statement entitled “Evidences of the Vietnamese Aggression Against Democratic Kampuchea,” February 1978, at ENG S 00004902 [“large-scale and systematic attack of invasion ... perpetrated by the army of the ‘Socialist Republic of Vietnam’ against Democratic Kampuchea from September 1977 to the beginning of January 1978”]; **E3/881** Report from Comrade Lin to M-870, 14 August 1977 [report on “boundary situation in Region 23” stating that “Yuon enemies have increased their ferocious nature of aggression”]; **E3/885** Telegram from Chhon (Sao Phim) to Brother Pol, 24 September 1977 [“On 16 September 1977, Vietnamese ambushed us in the vicinity of Daem Thngan”]; **E3/886** Telegram from Chhon (Sao Phim) to Brother Pol, 26 September 1977 [detailed report on “battlefield north of Route No. 1”].

1832 **E3/181** Telegram from Son Sen (47), 14 February 1978; **E3/867** Telegram from Son Sen (47) to Brother 09, 20 March 1978; **E3/1075** Telegram No. 18 from 47 (Son Sen), 8 April 1978; **E3/1117** Telegram No. 19 from 47 (Son Sen), 8 April 1978; **E3/859** Report from 47 (Son Sen) to Grand Uncle, 15 April 1978.

1833 **E93/7.3R** Video titled “Nuon Chea on Confessions,” V00717048; **E1/214.1** Transcript, 27 June 2013, 13.33.58 to 13.37.02 (presentation of video clip **E93/7.3R**). See also **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757537, KHM 00858358-59, FRE 00849448 [“Nuon Chea said when he read these confessions, he made marks on the documents with a red pen”].

1834 **E3/65** Kaing Guek Eav OCIJ Statement, at ENG 00147521; **E3/5763** Kaing Guek Eav OCIJ Statement, at ENG 00164361; **E3/60** Kaing Guek Eav OCIJ Statement, at ENG 00195603; **E3/357** Kaing Guek Eav OCIJ Statement, at ENG 00242932; **E3/431** Kaing Guek Eav Statement, at ENG 00413940-41.

1835 **E1/64.1** Transcript, 19 April 2012, Saut Toeung, 09.31.11 to 09.46.20; **E3/423** Saut Toeung OCIJ Statement, at ENG 00414599-601.

1836 The following 12 S-21 confessions sent to Nuon Chea relate to different DK organisations and cover a time period from May to November 1977: **E3/1565** S-21 Confession of Kung Kien *alias* Eung Vet, at KHM 00017305, ENG 00822048 & 00182773, FRE 00825431 [confession of Battalion Secretary in Division 164 includes 23 May 1977 annotation “Sent to Brother Nuon (personally or directly)”]; **E3/1706**

S-21 Confession of Khek Bin *alias* Sou, at KHM 00174021, ENG 00224632, FRE 00785267 [annotation “Brother Nuon has already received one copy”]; **E3/1828** S-21 Confession of Teut San, at KHM 00000881, ENG 00662328 & 00767942, FRE 00766068 [annotation “Send to Brother Nuon” on August 1977 confession of North Zone cadre]; **E3/3697** S-21 Confession of Kun Dim, at KHM 00175293, FRE 00289872, ENG 00822359 [confession of Battalion Commander in Division 164 contains annotation “One copy sent to Brother Nuon on 10 September 1977”]; **E3/1842** S-21 Confession of HEM Soth *alias* Sien, at KHM 00017272, ENG 00662317, FRE 00766911 [annotation “Send Brother Nuon one copy” on 25 October 1977 confession of Central Zone Chairman of Industry]; **E3/3665** S-21 Confession of Pheng Sun *alias* Chey, at KHM 00174111, ENG 00224634, FRE 00386361 [annotation “A copy has already been submitted to Brother Nuon” on confession of Central Zone Commerce Chief]; **E3/2129** S-21 Confession of Chum Penh, at KHM 00017413, ENG 00769567, FRE 00343744 [annotation on confession of New Person from Preah Net Preah District “Sent 2 copies to Brother Nuon (Not yet read)”]; **E3/1889** S-21 Confession of Sao Tong Li, at KHM 00017492 & 00001378, ENG 00796688, FRE 00763394 [annotation “Two copies have been sent to Brother Nuon” on confession of New Person from Sector 4]; **E3/1875** S-21 Confession of Pech Chay, at KHM 00017468, ENG 00748373, FRE 00766072 [annotation “Two copies to Brother Nuon” on confession of Chief of Handicraft Team in Siem Reap]; **E3/1894** S-21 Confession of Sieng Pauly *alias* Sean, at KHM 00005357, ENG 00702082, FRE 00747299 [confession of Sector 4 company chief with annotation “Sent to Brother Nuon 2 copies”]; **E3/1879** S-21 Confession of Phorn Phal, at KHM 00005192, ENG 00182725, FRE 00796697 [confession of Chairman of Brick Factory with annotation “Sent Brother Nuon 1 copy”]; **E3/1537** S-21 Confession of Tiv Mei *alias* Santepheap, at KHM 00174754, ENG 00224639, FRE 00271459 [confession of New Person in Central Zone who worked in Lon Nol regime with annotation “One copy has been submitted to Brother Nuon”]. The remaining 13 S-21 confessions all relate to Central Zone military Division 174 and were sent to Nuon Chea in late October or early November 1977: **E3/1882** S-21 Confession of Chap Veuan *alias* Srean, at KHM 00005261, ENG 00662308, FRE 00766828 [annotation “Central Zone. Send Brother Nuon 1 copy” on 18 October 1977 confession] [Central Zone Division 174, Regiment 601]; **E3/3689** S-21 Confession of Lun En, at KHM 00174874, ENG 00221784, FRE 00324627 [annotation “One copy for Brother Nuon” on 20 October 1977]; **E3/1831** S-21 Confession of Chea Sreng *alias* Thal, at KHM 00005463, ENG 00831455 [annotation “One copy for Brother Nuon” on 22 October 1977 confession]; **E3/1839** S-21 Confession of Di Leng *alias* Pheap, at KHM 00004351, ENG 00835986 & 00182820, FRE 00766985 [annotation “one copy to Brother Nuon” on 25 October 1977 confession]; **E3/1841** S-21 Confession of Eum Chhea *alias* Chhean, at KHM 00017453, ENG 00662314 & 00769813, FRE 00766787 [annotation “Central Zone. Send Brother Nuon one copy” on 25 October 1977 confession]; **E3/3645** S-21 Confession of Mao Choeun *alias* Ly, at KHM 00174784, ENG 00223137, FRE 00244261 [includes annotation “To Brother Nuon” and summary report from interrogator]; **E3/1861** S-21 Confession of Mao Choeun *alias* Ly, at KHM 00091773, ENG 00794694; **E3/1687** S-21 Confession of Chout Nhe, at KHM 00005403 & 00005406, ENG 00758196, 00758200 & 00185061, FRE 00343411 & 00343414 [includes 11 November 1977 annotation “One copy for Bang Nuon” and summary report from interrogator describing use of torture at KHM 00005406, ENG 00758200, FRE 00343414]; **E3/1764** S-21 Confession of An Kan *alias* Kol, at KHM 00005096, ENG 00759672, FRE 00761746 [annotation “Central Zone. One copy has been submitted to Bang Nuon”]; **E3/1843** S-21 Confession of Hang Bau, at KHM 00005160, ENG 00746208, FRE 00761016 [annotation “Two copies have been submitted to Brother Nuon”]; **E3/1869** S-21 Confession of Nheum Sim *alias* Saut, at KHM 00017250-52, ENG 00837416-17, FRE 00769832-34 [contains annotation “Central Zone. One copy for Brother Nuon” and summary report from interrogator describing use of torture]; **E3/1886** S-21 Confession of Sak Man *alias* Veuan, at KHM 00017204, ENG 00662325, FRE 00766918 [annotation “One copy to Brother Nuon”]; **E3/1826** S-21 Confession of Taing An *alias* En, at KHM 00017220, FRE 00795360, ENG 00821424 [annotation “Sent to Brother Nuon 1 copy”]; **E3/3648** S-21 Confession of Sieng Phon *alias* Pha, at KHM 00173881, ENG 00221765, FRE 00324622 [annotation “One copy for Brother Nuon to deliver to the Central Zone”].

E3/1688 S-21 Confession of Chap Mit, at KHM 00226401, ENG 00284069, FRE 00294523.

E3/1565 S-21 Confession of Kung Kien *alias* Eung Vet, at KHM 00017305, ENG 00822048 & 00182773, FRE 00825431 [contains annotation “Sent to Brother Nuon (*personally or directly*)” and additional annotation in different handwriting “Excerpts sent to Comrade Mok”]; **E3/83** Kaing Guek Eav OCIJ Statement, at ENG 00398164 [identifying Son Sen and Nuon Chea’s handwriting on Kung Kien confession]; **E3/1546** S-21 Confession of Mok Sam Ol *alias* Hong, at KHM 00173049 & 00173055, ENG 00224630, FRE 00271450-51 [red annotation “Ministry of Social Affairs – It has already been resolved”]; **E3/359** Kaing Guek Eav OCIJ Statement, at ENG 00434342 [identifying Nuon Chea’s handwriting on Mok Sam Ol confession]; **E3/1548** S-21 Confession of San Pau, at KHM 00174132, ENG

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00767463 [annotation “Comrade Van”]; **E3/1888** S-21 Confession of San Pau, at ENG/KHM 00185227-28, KHM 00022924 [annotation “Comrade Van”]; **E3/358** Kaing Guek Eav OCIJ Statement, at ENG 00244240 [identifying Nuon Chea’s handwriting on San Pau confession]; **E3/1547** S-21 Confession of Meak Touch *alias* Keam, at KHM 00174100, ENG 00771346, FRE 00289865 [annotation “Comrade Van” on February 1978 confession of DK Ambassador to Laos]; **E3/357** Kaing Guek Eav OCIJ Statement, at ENG at 00242931; **E3/359** Kaing Guek Eav OCIJ Statement, at ENG 00434334 [identifying Nuon Chea’s handwriting on Meak Touch confession]; **E3/1098** Letter from West Zone Deputy Secretary Pal, 26 March 1978, at KHM 00406601-02, ENG 00524161, FRE 00532704 [annotation “S-21” in left upper margin]; **E3/5790** Kaing Guek Eav OCIJ Statement, at ENG 00414347-48 [identifying Nuon Chea’s handwriting on 26 March 1978 letter from Pal]; **E3/175** Letter from Sè to Committee 870, 17 April 1978, at KHM 00173883, ENG 00583931 & 00223903, FRE 00280047 [letter from North Zone Secretary forwarding confessions to Committee 870 “to serve as documents for researching embedded traitorous networks burrowing from within,” contains annotation “Follow up”]; **E3/359** Kaing Guek Eav OCIJ Statement, at ENG 00434339-40 [annotation on 17 April 1978 letter from Se identified as Nuon Chea’s handwriting].

1839 **E3/65** Kaing Guek Eav OCIJ Statement, at ENG 00147523; **E3/356** Kaing Guek Eav OCIJ Statement, at ENG 00242899; **E3/359** Kaing Guek Eav OCIJ Statement, at ENG 00434344; **E3/1688** S-21 Confession of Chap Mit, at KHM 00226401, ENG 00284069, FRE 00294523 [note from Duch to interrogator Pon stating that “Brother Number II” had requested certain names to be “withdrawn” from the confession].

1840 **E3/65** Kaing Guek Eav OCIJ Statement, at ENG 00147523; **E3/107** Kaing Guek Eav OCIJ Statement, at ENG 00198224; **E3/355** Kaing Guek Eav OCIJ Statement, at ENG 00242877; **E3/356** Kaing Guek Eav OCIJ Statement, at ENG 00242899; **E3/60** Kaing Guek Eav OCIJ Statement, at ENG 00195601-02 [Nuon Chea used that expression because cadre to be purged were often first sent to the Ministry of Foreign Affairs to allegedly become diplomats, and thereafter “disappeared for good”]; **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757520, KHM 00858306-07, FRE 00849413-14 [Nuon Chea’s description of his discussion with Duch regarding the confession implicating Khieu Samphan, stating that he “suspected Duch of betrayal” and often “blamed him for making mistakes”].

1841 **E3/1869** S-21 Confession of Nheum Sim *alias* Saut, 28 September 1977, at KHM 00017250-71, at ENG 00182784 (Summary) [note by interrogator states “It was only after I tortured him that he confessed to the story of having been a police informer and a CIA”]; **E3/1894** S-21 Confession of Sieng Pauty *alias* Sean, 25 October 1977, at KHM 00005357, at ENG 00182831 (Excerpts)[note by interrogator states that initially the prisoner “did not confess,” but “once I started torture, he confessed about his systematic contacts, activities and plans right up to the time the Organization arrested him”]; **E3/1579** Kaing Guek Eav OCIJ Statement, at ENG 00398206-07.

1842 **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757537, KHM 00858358-59, FRE 00849448.

1843 **E1/63.1** Transcript, 18 April 2012, Nuon Chea, 09.13.00 to 09.15.05.

1844 **E1/63.1** Transcript, 18 April 2012, Nuon Chea, 09.15.05 to 09.33.36.

1845 **E3/130** CPK Statute, Article 23.

1846 **E1/63.1** Transcript, 18 April 2012, Saut Toeung, 14.06.50 to 14.08.36; **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 11.14.15 to 11.18.25, 11.22.30 to 11.23.32 [“There were people from sectors and zones at the place of Pol Pot and there were Khieu Samphan, Ieng Sary and Nuon Chea in the meetings”], 11.39.40 to 11.45.28 [“In each meeting there were Mr. Khieu Samphan, Ieng Sary, Nuon Chea, and others. They were there regularly; either the meeting was held monthly or fortnightly”]; **E3/33** Oeun Tan OCIJ Statement, at ENG 00235127-28, KHM 00231800, FRE 00235331; **E3/435** Pean Khean OCIJ Statement, at ENG 00375887-88 [annual meetings of zone committees held at K-3]; **E3/104** Sa Vi OCIJ Statement, at ENG 00204059 [cadre from Zones, Sectors and Districts came to K-1 every 3 to 6 months for meetings and study sessions, each lasting 1 week]; **E1/156.1** Transcript, 8 January 2013, Sa Vi, 10.13.11 to 10.17.32, 15.09.45 to 15.13.52, 15.39.04 to 15.42.28 [such meetings were “held frequently throughout the year”]; **E3/64** Norng Sophang OCIJ Statement, at ENG 00334053, 00334058 [stating that regional cadre generally came to report on internal security problems in person to Nuon Chea and senior CPK leaders]; **E3/367** Sao Sarun OCIJ Statement, at ENG 00278695-96 [describing meetings he attended as Sector 105 Secretary at K-3 with Pol Pot, Nuon Chea, Son Sen and Khieu Samphan, at which he reported on Sector activities and received instructions]; **E3/57** Kham Phan *alias* Phan Van OCIJ Statement, at ENG 00290506; **E3/163** Prak Yut OCIJ Statement, at ENG 00364083; **E3/423** Saut Toeung OCIJ Statement, at ENG 00414594-98; **E3/24** Phy Phuon OCIJ Statement, at ENG 00223582; **E3/464** [REDACTED] OCIJ Statement, at ENG 00226109-10; **E3/366** [REDACTED] OCIJ Statement, at ENG 00250751; **E3/506** TCW-596 OCIJ Statement, at ENG 00244492 [testimony of former [REDACTED] chairman that “Angkar policies” were communicated to him and other local cadre by the Sector Chairman after returning from

meetings in Phnom Penh].

1847 **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 11.27.29 to 11.29.57 [also confirming that Pol Pot, Khieu Samphan and Nuon Chea were “present for the full duration of these meetings”], 11.45.28 to 11.47.57 [“if the workload was minimal, the meeting last only for one day. But if the workload was heavy, then the meeting could last two or three days”].

1848 **E1/63.1** Transcript, 18 April 2012, Saut Toeung, 15.18.42 to 15.20.53 [stating that he saw Ta Mok in Phnom Penh at K-1 “every one or two months”]; **E1/156.1** Transcript, 8 January 2013, Sa Vi, 15.11.46 [“I remember some people’s name, including Uncle So Phim, from the East...and Ta Mok, from the Southwest Zone. So, these are the two individuals whose names I had heard about very often”].

1849 **E1/63.1** Transcript, 18 April 2012, Saut Toeung, 15.26.34 to 15.28.34 [stating that Ros Nhim came to Phnom Penh on a “regular basis,” often during Pchum Ben time, and would stay at K-1 for 10-15 days].

1850 **E1/63.1** Transcript, 18 April 2012, Saut Toeung, 15.28.34 to 15.30.37 [stating that Sao Phim came to K-1 to attend meetings “every two or three months”].

1851 **E3/464** [REDACTED] OCIJ Statement, at ENG 00226109 [1976 meeting at Olympic Stadium which discussed strategies to “build up the correct forces” and instructed participants “how to do their work better”]; **E3/423** Saut Toeung OCIJ Statement, at ENG 00414594 [study sessions at Borei Keila attended by participants from the Sectors].

1852 **E3/978** DK Telegram from Thuon to Comrade Yi via Office 870, 5 November 1977; **E3/256** DK Telegram from Oeun to Bang Pauk, 5 November 1977; **E3/1120** DK Telegram 100 from San, Mo-560 to Brother Nhim, 6 November 1977 [showing that Sector 505 Secretary Yi, Central Zone Secretary Ke Pauk, Northwest Zone Secretary Ros Nhim and their Deputy Secretaries were in Phnom Penh on 5-6 November 1977].

1853 **E1/83.1** Transcript, 7 June 2012, Sao Sarun, 11.45.40 to 11.53.08 [“In that meeting we discussed ... managing the forces and masses...educate people and raise their awareness about economic matters and how they could help...self-sufficiency...strengthen the defence”]; **E1/84/1** Transcript, 11 June 2012, Sao Sarun, 09.13.55 to 09.19.10; **E3/367** Sao Sarun OCIJ Statement, at ENG 00278696.

1854 **E3/232** CPK Standing Committee, Minutes of Meeting on Base Work, 8 March 1976.

1855 **E3/2782** Ke Pauk Autobiography, at ENG 00089713; **E3/394** Kaing Guek Eav OCIJ Statement, at ENG 00398230.

1856 **E3/2782** Ke Pauk Autobiography, at ENG 00089713; **E3/2956** S-21 Prisoner List entitled *List of Persons from the North Zone from 1 February 1977 to 27 March 1977* [listing 84 cadres from the Central (old North Zone)]; **E3/2957** S-21 Prisoner List entitled *Central Zone* [listing 59 Central Zone cadres who entered S-21 from 14-19 November 1977].

1857 **E3/33** Oeun Tan OCIJ Statement, at ENG 00235132-33; **E3/5790** Kaing Guek Eav OCIJ Statement, at ENG 00414348; **E3/359** Kaing Guek Eav OCIJ Statement, at ENG 00434339 [“Zone Secretaries reported all work to 870 every week by using the Zone messengers to take the documents and hand them over to K-17, the Central Messenger Office”]; **E3/64** Norng Sophâng OCIJ Statement, at ENG 00334047-49; **E3/67** Norng Sophâng OCIJ Statement, at ENG 00483967-69.

1858 **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 13.43.38 to 13.50.12 [“After Pol Pot had read them all, they had to be transmitted to Nuon Chea ... I gave them to him at K-3 where he stayed”], 15.55.34 to 15.59.15 [confirming that “all telegrams that were sent to Pol Pot also given to Nuon Chea”]; **E3/33** Oeun Tan OCIJ Statement, at ENG 00235132-33.

1859 See, e.g., **E3/154** Telegram from Sao Phim (Chhon) to Brother Pol, 30 November 1975; **E3/1188** Telegram from Buth to Respected Brother, 29 January 1976; **E3/871** Telegram from Chhon to Brother Pol, 21 March 1976; **E3/952** Telegram from Ke Pauk to Brother Pol, 2 April 1976; **E3/240** Telegram from Vi dated 15 June 1977; **E3/957** Telegram from M-401 to Angkar, 25 June 1977; **E3/883** Telegram from Nhim to Angkar 870, 27 August 1977; **E3/1144** Telegram from Sè to Committee 870, 5 September 1977; **E3/1119** Telegram from Nhim to Angkar 870, 20 October 1977; **E3/892** Telegram from Chhon to Office 870, 29 October 1977; **E3/1120** Telegram from Mo-560, 6 November 1977; **E3/898** Telegram from Sè to Committee 870, 11 December 1977; **E3/1208** Telegram from Nhim to Angkar 870, 21 December 1977; **E3/915** Telegram from Division 164 Secretary Mut to Committee 870, 31 December 1977; **E3/243** Telegram from Sao Phim (Chhon) to Brother Pâ, 19 January 1978; **E3/181** Telegram from Son Sen (47), 14 February 1978; **E3/996** Telegram from Sè to Committee 870, 19 March 1978; **E3/867** Telegram from Son Sen (47) to Brother 09, 20 March 1978; **E3/519** Telegram from Ke Pauk to Committee 870 dated 29 March 1978; **E3/1075** Telegram No. 18 from 47 (Son Sen), 8 April 1978; **E3/1117** Telegram No. 19 from 47 (Son Sen), 8 April 1978; **E3/1077** Telegram from Sè to Committee 870, 10 April 1978; **E3/1008** Telegram from Roat to Brother, 12 April 1978; **E3/859** Report from 47 (Son Sen) to Grand Uncle, 15 April 1978; **E3/935** Telegram from Vi, 21 April 1978; **E3/156** Telegram from Sarun to Respected Brother, 23 April 1978; **E3/1013** Telegram from Nhim to Office 870, 9 March.

1860 **E3/1077** Telegram from Sè to Committee 870, 10 April 1978; **E3/1008** Telegram from Roat to Brother, 12 April 1978; **E3/156** Telegram from Sarun to Respected Brother, 23 April 1978.

1861 **E3/64** Norng Sophang OCII Statement, at ENG 00334048, 00334054.

1862 **E3/58** Kham Phan *alias* Phan Van OCII Statement, at ENG 00250089; **E3/410** Yun Kim OCII Statement, at ENG 00412192; **E3/366** [REDACTED] OCII Statement, at ENG 00250751. *See also* **E1/60.1** Transcript, 5 April 2012, Kaing Guek Eav, 15.29.09 to 15.32.02 [“All documents from the zones came to Brother Nuon, and he made the decisions”].

1863 **E3/64** Norng Sophang OCII Statement, at ENG 00334051.

1864 **E3/366** [REDACTED] OCII Statement, at ENG 00250751; **E3/58** Kham Phan *alias* Phan Van OCII Statement, at ENG 00250089. *See also* **E3/1194** Telegram No. 10 from Laing (Chhan), 19 October 1976 [telegram copied to “Brother Nuon” indicating that the Sector had received the “4-year plan” and instructions].

1865 **E3/367** Sao Sarun OCII Statement, at ENG 00278696; **E3/383** Sao Sarun OCII Statement, at ENG 00350263; *see also* **E3/58** Kham Phan *alias* Phan Van OCII Statement, at ENG 00250089 [“Nuon Chea regularly instructed on security matters”].

1866 **E3/384** Sao Sarun OCII Statement, at ENG 00348373.

1867 **E3/366** [REDACTED] OCII Statement, at ENG 00250750; **E3/384** Sao Sarun OCII Statement, at ENG 00348373; **E3/938** DK Telegram 54 from Sarun to Respected Brother, 23 April 1978, at ENG 00185184.

1868 **E1/63.1** Transcript, 18 April 2012, Saut Toeung, 15.03.45 to 15.11.29; **E3/423** Saut Toeung OCII Statement, at ENG 00414594-98; **E3/104** Sa Vi OCII Statement, at ENG 00204060; **E3/464** [REDACTED] OCII Statement, at ENG 00226110, KHM 00204742, FRE 00503949 [“I took Nuon Chea to the provinces ... to meet with the cadres and the soldier chiefs in order to disseminate and educate them the [party] policy”]; **E3/33** Oeun Tan OCII Statement, at ENG 00235131.

1869 **E1/63.1** Transcript, 18 April 2012, Saut Toeung, 15.09.21 to 15.11.29, 15.14.59 to 15.34.45; **E3/423** Saut Toeung OCII Statement, at 00414594-98.

1870 **E1/63.1** Transcript, 18 April 2012, Saut Toeung, 15.09.21 to 15.14.59; **E3/423** Saut Toeung OCII Statement, at 00414595-98; **E3/464** [REDACTED] OCII Statement, at ENG 00226110, KHM 00204742, FRE 00503949.

1871 **E1/21.1** Transcript, 13 December 2011, Nuon Chea, 10.35.21 to 10.41.11 [describing trips to the provinces and visits to cooperatives].

1872 **E3/464** [REDACTED] OCII Statement, at ENG 00226110, KHM 00204742, FRE 00503949 [“He also went down to see the dam sites very often ... Nuon Chea saw the hardship of and the destitute of the people”]; **E1/21.1** Transcript, 13 December 2011, Nuon Chea, 10.35.21 to 10.38.17 [describing a trip to Siem Reap on which he saw “flocks of people” being sent to transplant rice at 4 a.m., and claiming that when he visited cooperatives he was only allowed to see “healthy people, not the skinny ones”].

1873 **E3/952** DK Telegram 4 from Pok to Brother Pol, 2 April 1976, at ENG 00182658-59 [reporting that “among the people in the entire Zone there has been much fever and diarrhea” due to “working and overheating,” and raising idea of “reducing work hours”]; **E3/1060** Report from Division 801 Committee Roeun to Uncle 89, 29 March 1977, at ENG 00574313 [report forwarded to Angkar identifying 3 villages where the people “had been starving since February 1977”]; **E3/179** DK Report from M-560 to Angkar, 29 May 1977, at ENG 00183013 [reporting that “most” of the base people in the Northwest Zone were only receiving “thin rice soup”]; **E3/853** DK Report from Southwest Zone to Angkar, 3 June 1977, at ENG 00185246 [reporting that some District and Sub-Districts had encountered shortages, and that people in Kampot, Kampong Speu and Takeo had cholera and some had died]; **E3/978** DK Telegram 46 from Thuon to Yi via Office 870, 5 November 1977; **E3/918** DK Telegram 254 from Sè to Committee 870, 10 January 1978, at ENG 00182758 [reporting that “in Preah Vihear Sector, in the majority of places there is starvation”]; **E3/1073**, **E3/1074** DK Telegram 324 from Sè to Committee 870, 10 April 1978, at ENG 00293360 [reporting that dam worksite “productivity is 2 to 3 times faster than that in 77” due to screening out of “opposition group,” though “many people [had] become sick since this season is too hot”]; **D200/2.7** DK Telegram 8 from Vi to Respected Brother, 21 April 1978, at ENG 00326537 [stating that the food situation was “not as difficult as in 1977”]; **E3/950** DK Report from Nhim to Angkar 870, 11 May 1978, at ENG 00185216 [reporting that rice supplied to Sector 5 had already run out and that Sectors 1 and 4 would be out of rice by the following month]; **E3216** CPK /Standing Committee Meeting Minutes entitled “Minutes on the Standing [Committee’s] visit to Northwest Zone, August 20-24 1975,” 24 August 1975, at ENG 00182998 [“new people lack both food and medicine”].

1874 **E1/194.1** Transcript, 21 May 2013, Prum Sou, 10.55.42 to 11.05.17; **E3/420** Prum Sou OCII Statement, at ENG 00422380-81; **E3/429** Kaing Guek Eav OCII Statement, at ENG 00403922; **E3/424** Meas Voeun OCII Statement, at ENG 00421072 [former Sector 103 Secretary states that Nuon Chea and Khieu Samphan used to visit that area]; **E3/2470** Personal Biography of Bou Phat *alias* Hang, 5 January 1978, at

ENG 00768226, KHM 00296593 [stating that “Brother Number 2” presided over the “1st Assembly of Zone 801”].

1875 **E1/194.1** Transcript, 21 May 2013, Prum Sou, 11.05.17 to 11.07.17; **E3/420** Prum Sou OCIJ Statement, at ENG 00422381; **E3/342** S-21 Prisoner List entitled “Revised S-21 Prisoner List” (OCP), at ENG 00329605 [No. 220 - Bou Phat *alias* Hâng, Secretary of Sector 103, entered S-21 on 3 January 1978]; **E3/425** TCW-637 OCIJ Statement, at ENG 00421613 [Hâng and his deputies were “invited” by upper echelon to re-education in Phnom Penh, and “many cadre of Sector 103 were arrested”].

1876 **E3/918** DK Telegram 254 from Sè to Committee 870, 10 January 1978, at ENG 00182758 [stating that enemies had infiltrated “from the sector, district to the commune,” and that Sè would be going to Sector 103 and would “send more crocodiles to the organization”]; **E3/996** DK Telegram 313 from Sè to Committee 870, 19 March 1978, at ENG 00436995-96 [reporting that the Zone had “systematically purged” enemies associated with former “policemen, soldiers and government officials” and “new people,” and that they planned “to arrest more people”]; **E3/1073** DK Telegram 324 from Sè to Committee 870, 10 April 1978, at ENG 00293358-59 [referencing prior arrests of Sector 103 cadre, and reporting that they were “continuing to purge the remaining group continuously, including those who oppose our revolution”], ENG 00293359 [reporting that Sector 103 Committee member Prum Son *alias* Pheap “was implicated by many enemies” and hence was being held at the Zone Office 801]; **E3/175** DK Letter from Sè to Committee 870, 17 April 1978 **E3/4606** Statement, at ENG 00414069-71 [describing her detention at North Zone office and subsequent transfer to Phnom Penh].

1877 **E3/175** DK Letter from Sè to Committee 870, 17 April 1978, at KHM 00173883, ENG 00223903 [color copy of cover letter from Sè contains annotation in red ink dated 19 April 1978 stating “[This needs] to be followed up”]; **E3/359** Kaing Guek Eav OCIJ Statement, at ENG 00434339-40 [identifying annotation as Nuon Chea’s handwriting].

1878 **E1/63.1** Transcript, 18 April 2012, Saut Toeung, 15.30.37 to 15.37.24 [several times each year, Nuon Chea went to meetings held at a coconut plantation in Kampong Speu attended by “low level cadres”]; **E3/80** Meas Voeun OCIJ Statement, at ENG 00491657.

1879 **E3/760** *Revolutionary Flag*, June 1976, at ENG 00509611-35, KHM 00062845-74, FRE 00487756-84 [“Extract from the Instructions of the Comrade Party Organization Representative During a Zone Conference” held from 3 to 7 June 1976]; **E3/193** *Revolutionary Flag*, August 1977, at ENG 00399222-46, KHM 00062947-79, FRE 00611826-52 [presentation of Party Organization Representative at 25 July 1977 West Zone Cadre Conference]; **E3/745** *Revolutionary Flag*, March 1978, at ENG 00504069-84, KHM 00064451-71, FRE 00491842-57 [“A Number of Important Opinions of the Comrade Secretary of the [CPK] Centre During the 1977 Annual West Zone Conference”].

1880 **E3/760** *Revolutionary Flag*, June 1976, at ENG 00509611, KHM 00062846, FRE 00487756.

1881 See **E3/1593** Ben Kiernan, *The Pol Pot Regime*, at ENG 00104358; **E3/3169** Analytical Report by Stephen Heder entitled “Pol Pot and Khieu Samphan,” at ENG 00002761; **E3/80** Meas Voeun OCIJ Statement, at ENG 00491656-57.

1882 **E3/193** *Revolutionary Flag*, August 1977, at ENG 00399225-26, KHM 00062951-53, FRE 00611828-30.

1883 **E3/193** *Revolutionary Flag*, August 1977, at ENG 00399230-32, KHM 00062957-60, FRE 00611834-36.

1884 **E3/193** *Revolutionary Flag*, August 1977, at ENG 00399235-36, KHM 00062963-65, FRE 00611839-40.

1885 **E3/193** *Revolutionary Flag*, August 1977, at ENG 00399246, KHM 00062978, FRE 00611851.

1886 **E3/193** *Revolutionary Flag*, August 1977, at ENG 00399222, KHM 00062948, FRE 00611826.

1887 **E3/193** *Revolutionary Flag*, August 1977, at ENG 00399246, KHM 00062979, FRE 00611852.

1888 **D280/22** TCW-335 OCIJ Statement, at ENG 00375477-78 [stating that a “full truckload” of “village and cooperative chairmen” were arrested and transported to prison after being called to a meeting at the Prey Nup District Office]; **D125/87** TCW-219 OCIJ Statement, at ENG 00275059 [stating that prisoners at Koh Kyang included “various cadre such as cooperative chiefs, group leaders and district governors,” and that when he was released and returned to his cooperative, the old cooperative chiefs were all gone and had been replaced by cadre from Kampong Chhnang]; **D125/70** [REDACTED] OCIJ Statement, at ENG 00274668 [Sre Ambil commune chief Ta Proeung detained at Koh Kyang]; **E3/5197** [REDACTED] OCIJ Statement, at ENG 00275031 [In 1977, cooperative chief Im was “accused of being a traitor,” arrested and taken to Koh Kyang, and executed after 3 days]; **D125/85** TCW-313 OCIJ Statement, at ENG 00275045; **E3/5501** [REDACTED] OCIJ Statement, at ENG 00373310 [“In 1977 there were large scale purges of both the cadre and the people”].

1889 **E3/342** OCP Revised S-21 Prisoner List, at ERN 00329611 [No. 365 - Chab Nam, Chief of Sector 32 Security, entered S-21 on 29 July 1977 and was executed on 13 March 1978], ERN 00329621 [No. 598 - Kampong Leng District Secretary, Chao Van *alias* Khâm, entered S-21 on 31 August 1977 and was executed on 27 May 1978], ERN 00329692 [No. 2222 - Ang Snuol District Secretary Hang Nov, entered S-21 on 20 December 1977 and was executed on 27 May 1978]; ERN 00329904 [No. 7097 - Pen

Phluong, Prey Nup District Secretary, entered S-21 on 29 July 1977], ERN 00330001 [No. 9322 - Zone Commerce chairman Sin Kim Eng *alias* Suon entered 28 August 1977]; **E3/450** Kaing Guek Eav OCIJ Statement, at ENG 00178061 [stating that after the arrest of the West Zone security chief Vi, he “saw many people arriving from that Zone” at S-21].

1890 **E3/342** OCP, Revised S-21 Prisoner List, at ENG 00329661 [No.1509 - West Zone Secretary, Chou Chet *alias* Sy]; **E3/1682** S-21 Confession of Chou Chet *alias* Sy.

1891 **E3/342** OCP, Revised S-21 Prisoner List, at ENG 00329721 [No. 2896 - Im Nen *alias* Ly, Wife of Si, Secretary of Udong District, entered S-21 on 26 March 1978 and was executed on 27 May 1978]; **E3/1098** DK Letter from Pal to Angkar, 26 March 1978..

1892 **E3/1098** Letter from Pal to Angkar, 26 March 1978; **E3/5790** Kaing Guek Eav OCIJ Statement, at ENG 00414347-48.

1893 **E1/199.1** Transcript, 30 May 2013, Nuon Chea, 14.14.43 to 14.16.25; **E3/26** Nuon Chea Interview, October 2006, at ENG 00329514, KHM 00000903, FRE 00636875.

1894 **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 09.57.01 to 10.07.48.

1895 See **E1/21.1** Transcript, 13 December 2011, Nuon Chea, 10.20.46 to 10.23.06 [stating that “the decision to evacuate the dwellers in Phnom Penh was done through a series of meetings”].

1896 **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498231-32; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396337; **E3/3** Nuon Chea Statement, at ENG 00184661-62, 66; **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486238 [stating that the Party’s “operational line was that the countryside was the support base,” because the “networks of the enemy’s repressive apparatus were concentrated” in the cities and “the enemy was everywhere there”].

1897 **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498231-32; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396337; **E3/3** Nuon Chea Statement, at ENG 00184661-62, 66; **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486238 [stating that the Party’s “operational line was that the countryside was the support base,” because the “networks of the enemy’s repressive apparatus were concentrated” in the cities and “the enemy was everywhere there”].

1898 **E3/24** Phy Phuon OCIJ Statement, at ENG 00223581; **E3/63** Phy Phuon OCIJ Statement, at ENG 00231409-10; **E3/424** Meas Voeun OCIJ Statement, at ENG 00421070.

1899 **E1/14.1** Transcript, 22 November 2011, Nuon Chea, 15.28.03 to 15.30.10; **E1/21.1** Transcript, 13 December 2011, Nuon Chea, 10.33.55 [“we decided that we had to evacuate the residents in Phnom Penh temporarily and then we would see what the situation unfold, how the liberation in Vietnam was going”].

1900 **E152.1.43.1** Khieu Samphan Interview, at ENG 00790271 [transcript of video **E152.1.43R**] [“As for the evacuees, that was clarified later, as far as I can recall, because I was in the Central Committee”]; **E152.1.52.1** Khieu Samphan Interview, at ENG 00788872 [transcript of video **E152.1.52R**] [admitting that after the evacuations were carried out, there were “many complicated problems” and “many people died,” and some “in the Standing Committee who had agreed to the evacuations withdrew”].

1901 **E3/196** Nuon Chea Speech, 30 July 1978, at ENG 00001181, 00001183; **E3/451** Kaing Guek Eav OCIJ Statement, at ENG 00204345 [confirming that Nuon Chea gave speech to visiting Danish delegation and made similar statements “within the Party”]. See also **E3/4601** Lim Sat OCIJ Statement, A8 at ENG 00412159 [Nuon Chea statement to cadres: “If the markets existed, internal enemy would exist. Only the evacuation of people from the markets to the base could help us to find the internal enemy”]; **E1/187.1** Transcript, 2 May 2013, Lim Sat, 11.24.13 to 11.25.48.

1902 **E3/216** CPK Standing Committee Meeting Minutes entitled “Minutes on the Standing [Committee’s] visit to Northwest Zone, August 20-24 1975,” 24 August 1975, at ENG 00183003-04; **E3/781** CPK Publication entitled “Governing and carrying out policy and restoring all fields of the country (Document No. 3),” 19 September 1975, at ENG 00523590 [“In the Northwest, we must add an additional force of 500,000 people”].

1903 **E3/216** CPK Standing Committee Meeting Minutes entitled “Minutes on the Standing [Committee’s] visit to Northwest Zone, August 20-24 1975,” 24 August 1975, at ENG 00182998, 3001; **E3/781** CPK Publication entitled “Governing and carrying out policy and restoring all fields of the country (Document No. 3),” 19 September 1975, at ENG 00523571, 90 [noting “a situation of shortages in all aspects of life, including shortages of supplies to produce food” and stating that the “people with the greatest shortages are those who were evacuated from Phnom Penh”].

1904 **E1/21.1** Transcript, 13 December 2011, Nuon Chea, 10.33.55.

1905 **E3/154** Telegram from Sao Phim (Chhon) to Brother Pol, 30 November 1975; **E3/1188** Telegram from Buth to Respected Brother, 29 January 1976 [reporting on “Situations of the people who were evacuated from Laos”]; **E3/898** Telegram from Sè to Committee 870, 11 December 1977 [“Siem Reap district comprises 40,000 people. They are mainly ‘New People’ to be distributed to other districts”]; **E3/243** Telegram from Sao Phim (Chhon) to Brother Pâ, 19 January 1978.

1906 **E3/154** Telegram from Sao Phim (Chhon) to Brother Pol, 30 November 1975 [copies sent to Brother Nuon, Brother Doeun and Brother Yem].

1907 **E3/64** Norng Sophang OCIJ Statement, at ENG 00334057; **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 11.48.02 to 11.49.35.

1908 **E3/243** Telegram from Sao Phim (Chhon) to Brother Pà, 19 January 1978.

1909 **E3/957** Telegram from M-401 to Angkar, 25 June 1977 [report from West Zone regarding 24 people who were arrested after “fleeing” the North Zone, asking “what kind of measures Angkar will take”]; **E3/1179** Report from M-560 dated 8 June 1977; **E3/1120** Telegram from Mo-560, 6 November 1977.

1910 **E3/65** Kaing Guek Eav OCIJ Statement, at ENG 00147524-25; **E3/35** TCW-297 OCIJ Statement, at ENG 00346160 [describing Party policy since 1973 that “an opponent is considered as a traitor and must be smashed” and that “an individual who does not follow the Party line will be considered as an opponent of the Party”]; **E3/362** Chhouk Rin OCIJ Statement, at ENG 00268894 [policy of CPK was to “purge the feudalists and the intellectuals, whom they considered as the enemy of the communist system”]; **E3/1568** TCW-92 Statement, at ENG 00419370, 76 [Nuon Chea discussed Party line of “carefully screening internal agents” at 20-25 May 1975 conference, which constituted an “order to kill” that was to be “followed at all costs”]; **E3/1568** TCW-223 Statement, at ENG 00419441 [stating that it was “very clear that Pol Pot had a policy of screening out internal agents in the party”]; **E3/1092** Report from M-401 to Angkar, 16 July 1978, at ENG 00289921-23 [committing to continue efforts to “uncover enemy burrowing from within, so that we can absolutely sweep them away by way of strictly following the party’s organizational line”]; **E3/1094** Report from M-401 to Angkar, 4 August 1978, at ENG 00315368 [referring to “the Party’s assignment line to routinely remove, screen, and sweep clean” enemies].

1911 **E3/3** Nuon Chea Statement, at ENG 00184661-62; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498229-30; **E3/10** *Revolutionary Flag*, September-October 1976, at ENG 00450505-07.

1912 **E3/10** *Revolutionary Flag*, September-October 1976, at ENG 00450507 [describing the determination of the “1960 revolutionary line” that “[o]nly the use of revolutionary violence would enable us to defeat the enemy”]; **E3/25** *Revolutionary Flag*, December 1976-January 1977 (Special Issue), at ENG 00491412 [“strategic line of the Party that was set in 1960” was that it was “imperative to attack and bring down the feudalists, capitalists, and reactionaries in Kampuchea” using “armed violence”]; **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486236, 48 [stating that the First Congress of the Party resolved “to use revolutionary political violence and revolutionary armed violence” both to “resist the enemy and strike the enemy”]; **E3/147** FBIS, *Nuon Chea Speaks on Cambodian Army Anniversary*, 17 January 1977, at ENG 00168467; **E3/3** Nuon Chea Statement, at ENG 00184662; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498231-32; **E3/15** Kaing Guek Eav OCIJ Statement, at ENG 00251372.

1913 **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model*, at ENG 00393755; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498240; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396346-47.

1914 **E3/12** CPK Directive entitled “Decision of the Central Committee Regarding a Number of Matters,” 30 March 1976, at ENG 00182809.

1915 **E3/763** CPK Central Committee Directive, 20 June 1978, at ENG 00275217-20; **E3/429** Kaing Guek Eav OCIJ Statement, at ENG 00403923 [stating that it was Nuon Chea who sent this circular to him].

1916 **E3/453** Kaing Guek Eav OCIJ Statement, at ENG 00147583; **E3/1568** Statement, at ENG 00419376.

1917 **E3/453** Kaing Guek Eav OCIJ Statement, at ENG 00147583 [arrests of Central Committee members decided by Standing Committee]; **E3/450** Kaing Guek Eav OCIJ Statement, at ENG 00178060.

1918 **E3/65** Kaing Guek Eav OCIJ Statement, at ENG 00147523; **E3/5748** Kaing Guek Eav OCIJ Statement, at ENG 00153571; **E3/61** Kaing Guek Eav OCIJ Statement, at ENG 00195577-78; **E3/5790** Kaing Guek Eav OCIJ Statement, at ENG 00414345, 00414348; **E3/342** OCP Revised S-21 Prisoner List, at ENG 00330039 (No. 10192) [Suos Nov *alias* Chhouk, Secretary of Sector 24, entered S-21 on 28 August 1976]; **D288/6.2.22** S-21 Confession of Suos Neou *alias* Chhouk *alias* Mën, 26 September 1976, at ENG 00038317.

1919 **E3/83** Kaing Guek Eav OCIJ Statement, at ENG 00398165-66 [stating that decision to arrest Pang was made by the Standing Committee, and that Nuon Chea had Vorn Vet deliver the arrest order to Duch].

1920 **E3/15** Kaing Guek Eav OCIJ Statement, at ENG 00251378; **E3/45** Kaing Guek Eav OCIJ Statement, at ENG 00205161-62; Kaing Guek Eav Statement, D121/6.2, at ENG 00434342-43, 45; **E3/429** Kaing Guek Eav OCIJ Statement, at ENG 00403918; **E3/355** Kaing Guek Eav Statement, at ENG 00242880; **E3/357** Kaing Guek Eav OCIJ Statement, at ENG 00242931-32, 35-36 [“all confessions, without

exception, were sent to the superior”]; **E3/60** Kaing Guek Eav OCIJ Statement, at ENG 00195602-03 [stating that he saw confessions annotated by Nuon Chea indicating “that it be sent to the relevant unit,” such as “to be sent to Brother Van” or “to be sent to Zone ½,” which referred to the Central Zone]; **E3/366** [REDACTED] OCIJ Statement, at ENG 00250750 [stating that the Sector 105 military chief received from the Party Centre copies of S-21 confessions of Division 920 soldiers which “implicated persons they knew”]; **E3/384** Sao Sarun OCIJ Statement, at ENG 00348372-73 [testimony of former Secretary of Sector 105 regarding a telegram he sent to Angkar (D201/5.1) discussing the arrest of a person “implicated in the confession of the traitor A Chuon”]; **E3/413** So Hong *alias* Salot Ban OCIJ Statement, at ENG 00361013-14 [confirming that S-21 confessions were sent to the Ministry of Foreign Affairs]; **E3/63** Phy Phuon OCIJ Statement, at ENG 00231411 [testimony of MFA Security Chairman that Office 870 delivered annotated S-21 confessions to Ieng Sary]; **E3/35** TCW-297 OCIJ Statement, at ENG 00346161-62 [Central Zone office received “lists” of names from S-21, with the names of the persons to be sent to Phnom Penh marked in red ink]; **E3/407** Chhaom Se OCIJ Statement, at ENG 00406223-24 [confessions of Division 801 soldiers interrogated in Phnom Penh were sent to the Division Secretary, with annotations in red ink identifying cadre to be arrested].

1921 **E3/453** Kaing Guek Eav OCIJ Statement, at ENG 00147583; **E3/107** Kaing Guek Eav Statement, at ENG 00198223; **E3/45** Kaing Guek Eav OCIJ Statement, at ENG 00205161-62; **E3/357** Kaing Guek Eav OCIJ Statement, at ENG 00242931-32; **E3/355** Kaing Guek Eav Statement, at ENG 00242880 [“Before someone was arrested, it was compulsory to consult the head of his unit”]; **E3/63** Phy Phuon OCIJ Statement, at ENG 00231411; **E3/5762** Kaing Guek Eav OCIJ Statement, at ENG 00164335 [Nuon Chea decision to arrest Ri, a cadre from the Ministry of Industry, after consultation and reporting by Vorn Vet].

1922 **E1/151.1** Transcript, 11 December 2012, Kham Phan, 15.16.15 to 15.21.46; **E1/152.1** Transcript, 12 December 2012, Kham Phan, 10.21.09 to 10.23.47 [“these people would be told to go to study sessions, after which they had disappeared. And it happened again, and again, like that”]; **E1/153.1** Transcript, 13 December 2012, Kham Phan, 16.14.02 to 16.15.53; **E3/58** Kham Phan *alias* Phan Van OCIJ Statement, at ENG 00250089-90; **E3/367** Sao Sarun OCIJ Statement, at ENG 00278696; **E3/420** Prum Sou OCIJ Statement, at ENG 00422381; **E3/64** Norng Sophang OCIJ Statement, at ENG 00334052 [witness translated coded messages from Nuon Chea inviting cadre to meetings on behalf of Committee 870]; **E3/35** TCW-297 OCIJ Statement, at ENG 00346151 [Central Zone Deputy Secretary Sreng and Sector 42 Secretary Tol were “called by the upper echelon to Phnom Penh,” and a telegram sent informing the Zone office of their arrest].

1923 **E3/5748** Kaing Guek Eav OCIJ Statement, at ENG 00153571 [stating that the wives of Vorn Vet and his deputy were summoned by Nuon Chea to his office, arrested and transferred to S-21].

1924 **E1/60.1** Transcript, 5 April 2012, Kaing Guek Eav, 15.29.09 to 15.32.02 [“All documents from the zones came to Brother Nuon, and he made the decisions”]; **E3/1578** Kaing Guek Eav OCIJ Statement, at ENG 00194551; **E3/450** Kaing Guek Eav OCIJ Statement, at ENG 00178060-61; **E3/1564** Kaing Guek Eav OCIJ Statement, at ENG 00403891-93 [Nuon Chea approval of transfer of military commander Peou Hak from East Zone security office S-79 to S-21]; **D108/31.9** S-21 Confession of Peou Hak, 23 October 1976, at KHM 00002252, ENG 00178152 [interrogation record from East Zone security office S-79 sent to Office 870, following which prisoner was transferred to S-21]; **E3/3671** DK Report from Duch, 2 October 1976, in S-21 Confession of Peou Hak, D43/IV-Annex 56, at ENG 00174366-74 [report by Duch regarding “traitorous activities” of Peou Hak and two other East Zone cadre, which led to his arrest by East Zone security]; **E3/181** DK Telegram 11 from 47 to Brother, 14 February 1978, at ENG 00340537 [reporting that 2 Yuon had been captured and sent to S-21].

1925 **E3/1098** Letter from Pal, West Zone Deputy Secretary, to Angkar through K-7, 26 March 1978; **E3/5790** Kaing Guek Eav OCIJ Statement, at ENG 00414347-48 [identifying “S-21” annotation as Nuon Chea’s handwriting].

1926 **E3/1570** Kaing Guek Eav OCIJ Statement, at ENG 00154193 [S-21 cadre discharged on orders of Nuon Chea]; **E3/1578** Kaing Guek Eav OCIJ Statement, at ENG 00194548, 00194552 [stating that Nuon Chea ordered the arrest of Him Huy and the “arrest, the interrogation and the execution of Huy Sre”]; **E3/5770** Kaing Guek Eav OCIJ Statement, at ENG 00177611; **E3/5771** Kaing Guek Eav OCIJ Statement, at ENG 00185499, 00185503; **E3/60** Kaing Guek Eav OCIJ Statement, at ENG 00195604.

1927 **E3/429** Kaing Guek Eav OCIJ Statement, at ENG 00403922-24 [instructed by Nuon Chea to continue normal interrogation practices at S-21, notwithstanding the Party’s 1978 revised policy on CIA, KGB and Yuon agents and contrary statements made days earlier by Pol Pot].

1928 **E3/1580** Kaing Guek Eav OCIJ Statement, at ENG 00177588 [also stating that Duch was informed about the arrival of Vietnamese prisoners either by Nuon Chea or S-71 Deputy Secretary Lin].

1929 **E3/453** Kaing Guek Eav OCIJ Statement, at ENG 00147582; *see also* **E3/449** Kaing Guek Eav OCIJ Statement, at ENG 00159558-59 [stating that Nuon Chea’s execution orders used terms such as “smash”

and “purge”].

1930 **E3/1576** Kaing Guek Eav OCIJ Statement, at ENG 00160724; **E3/450** Kaing Guek Eav OCIJ Statement, at ENG 00178061.

1931 **E3/106** Kaing Guek Eav OCIJ Statement, at ENG 00177637 [stating that Nuon Chea ordered the execution of Vom Vet after receiving his confession].

1932 **E3/65** Kaing Guek Eav OCIJ Statement, at ENG 00147526; **E3/1570** Kaing Guek Eav OCIJ Statement, at ENG 00154194.

1933 **E3/452** Kaing Guek Eav OCIJ Statement, at ENG 00147565, 00147567, 00147572; **E3/107** Kaing Guek Eav OCIJ Statement, at ENG 00198219; **E3/5769** Kaing Guek Eav Statement, at ENG 00166563.

1934 **E3/196** Nuon Chea Speech, 30 July 1978, at ENG 00001181; **E3/451** Kaing Guek Eav OCIJ Statement, at ENG 00204345 [confirming that Nuon Chea gave speech to visiting Danish delegation and made similar statements “within the Party”].

1935 **E3/2357R** Video titled *Pol Pot, Journey to the Killing Fields*, V00172603, at 00:44:18 to 00:44:41.

1936 **E3/2357R** Video titled *Pol Pot, Journey to the Killing Fields*, V00172603, at 00:36.

1937 **E3/108** Nuon Chea Interview, 10 June 2006, at ENG 00000934.

1938 **E3/108** Nuon Chea Interview, 10 June 2006, at ENG 00000934.

1939 **E3/26** Nuon Chea Interview, October 2006, at ENG 00329515, 00329517-18.

1940 **E3/54** Nuon Chea OCIJ Statement, at ENG 00148817.

1941 **E3/4003R** Video entitled *Nuon Chea on Killing Traitors*, V00717048.

1942 **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757521, KHM 00858310-11, FRE 00849416.

1943 **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757531, KHM 00858340, FRE 00849435-36.

1944 **E1/215.1** Transcript 1 July 2013, Pech Chim, 11.29.35 to 11.31.01.

1945 **E1/22.1** Transcript, 14 December 2011, Nuon Chea, 10.59.45; **E1/35.1** Transcript, 30 January 2012, Nuon Chea, 10.23.20 to 10.30.03; **E3/488** FBIS, Khieu Samphan Chairs NUFC Congress Session: Communiqué Issued, 27 February 1975, at ENG 00166772.

1946 **E3/4001R** Video titled “One Day at Po Chrey,” V00800935, at 22:07 to 22:11.

1947 **E3/952** Telegram from Ke Pauk to Brother Pol, 2 April 1976, at ENG 00182658 [“The enemies are former soldiers in combination with the Cham”]; **E3/179** Report from M-560 to Angkar, 29 May 1977, at ENG 00183011-12, KHM 00008498, FRE 00236768-69; **E3/1144** Telegram from Sè to Committee 870, 5 September 1977, section I, at ENG 00517923, KHM 00069447, FRE 00532726; **E3/996** Telegram from Sè to Committee 870, 19 March 1978; **E3/1092** Report from M-401 to Angkar, 16 July 1978, at ENG 00289921-23 [reporting ongoing interrogation of former teacher and 2nd lieutenant in Sector 31, stating that “after we finish the interrogation, we will send him as well as his confessions to Angkar”]; **E3/1094** Report from M-401 to Angkar, 4 August 1978, section I.2, at ENG 00315368, KHM 00143604, FRE 00593523.

1948 **E3/179** Report from M-560 to Angkar, 29 May 1977, at ENG 00183011-12, KHM 00008498, FRE 00236768-69.

1949 **E3/1094** Report from M-401 to Angkar, 4 August 1978, section I.2, at ENG 00315368, KHM 00143604, FRE 00593523.

1950 **E3/1144** Telegram from Sè to Committee 870, 5 September 1977, section I, at ENG 00517923, KHM 00069447, FRE 00532726.

1951 **E3/996** Telegram from Sè to Committee 870, 19 March 1978.

1952 **E1/194.1** Transcript, 21 May 2013, Prum Sou, 10.55.42 to 11.05.17.

1953 **E1/97.1** Transcript, 26 July 2012, Phy Phuon, 09.12.03 to 09.17.06; **E3/4017** Khieu Samphan Interview, at ENG 00793527, KHM 00784339, FR 00823006 [transcript of video **E3/4017R**]; **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486239; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396366

1954 **E1/63.1** Transcript, 18 April 2012, Saut Toeung, 15.09.21 to 15.11.29, 15.22.33 to 15.26.34 [witness travelled with Nuon Chea on trips to the Northwest Zone to meet Ros Nhim “every three or four months”].

1955 **E1/63.1** Transcript, 18 April 2012, Saut Toeung, 15.26.34 to 15.28.34 [noting that Ros Nhim came to Phnom Penh each year “during Pchum Ben”].

1956 **E3/24** Phy Phuon OCIJ Statement, at ENG 00223582, KHM 00204070, FRE 00503922 [specifically identifying Ros Nhim and his deputy Koe as participants in the May 1975 Silver Pagoda meetings]; **E1/97.1** Transcript, 26 July 2012, Phy Phuon, 14.27.33 to 14.29.46 [“I noted that people from all zones coming to the session”].

1957 **E1/54.1** Transcript, 27 March 2012, Kaing Guek Eav, 15.11.54 [“secretary of all Zones across the

country were members of the Central Committee and they were under the order of the secretary and the first deputy secretary of the Central Committee”].

1958 **E3/4202** Thet Sambath, *Behind the Killing Fields*, at ENG 00757531 & 00757551-52, KHM 00858341 & 00858391-92, FRE 00849436 & 00849469-70 [“Rhos Nim later told Nuon Chea about Sieu Heng’s arrest”].

1959 **E152.1.35.1** Khieu Samphan Interview, at ENG 00798304 (transcript of video **E152.1.35R**) [Pol Pot “often invited them to have chit-chats with him for hours just chit-chatting and laughing on ordinary things” and “learned a lot about the situation in the areas those individuals worked”]; **E152.1.46.1** Khieu Samphan Interview, at ENG 00789478-79 (transcript of video **E152.1.46R**) [“as for zone chairpersons, I saw that they had nothing to fear because they came to the meetings working and laughing together ... The alleged fact that it was too fearful to report reality, I don’t believe this”]; **E152.1.45.1** Khieu Samphan Interview, at ENG 00786110-11 (transcript of video **E152.1.45R**).

1960 **E3/179** Report from M-560 to Angkar, 29 May 1977; **E3/1179** Report from M-560, 8 June 1977; **E3/1183** Weekly Reports from M-560 to Angkar, August 1977; **E3/570** Telegram from Nimh to Angkar 870, 12 August 1977 [“It is up to Angkar to decide on this matter”]; **E3/883** Telegram from Nimh to Angkar 870, 27 August 1977; **E3/1119** Telegram from Nimh to Angkar 870, 20 October 1977 [“I would like to seek approval from Angkar”]; **E3/1208** Telegram from Nimh to Angkar 870, 21 December 1977; **E3/910** Telegram from Nimh to Angkar 870, 24 December 1977 [“How Angkar will decide if our brothers and sisters request to attack this location?”]; **E3/950** Telegram from Nimh to Angkar 870, 11 May 1978, at ENG 00185215-16; **E3/1013** Telegram from Nimh to Office 870, 9 March.

1961 **E3/950** Telegram from Nimh to Angkar 870, 11 May 1978, at ENG 00185215-16.

1962 **E3/1013** Telegram from Nimh to Office 870, 9 March.

1963 **E3/570** Telegram from Nimh to Angkar 870, 12 August 1977.

1964 **E3/1208** Telegram from Nimh to Angkar 870, 21 December 1977.

1965 **E3/910** Telegram from Nimh to Angkar 870, 24 December 1977.

1966 **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417600; **E3/459** Saloth Ban *alias* So Hong OCIJ Statement, at ENG 00223595; **E3/1714** Masato Matsushita and Stephen Heder, *Interviews with Kampuchean Refugees at Thai-Cambodia Border*, at ENG 00170749; **E3/4** Timothy Carney, *The Organization of Power*, at ENG 00105141, 00105151; **E3/494** Craig Etcheson, Written Record of Analysis, 18 July 2007, at ENG 00142830; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396669.

1967 **E3/94** Ieng Sary Interview, 22 July 1981, at ENG 00342504.

1968 **E1/21.1**, Transcript, 13 December 2011, Khieu Samphan, 13.55.50 to 13.58.25 [“I have one alias, Haem.”]; **E1/55.1** Transcript, 28 March 2012, Kaing Guek Eav *alias* Duch, 10.05.44, 11.38.15 to 11.40.08; **E1/63.1** Transcript, 18 April 2012, Saut Toeung, 14.02.58 to 14.04.58; referring to **E3/103** Saut Toeung OCIJ Statement, ENG 00204020; **E1/73.1** Transcript, 17 May 2012, Pean Khean, 10.02.18 to 10.04.51, 10.08.24 to 10.12.03; **E1/79.1** Transcript, 31 May 2012, Sar Kimlomouth, 09.57.40 to 10.05.43; **E1/81.1** Transcript, 5 June 2012, Sar Kimlomouth, 12.02.59 to 12.07.25 [“[I]t was known to everybody that Hem was the alias for Khieu Samphan...but it was the general knowledge of the public that Hem was referred to as Hem...”]; **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 09.40.14 to 09.41.50; **E1/92.1** Transcript, 19 July 2012, David Chandler, 14.37.05 to 14.38.57; **E1/111.1** Transcript, 21 August 2012, Kim Vun, 11.46.55 to 11.50.21; **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 15.37.11 to 15.39.29; **E3/64** Norng Sophang OCIJ Statement, at ENG 00334059; **E1/122.1** Transcript, 5 September 2012, Norng Sophang, 10.21.33 to 10.25.54; **E1/124.1** Transcript, 20 September 2012, Chea Say, 14.00.35 to 14.02.31; **E1/132.1** Transcript, 9 October 2012, Meas Voeun, 15.25.37 to 15.28.09; **E1/151.1** Transcript, 11 December 2012, Phan Van, 15.48.00 to 15.52.18; **E1/154.1** Transcript, 14 December 2012, Phan Van, 09.40.15 to 09.42.33 [“Q. But when you encoded telegrams to Khieu Samphan, you addressed them to ‘Hem’; am I right? A. Yes, you are.”]; **E3/58** Kham Phan *alias* Phan Van OCIJ Statement, at ENG 00250089; **E1/204.1** Transcript, 10 June 2013, So Socheat *alias* Rin, 13.57.36 to 13.59.49; **E3/35** TCW-297 OCIJ Statement, at ENG 00346148.

1969 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 13.55.50 to 13.58.25 [“Q...Is also Nan your alias? A. Nan was used when I was in the Southwest. When I moved to Steung Chinit some...still call me Nan. But...I am generally referred to as Haem...after 1975.”]; **E3/107** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00198224 [“Khieu Samphan’s revolutionary name was Hem. Later, Pol Pot had him called Nan.”].

1970 **E1/205.1** Transcript, 11 June 2013, So Socheat, 09.08.56 to 09.10.38.

1971 **E1/55.1** Transcript, 28 March 2012, Kaing Guek Eav *alias* Duch, 14.34.21 to 14.36.13, 15.05.18 to 15.07.37, 15.33.30 to 15.35.00; **E1/62.1** Transcript, 10 April 2012, Kaing Guek Eav *alias* Duch, 14.08.16

- to 14.30.09; **E3/106** Kaing Guek Eav *alias* Duch OCII Statement, ENG 00177635; **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 14.16.49 to 14.18.47.
- 1972 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 13.58.25; **E3/27** Khieu Samphan OCII Statement, at ENG 00156741; **E3/713** Khieu Samphan Interview, January 2004, ENG 00177964.
- 1973 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396220.
- 1974 **E1/189.1** Transcript, 6 May 2013, Philip Short, 09.24.24 to 09.26.54, **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396220 [“Sar...was fortunate to secure a place as a boarder at a newly opened junior middle school, the College Preah Sihanouk at Kompong Cham...where he moved in the autumn of 1943.”], 00396223 [“Khieu Samphan, who was in the class below him...in the school orchestra.”] 00396224-25 [“Khieu Samphan, Sar and a dozen or so others decided to take the college theatre troupe on a provincial tour in order to raise money to visit the temples at Angkor Wat...”]; **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 14.03.34 to 14.05.20 [“Then I attended the junior high school in Preah Sihanouk High School, in Kampong Cham province. Then, I moved to Phnom Penh following my graduation of junior high school in Kampong Cham.”]; **E1/94.1** Transcript, 23 July 2012, David Chandler, 15.41.35 to 15.42.25 [“For example, I knew people who had been to the same school with [Saloth Sar] in Kampong Cham...Khieu Samphan went to the same school.”]; **E3/713** Khieu Samphan Interview, January 2004, ENG 00177979 [“But I knew Pol Pot, alias Saloth Sar, when we studied in Kampong Cham together. He was one grade ahead of me.”].
- 1975 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396224-25.
- 1976 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 14.03.34 to 14.05.20 [“Then I attended the junior high school in Preah Sihanouk High School...Then, I moved to Sisowath to attend the junior - the senior high school. I finished my senior high school in 1951...”]; 14.18.47 to 14.20.07 [“I finished senior high school in 1951...I worked as a teacher in a technical junior high school and, at the same time I took a law course as well; and until 1953...”]; **E3/89** Ieng Sary Interview, at ENG 00417630.
- 1977 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 14.03.34 to 14.05.20 [“I finished my senior high school in 1951, but I had to work at the same time after I finished my high school in order to support my mother and my brothers and sisters for two years...”]; 14.18.47 to 14.20.07 [“[I]mmediately after I finished my high school I had to work...I worked as a teacher in a technical junior high school and, at the same time, I took a law course as well; and until 1953, I left for Paris.”]
- 1978 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 14.03.34 to 14.05.20 [“And I left for France in 1953, and I graduated after 1958, and I returned to Cambodia.”] 14.18.47 to 14.20.07 [“[U]ntil 1953, I left for Paris.”]; **E3/88** William Shawcross, *Sideshow: Nixon, Kissinger and the Destruction of Cambodia*, at ENG 00429927 [Khieu Samphan “won a scholarship to France in 1954.”].
- 1979 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 14.20.07 to 14.25.33 [“Ok Sakun, he approached me and he persuaded me to join the Circle of Marxists...so I eventually accepted.”]; **E3/4201R** Video Entitled “Facing Genocide: Khieu Samphan and Pol Pot,” 00.13.45 - 00.14.08 [“Q. When did you meet the most radical Cambodian students in Paris? A. They picked me up at the airport. They were the most radical students, the ones who that picked me up.”]; **E3/659** Ieng Thirith Interview, 1980, at ENG 00182306 [“EB. You knew Khieu Samphan then? It. Yes. He belonged to the circle too.”].
- 1980 **E1/101.1** Transcript, 2 August 2012, Suong Sikoeun, 13.58.02 to 13.59.34 [“Q. What was the main objective of this Marxist-Leninist Circle? A...I knew that the primary objective was to study from the...Marxist-Leninist doctrine...to prepare for the formation of a Party...Communist.”]; **E3/659** Ieng Thirith Interview, 1980, at ENG 00182301-02; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396255-56 [“The cells met...to discuss the week’s events and to study Marxist texts...There were also evenings of ‘criticism and self-criticism,’ when cell members analysed their shortcomings and those of their comrades.”]; **E3/2119** Henry Kamm, *Cambodia: Report from a Stricken Land*, at ENG 00394457-58.
- 1981 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 14.20.07 to 14.25.33.
- 1982 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 14.25.33 to 14.27.02 [“Ieng Sary handed over the role to me.”]; **E1/101.1** Transcript, 2 August 2012, Suong Sikoeun, 13.55.35 to 13.59.34 [“While I was studying in France...[in] 1957, Ieng Sary sent me a letter in order to give it to Khieu Samphan in Paris...after receiving the letter, Khieu Samphan accepted me as a member.”], 14.23.12 to 14.25.42 [“[T]here were two organizations of gathering Khmer immigrants abroad, in particular in Europe: the Marxist-Leninist Circle and the Khmer student’s union led by Khieu Samphan.”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396332 [“Khieu Samphan, Ieng Sary’s successor at the head of the Cercle Marxiste...”], 00396669 [“Khieu Samphan (b. 1931) alias Hem, Nan: Head of the Cercle Marxiste in Paris after Ieng Sary’s departure.”].

- 1983 **E3/108** Khieu Samphan Interview, 9 - 11 June 2006, at ENG 00000926 [“Saloth Sar, me and others were...students in France...Saloth Sar was assigned...decided to involved with Khmer Vietnamh...We decided to join Saloth Sar to support the Vietnamh movement...deal with Vietnam later”].
- 1984 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 14.31.37 to 14.32.28.
- 1985 **E1/101.1** Transcript, 2 August 2012, Suong Sikoeun, 14.23.12 to 14.25.42 [“[T]here were two organizations of gathering Khmer immigrants abroad, in particular in Europe: the Marxist-Leninist Circle and the Khmer student’s union led by Khieu Samphan.”]; **E1/107.1** Transcript, 14 August 2012, Ong Thong Hoeung, 14.05.56 to 14.10.18; **E3/97** Ong Thong Hoeung OCIJ Statement, at ENG 00287099 [“Q: Who were the members and leaders of the Khmer Students’ Union? A: Pol Pot (real name Saloth Sar), Ieng Sary and Khieu Samphan were the three founders of the movement.”]; **E3/88** William Shawcross, *Sideshow: Nixon, Kissinger and the Destruction of Cambodia*, at ENG 00429927 [Khieu Samphan “became Secretary General of the Students’ Association.”].
- 1986 **E3/123** Khieu Samphan, *Cambodia’s Economy and Industrial Development*, 1958, at ENG 00750577 [“In contrast, in the present state of economic integration into advanced capitalist economies...investment in infrastructure can only intensify international integration...root cause of underdevelopment...economy.”], 00750588 [“By...rendering agricultural production increasingly precarious, international integration ineluctably directs activities towards ‘officialism’ and intermediary commerce.”], 00750627-28 [“By considerably slowing down the growth of industry...and of agriculture...international integration...orients a country’s general economic activity into unproductive sectors...careers.”].
- 1987 **E3/123** Khieu Samphan, *Cambodia’s Economy and Industrial Development*, 1958, at ENG 00750561-62 [See section “B. Industry and Crafts Rely upon a Foreign Center”], 00750596 [“Initiative is the province of foreign entrepreneurs who ‘open up’ a country...The consequence is the ruin of local crafts and the substitution of imports for handicraft production...has become underdeveloped.” (original emphasis)].
- 1988 **E3/123** Khieu Samphan, *Cambodia’s Economy and Industrial Development*, 1958, at ENG 00750579-80 [Section “B. Commercialized Aid”], 00750614 [“Meanwhile we must defend the country’s political and economic independence, independence gravely threatened by constant deterioration in the external account.”].
- 1989 **E3/123** Khieu Samphan, *Cambodia’s Economy and Industrial Development*, 1958, at ENG 00750563-64 [See “Section II. The Causes of Economic Backwardness”]; See also 00750567.
- 1990 **E3/123** Khieu Samphan, *Cambodia’s Economy and Industrial Development*, 1958, at ENG 00750591.
- 1991 **E3/123** Khieu Samphan, *Cambodia’s Economy and Industrial Development*, 1958, at ENG 00750600 [“The only way out of this state of chronic disequilibrium is to withdraw from the entanglements of integration and to engage resolutely in autonomous development.”], 00750601 [“Put in other terms...integration means...adjustment of...underdeveloped country to...dominant...economies...violent upheaval...Self-conscious, autonomous development...necessary.”].
- 1992 **E3/123** Khieu Samphan, *Cambodia’s Economy and Industrial Development*, 1958, at ENG 00750607 (emphases added).
- 1993 **E3/123** Khieu Samphan, *Cambodia’s Economy and Industrial Development*, 1958, at ENG 00750608 [“In our opinion, it is impossible to envisage autonomous development without prior restriction of international integration, that is to say, restriction of free trade.”], 00750613 [“Is it really possible to engage in active foreign trade without the state directly assuming responsibility? One can legitimately doubt it...state monopoly on foreign trade in the major commodities (rubber, rice, and corn).”]; See also **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 14.28.22 to 14.31.37 [“And I thought that, well, Cambodia had to take control of foreign trades...”].
- 1994 **E3/123** Khieu Samphan, *Cambodia’s Economy and Industrial Development*, 1958, at ENG 00750588 [“We believe it is appropriate to make a basic distinction here...role of... other “foreigners”...These “Europeans” or Americans, therefore, cannot be integrated into Khmer society.” (emphasis added)].
- 1995 **E3/123** Khieu Samphan, *Cambodia’s Economy and Industrial Development*, 1958, at ENG 00750580 [“It seems quite clear that American aid...tends to emphasize integration...which underlies current underdevelopment...window dressing for the purpose of easing the process of integration...economy.”], 00750605 [“Foreign aid poses no problem provided it does not involve political or economic subjugation.” See also reference to “political and military combinations that Americans try to devise in distributing loans and grants”].
- 1996 **E3/123** Khieu Samphan, *Cambodia’s Economy and Industrial Development*, 1958, at ENG 00750563 [“[T]he greater the reduction in numbers of individuals engaged in general social organization, then the larger the number of people who can contribute to production will be, and the faster the nation will acquire wealth.”], 00750586 [“A rational ordering of society must therefore strive to restrict unproductive activity for the purpose of employing the maximum number of people in productive activities.”].

- 1997 **E3/123** Khieu Samphan, *Cambodia's Economy and Industrial Development*, 1958, at ENG 00750609 ["The fundamental fact which economists ought to take into consideration is therefore not the individual, but the nation." (original emphasis)].
- 1998 **E3/123** Khieu Samphan, *Cambodia's Economy and Industrial Development*, 1958, at ENG 00750608 ["Direct struggle for reductions...the state must take initial responsibility...induce landlords to "reorganize" their property...a package of very strict measures appears absolutely essential," (emphasis added)]; See also Introduction by Laura Summers at 00750539-00750540 ["The difficult part of the strategy was ensuring that landlords and traders (cum usurers) did not sabotage state policies by continuing to extract wealth from peasants at a level which jeopardized national industrial growth...This could only be done, Samphan decides, by use of official coercion."].
- 1999 **E3/123** Khieu Samphan, *Cambodia's Economy and Industrial Development*, 1958, at ENG 00750634 ["We suspect that even the most firm governmental decrees will be insufficient...only if peasants themselves, encouraged and aided...government must...support...peasants to take action."]; See also 00750635.
- 2000 **E3/123** Khieu Samphan, *Cambodia's Economy and Industrial Development*, 1958, at ENG 00750636.
- 2001 **E3/123** Khieu Samphan, *Cambodia's Economy and Industrial Development*, 1958, at ENG 00750607 ["The Necessity of Extensive Structural Reform...In our view, the steps which need to be taken more closely resemble...political program for the destruction of ancient precapitalist economic relationships.."]
- 2002 See, for example, **E3/123** Khieu Samphan, *Cambodia's Economy and Industrial Development*, 1958, at ENG 00750645 ["But the responsibility...must be assumed by the state...must include rigorous control of foreign relations and a well-thought-out effort at structural reform...leadership of the ensemble of social forces...administrative."]; See also **E1/15.1** Transcript, 23 November 2011, Khieu Samphan, 09.34.07 to 09.37.46 ["[I]n Paris...wrote my doctoral thesis on economics...I was interested in the Communist doctrine and I also studied about those theories...at that time, Communism is the one movement that gave hope..."].
- 2003 **E1/189.1** Transcript, 6 May 2013, Philip Short, 11.30.13 to 11.32.27; **E1/192.1** Transcript, 9 May 2013, Philip Short, 11.11.12 to 11.16.45 ["[T]he broad approach was consonant with what happened later... but you can see a certain correlation between those kinds of ideas which were being discussed in the early 1960s...and what happened later."].
- 2004 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 14.34.42, 14.36.10.
- 2005 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 14.36.10 to 14.38.51 ["Regarding the newspaper 'L'Observateur'...The friends who I know while I was in France, and who returned to the country before I did...proposed that I should publish a newspaper as a voice..."]; **E3/18** Khieu Samphan, *Cambodia's Recent History & the Reasons Behind the Decisions I Made*, at ENG 00103726; **E3/111** Ieng Sary Interview, 31 January 1972, ENG 00762420; **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417630; **E3/659** Ieng Thirith Interview, 1980, at ENG 00182316; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396332, FR 00639611; **E3/17** David Chandler, *Brother Number One: A Political Biography of Pol Pot*, at ENG 00392971; **E3/88** William Shawcross, *Sideshow: Nixon, Kissinger and the Destruction of Cambodia*, at ENG 00429930; **E3/3169** Stephen Heder, *Pol Pot and Khieu Samphan*, at ENG 00002749, 51; **E3/20** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, at ENG 00237792; See also **E1/150.1** Transcript, 7 December 2012, Hun Chhunly 15.26.16 to 15.27.24 ["I have known Mr. Khieu Samphan in his capacity as...the chief of the 'L'Observateur' newspaper."].
- 2006 **E3/1684** David Chandler, *Voices from S-21: Terror and History in Pol Pot's Secret Prison*, at ENG 00192740 ["In 1960 [Koy Thuon] worked with Khieu Samphan on Samphan's short-lived weekly, L'Observateur."]; **E3/1683** David Chandler, *The Tragedy of Cambodian History*, at ENG 00193382 ["[Koy Thuon] had worked as a journalist with Khieu Samphan in 1959-60."].
- 2007 **E3/1077** Telegram 324 from Se, North Zone Secretary to Committee 870, 10 April 1978, at ENG 00340539 ["We have a plan to search and destroy it. 'A' In Tam group previously used the traitors in Sector 103 whose leader was 'A' Hang...we arrested Hang and all of his henchmen in Chaom Ksan district and in Sector 103 military unit..."]; **E3/2470** S-21 Confession of Bou Phat *alias* Hang, Secretary of Sector 103, North Zone, 26 July 1978; **E1/121.1** Transcript, 4 Sep 2012, Norng Sophang, 09.14.22 ["Hang, from Sector 103, is that the same Hang from Sector 103 that we discussed over the last couple of days - the gentleman who was a secretary of that sector? A. Yes. This Hang is the same person."].
- 2008 **E1/189.1** Transcript, 6 May 2013, Philip Short, 11.21.57 to 11.23.34; **E1/190.1** Transcript, 7 May 2013, Philip Short, 10.17.13 to 10.20.38 ["Q. [L]ate 1966... Pol Pot...leadership had already left Phnom Penh... some degree of communication, cooperation? A...a linkage in the way they operated...not sporadic and divorced from each other;" See also **E3/1815** Ben Kiernan, *How Pol Pot Came to Power*, at ENG 00487308.

- 2009 **E1/190.1** Transcript, 7 May 2013, Philip Short, 10.02.35 to 10.07.00 [“Q. Do I understand...there was already contact between Khieu Samphan and the underground Phnom Penh City Committee? A. Yes... right at the beginning of the 1960s...there was contact...certainly indirect contact.”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396332; See also **E3/1919** Analytical Report by Sokhym Em entitled “Revolutionary Female Medical Staff in Tram Kak District,” October 2002, at ENG 00080479 [“‘Memories’ from Hu Nim’s book include: ‘In 1965...I received an order from Khieu Samphan to...convince Sihanouk that ‘the dangers stem from the rightists’.”]
- 2010 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396311, 00396335.
- 2011 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 14.48.19 to 14.50.14; **E3/713** Khieu Samphan Interview, January 2004, at ENG 00177968-70, KHM 72, FR 00659102 ; **E1/189.1** Transcript, 6 May 2013, Philip Short, 11.32.27 to 11.35.42 [“Sihanouk’s interior minister had his police strip Khieu Samphan naked in the street.”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396333; **E3/17** David Chandler, *Brother Number One: A Political Biography of Pol Pot*, at ENG 00392972; **E3/88** William Shawcross, *Sideshow: Nixon, Kissinger and the Destruction of Cambodia*, at ENG 00429930; **E3/20** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, at ENG 00237795; **E3/107** Kaing Guek Eav alias Duch OCIJ Statement, at ENG 00198223-24.
- 2012 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 14.48.19 to 14.50.14; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396333-34, FR 00639613; **E3/17** David Chandler, *Brother Number One: A Political Biography of Pol Pot*, at ENG 00392930; **E3/20** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, at ENG 00237795; **E3/708** Indochina Chronicle, *Underdevelopment in Cambodia*, November 1976, at ENG 00505227.
- 2013 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 14.48.19 to 14.50.14; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396334, FR 00639613; **E3/17** David Chandler, *Brother Number One: A Political Biography of Pol Pot*, at ENG 00392972; **E3/708** Indochina Chronicle, *Underdevelopment in Cambodia*, November 1976, at ENG 00505227.
- 2014 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396332 [“With Sary’s encouragement, [Khieu Samphan] had followed Hou Yuon’s example and joined the Sangkum.”], 00396340-41 [“[I]n the 1962 elections...Khieu Samphan became an MP for the first time...”]; **E3/18** Khieu Samphan, *Cambodia’s Recent History & the Reasons Behind the Decisions I Made*, at ENG 00103726 [“In the middle of the year 1962, I was elected to parliament as a member of Sangkum Reatsr Niyum for the district of Saang in Kandal Province...”]; **E3/1815** Ben Kiernan, *How Pol Pot Came to Power*, at ENG 00487313; **E3/713** Khieu Samphan Interview, January 2004, at ENG 00177964.
- 2015 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 15.25.28 to 15.27.29; **E3/18** Khieu Samphan, *Cambodia’s Recent History and the Reasons Behind the Decisions I Made*, at ERN 00103726; **E3/713** Khieu Samphan Interview, January 2004, at ENG 00177964, 00177970; **E3/20** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, at ENG 00237801; **E3/1686** David Chandler, *A History of Cambodia*, at ENG 00422820 [“Sihanouk appointed Samphan as his secretary of state for commerce...in 1962 of several leftists educated in France, such as Khieu Samphan, Hou Yuon, and Hu Nim... rewarded by the prince.”]; See also **E3/8** David Chandler, Ben Kiernan and Chantou Boua, *Pol Pot Plans the Future: Confidential Documents from Democratic Kampuchea*, at ENG 00103997 [“Like Khieu Samphan and Hou Yuon, [Hu Nim] had served in Sihanouk’s National Assembly.”].
- 2016 **E3/18** Khieu Samphan, *Cambodia’s Recent History and the Reasons Behind the Decisions I Made*, at ERN 00103729; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498236-37; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396342-43.
- 2017 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ERN 00396342-43; **E1/93.1** Transcript, 20 July 2012, David Chandler, 11.32.21 to 11.36.58; **E3/17** David Chandler, *Brother Number One*, at ENG 00392977-78, 00393105.
- 2018 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 15.33.14 to 15.35.20; **E3/18** Khieu Samphan, *Cambodia’s Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103729-30; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396351; **E3/88** William Shawcross, *Sideshow: Nixon, Kissinger and the Destruction of Cambodia*, at ENG 00429930-31; **E3/3169** Stephen Heder, *Pol Pot and Khieu Samphan*, at ENG 00002748; **E3/20** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, at ENG 00237806 [“The right forced Khieu Samphan and Hou Youn to resign from Sihanouk’s cabinet in mid-1963.”]; **E3/708** Indochina Chronicle, *Underdevelopment in Cambodia*, November 1976, at ENG 00505227.
- 2019 **E1/221.1** Transcript, 10 July 2013, David Chandler, 13.39.43 to 13.43.42; **E1/ 21.1** Transcript, 13 December 2011, Khieu Samphan, 15.33.14 to 15.35.20; **E3/9** Philip Short, *Pol Pot: The History of a*

Nightmare, at ENG 00396351; **E3/88** William Shawcross, *Sideshow: Nixon, Kissinger and the Destruction of Cambodia*, at ENG 00429930-31; **E3/3169** Stephen Heder, *Pol Pot and Khieu Samphan*, at ENG 00002748; **E3/20** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, at ENG 00237806-07; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model: Imitation and Independence, 1930-1975*, at ENG 00393765, 883; **E3/4602** In Sopheap, *Khieu Samphan*, at FR 00906808-09.

2020 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 15.39.19 to 15.42.36; **E3/18** Khieu Samphan, *Cambodia's Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103733-34, FR 00595396-97, KHM 00103820-21; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498248, KHM 00380400; **E3/27** Khieu Samphan Statement, at ENG 00156743, KHM 00156614, FR 00156666; **E3/713** Khieu Samphan Interview, January 2004, ENG 00177964-65, 77; **E3/111** Ieng Sary Interview, 31 January 1972, ENG 00762420; **E1/96.1** Transcript, 25 July 2012, David Chandler, 10.27.00 to 10.27.32; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396367-68; **E3/3169** Stephen Heder, *Pol Pot and Khieu Samphan*, at ENG 00002748-49; **E3/3714** New York Times, *Rise of Khieu Samphan Toward Leadership of Cambodian Insurgents*, 30 April 1974; **E3/20** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, at ENG 00237809-10; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model: Imitation and Independence, 1930-1975*, at ENG 00393777; **E3/1683** David Chandler, *The Tragedy of Cambodian History*, at ENG 00193249 ["Sihanouk also threatened to hale Khieu Samphan and Hou Youn before a military tribunal to answer questions. Fearing for their lives, both men slipped away from the city before long."]; **E3/1795** Ben Kiernan, *The Samlaut Rebellion and its Aftermath, 1967-70*, at ENG 00327695-96; **E3/3204** Milton Osborne, *Before Kampuchea*, at ENG 00429567.

2021 **E3/18** Khieu Samphan, *Cambodia's Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103733-4; **E3/713** Khieu Samphan Interview, January 2004, 00177977-78; **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 15.55.23 to 15.58.35 ["It was only because I had to force myself to do so due to my personal safety, so I fled and came and seek assistance under the CPK leadership."]; **E3/3** Nuon Chea Interview, at ENG 00184670 ["Then we removed some, removed Comrade Hem, removed Hou Yuon, removed Hou Nim starting in 67, and a number of intellectuals."]; See also **E1/198.1** Transcript, 29 May 2013, Khieu Samphan, 09.58.46 to 10.02.10 ["I forced myself to flee Phnom Penh. I took refuge in order to have the protection from the Communist Party of Kampuchea."]; **E3/1815** Ben Kiernan, *How Pol Pot Came to Power*, at ENG 00487371; **E3/3** Nuon Chea Interview, at ENG 00184670 ["Then we removed some, removed Comrade Hem, removed Hou Yuon, removed Hou Nim starting in 67, and a number of intellectuals."]; **E3/1683** David Chandler, *The Tragedy of Cambodian History*, at ENG 00193242 ["By the middle of 1967, Hou Youn, Hu Nim, and Khieu Samphan had joined their superiors in the CPK in the maquis...hundreds of young people and intellectuals followed the three ghosts...into the forest."].

2022 **E1/96.1** Transcript, 25 July 2012, David Chandler, 10.40.35 to 10.41.14 ["Now, he fled to the countryside...Oh, just by coincidence, he meets Ta Mok...Well, this is part of the part that makes it unbelievable that he wasn't -- had connections that he could use when he fled."], 11.02.16 to 11.05.59 ["Evidence for secret membership is not available, but...[Khieu Samphan] seemed to me to have been a member at the time stem from his -- the trajectory of his life, the continuity of his loyalties and so on."].

2023 **E1/129.1** Transcript, 3 October 2012, Meas Voeun, 14.17.30 to 14.19.22 ["[M]y role was to provide security protection to these cadres...Those cadres include Vorn Vet...to my recollection, and Mr. Khieu Samphan as well."], 15.31.51 to 15.34.14 ["Q. Now, you mentioned Vorn Vet and Khieu Samphan...A. During the time that I provided them protection...Sometimes I actually guarded the road, as well, for their journeys."], 15.34.14 to 15.36.12 ["Q. Did those people include Hu Nim or Hou Youn? A. Yes, they included Hu Nim, Hou Youn, Khieu Samphan, Pok Deuskomar..."], 15.36.12 to 15.38.35 [In relation to the bodyguard unit protecting Vorn Vet and Khieu Samphan - "Q. Could you also tell the Court who assigned you to this particular unit of 20 people? A. At that time, it was Ta Mok."]; **E1/132.1** Transcript, 9 October 2012, Meas Voeun, 11.12.47 to 11.15.10 ["Ta Mok was the one who managed, who gave the instructions before Khieu Samphan was moved elsewhere...Ta Moeun received orders from Ta Mok, and Ta Moeun organized the receipt of Khieu Samphan."], 11.16.27 to 11.19.37 ["Ta Mok already went to the forest and Ta Moeun received orders from Ta Mok, and Ta Moeun organized the receipt of Khieu Samphan...and then we escorted him to Ta Mok's location."]

2024 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156743 ["Q. When did you join the revolution? A. From 1967 when I fled [sic] Phnom Penh. Then I joined the zone of Ta Mok at Kampong Speu."]; **E3/713** Khieu Samphan Interview, January 2004, at ENG 00177977-79; **E1/129.1** Transcript, 3 October 2012, Meas Voeun, 15.31.51 to 15.36.12 ["Is that where Vorn Vet and Khieu Samphan were when you

- were providing them protection? A. Sometimes they stayed in Kampong Speu...in the forest...known as the 'Big Forest' -- or 'Prey Thom'..."]].
- 2025 **E3/18** Khieu Samphan, *Cambodia's Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103735-40, FR 00595400-05, KHM 00103823-28; **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156744, KHM 00156614, FR 00156667; **E3/713** Khieu Samphan Interview, January 2004, at ENG 00177983-84.
- 2026 **E3/18** Khieu Samphan, *Cambodia's Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103737, KHM 00103824, FR 00595402-03; **E3/4201R** Video Entitled "*Facing Genocide: Khieu Samphan and Pol Pot*," 00.16.40 - 00.16.50 ["I saw that they were fighting for the same goals."]; See also **E3/18** Khieu Samphan, *Cambodia's Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103738, KHM 00103825, FR 00595404 ["I felt proud to see that the man I considered a peasant [Ta Mok] had become one of the important representatives of a national resistance movement, capable of convincing and organizing people in the countryside."]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396378 ["[Ta Mok] was a peasant," Khieu Samphan said later... 'But he was broad-minded: he realised we [intellectuals] weren't used to the life in the countryside and he tried to make things easier for us.'"].
- 2027 **E3/4201R** Video Entitled "*Facing Genocide: Khieu Samphan and Pol Pot*," 00.16.45 - 00.17.00.
- 2028 **E3/4201R** Video Entitled "*Facing Genocide: Khieu Samphan and Pol Pot*," 00.17.10 - 00.17.43
- 2029 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 15.45.05; **E1/40.1** Transcript, 8 February 2012, Khieu Samphan, 10.00.25 to 10.01.42; **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156744, KHM 00156615, FR 00156667; **E3/18** Khieu Samphan, *Cambodia's Recent History & the Reasons Behind the Decisions I Made*, at ENG 00103741; **E1/189.1** Transcript, 6 May 2013, Philip Short, 11.28.45 to 11.30.13; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396378-79; **E1/129.1** Transcript, 3 October 2012, Meas Vooun, 15.31.51 to 15.36.12 ["Q. Is that where Vorn Vet and Khieu Samphan were when you were providing them protection? A...From Kampong Chhnang...they moved to Oral. It was in a jungle not in a residential village."]; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model: Imitation and Independence, 1930-1975*, at ENG 00393804 ["Von himself went to Phnum Aural in November 1968, returning only briefly to Phnom Penh in March 1969 before coming back to the Southwest."]; 00393813 ["More anti-Sihanouk propaganda...in 1969, after Khieu Samphan...were relocated...Nuon gave...them...special authorization to attend a conference...of the KWP Central Committee."]; **E3/4602** In Sopheap, *Khieu Samphan*, at FR 00906826-27.
- 2030 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 15.53.17 to 15.54.52 ["In -- up to 1969 and at the Phnom Aoral Mountain, I joined the party with Hu Nim, Pok Deuskumar, where Ta Mok, on behalf of the CPK, introduced us."]; **E1/40.1** Transcript, 8 February 2012, Khieu Samphan, 10.00.25 to 10.01.42 ["I joined the Party at Aural Mountain, in 1969. It was close to the date when the coup d'etat was staged."].
- 2031 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156743, KHM 00156614, FR 00156666 ["Q. When did you join the revolution? A. From 1967 when I fled Phnom Penh. Then I joined the zone of Ta Mok at Kampong Speu."]; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184667, KHM 00078196, FR 00596190 ["By 63...Khieu Samphan...had not yet joined the Center, but he had joined the Party"]; **E1/25.1** Transcript, 11 January 2012, Nuon Chea, 09.45.09 to 09.49.10 [Q. [W]hether it is correct that, as of 1963, Khieu Samphan had not yet joined the Centre but had joined the Party. A...I do not know because...I was not in frequent contact with Mr. Khieu Samphan."].
- 2032 **E3/1815** Ben Kiernan, *How Pol Pot Came to Power*, at ENG 00487407-08.
- 2033 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 15.42.36 to 15.45.05; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia*, at ENG 00498259, KHM 00380421; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396400.
- 2034 **E3/1756** Statement of Norodom Sihanouk entitled "Message et Declaration solennelle de Samdech Norodom Sihanouk, Chef de l'Etat du Cambodge," 23 March 1970; **E3/1391** FUNK Publication entitled "Political Programme of the National United Front of Kampuchea," 3 May 1970; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model: Imitation and Independence, 1930-1975*, at ENG 00393823-24.
- 2035 **E3/4201R** Video Entitled "*Facing Genocide: Khieu Samphan and Pol Pot*," 00:19:26 - 00:20:26; See also **E1/21.1**, Transcript, 13 December 2011, Khieu Samphan, 15.45.05 to 15.53.17.
- 2036 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156745, KHM 00156615, FR 00156668; **E3/4201R** Video Entitled "*Facing Genocide: Khieu Samphan and Pol Pot*," 00:19:26 - 00:20:26; See also **E1/15.1** Transcript, 23 November 2011, Khieu Samphan, 09.46.05 ["I myself was given the responsibility to liaise with the King Sihanouk, and the resistance inside the country, and the leadership of the Communist Party

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of Kampuchea.”]; **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 15.47.49 to 15.49.35 [“I was tasked to be a bridge between the CPK and the King”].

E3/18 Khieu Samphan, *Cambodia's Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103743-00103744; **E1/55.1** Transcript, 28 March 2012, Kaing Guek Eav *alias* Duch, [“A...domestically and internationally, Khieu Samphan was one of the most trusted person...Sihanouk himself trusted Khieu Samphan. People considered him as the prophet of Buddha...he did not reject at all.”]; **E3/24** Phy Phuon OCII Statement, at ENG 00223580 [“Next [they] gathered up the FUNK forces...Khieu Samphan, Hou Yun, Hou Nim, and Pach inside the country, [had] the work of the Front...famous all the way to the forests...Outside...Samdech Sihanouk...”]; **E1/96.1** Transcript, 25 July 2012, Rochoem Ton, 15.41.07 to 15.45.55 [“A. The content was broadcast on radio, and I listened to it...also documents...I’ve read those documents...And sometimes he also gave lectures in study sessions...we need to gather the forces...gather them all...”]; **E1/100.1** Transcript, 1 August 2012, Rochoem Ton, 15.10.19 to 15.12.25 [“Q. Thank you...I would like you explain to us further on the gathering of forces...policy of the FUNK or it was that of the Communist Party of Kampuchea? A. I understand that that was the policy of the Party.”], 15.15.26 [“A. The term “the gathering of forces”...was written in the document...This expression was time and again stated in meetings. Every meeting, people would be talking...a large scale gathering of forces.”], 15.38.28 to 15.41.20 [“A. I knew that, after the coup d’état and after the organization of the FUNK, he was...I respected him and I adored him because it was great to have an intellectual living and working with us in the jungle.”]; **E1/103.1** Transcript, 7 August 2012, Suong Sikoeun, 11.36.35 to 11.38.42 [“P]eople would be eager to come back to the country...a united front headed by then Prince Sihanouk...at that time Khieu Samphan was considered Buddh...and that was the strategy...the tragedy that we had to endure”]; **E1/104.1** Transcript, 8 August 2012, Suong Sikoeun, 09.22.32 to 09.29.01; **E1/105.1** Transcript, 9 August 2012, Ong Thong Hoeung, 14.35.56 to 14.42.00.

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E1/15.1 Transcript, 23 November 2011, Khieu Samphan, 09.44.00 to 09.46.05 [“Regardless you like or dislike it, majority of Cambodian people gave their support to us for our opposition against the Lon Nol regime...we established the resistance movement...”]; **E1/93.1** Transcript, 20 July 2012, David Chandler, 11.49.40 to 11.54.21; **E1/190.1** Transcript, 7 May 2013, Philip Short, 11.37.04 to 11.38.30 [“Sihanouk was immensely popular among the Cambodian peasantry...one of the reasons that the Khmer Rouge obtained recruits so easily...was because Sihanouk was seen as being with the Khmer Rouge...”]; **E3/22** Stephen Heder, *Cambodian Communism and the Vietnamese Model: Imitation and Independence, 1930-1975*, at ENG 00393823 [“[T]he coup meant that Sihanouk came over to their side, providing them with a golden opportunity to exploit his residual rural popularity by rallying forces behind what appeared to be his leadership.”]; See also **E1/159.1** Transcript, 11 January 2013, Chhaom Se, 10.48.15 to 10.51.47 [“Q. Can you please tell the Chamber what made you join the Revolution? A...we were influenced by the appeal by then Prince Norodom Sihanouk.”]; **E3/405** Chhaom Se OCII Statement, at ENG 00406210 [“Q. Please briefly describe your background prior to 17 April 1975. A...I joined voluntarily because of...and the appeal of Prince Sihanouk to join the Front in the forest to liberate the nation.”]; **E3/369** [REDACTED] OCII Statement, at ENG 00272714 [“Before 1975, I joined the army in the East Zone on the 18th of March 1970 following prince Norodom Sihanouk’s appeal for joining the maquis.”]; **E1/77.1** Transcript, 29 May 2012, Ny Kan, 13.37.23 to 13.39.26 [“Q. Could you tell us how you joined this movement? A. I decided to join the resistance...because...all people of all walks of life was convinced by the appeal of the King to fight the imperialists...movement.”]; **E3/460** Ny Kan OCII Statement, at ENG 00223624 [“At the time of the coup in 1970, I joined the maquis in the forest following the appeal of Samdech Sihanouk.”]; **E3/5498** [REDACTED] OCII Statement, at ENG 00384397 [“Q. Why did you join the revolution? A. Because I heard the appeal from King Sihanouk I learnt that there was a movement to liberate the country but not the movement of the Khmer Rouge.”]; **E3/5520** [REDACTED] OCII Statement, at ENG 00412162 [“In 1970 I joined the front in the forest following the appeal of Samdech Sihanouk.”]; **E3/5554** TCW-535 OCII Statement, at ENG 00377398; [“I joined the Revolution in 1971 as a commune militia, followed the appeals by Prince Sihanouk to join the Marquis.”]; **E3/5274** Sum Sokhan OCII Statement, at ENG 00292862 [“I joined the Liberation Army of the Khmer Rouge as combatant...following the appeal of Samdech Norodom Sihanouk to have people go to the Marquis in the forest to struggle to...Lon Nol regime.”]; **E3/5230** [REDACTED] OCII Statement, at ENG 00279241 [“Q: Why did you join the resistance in the forest? A: I heard Samdech Sihanouk’s appeal for his children to join the Front in the forest, and I joined the resistance in the forest.”]; **E3/5173** [REDACTED] OCII Statement, at ENG 00272659 [“In 1970, I fled to the Front in forest to be a soldier, following the appeal of Samdech Sihanouk.”].

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E3/ 9 Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396428 [“The five million dollars in cash which China provided each year for buying arms from government forces...”]; **E3/1800** Article

entitled “Searching for the Truth – History Special Edition”, July 2003, at ENG 00080424 [“In 1974...In April, Khieu Samphan visited Beijing and met with Mao Zedong...In an agreement with the RGNUK, China agreed to provide military equipment and supplies.”].

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E3/9 Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396402.

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E1/21.1 Transcript, 13 December 2011, Khieu Samphan, 15.45.05, 15.49.35; **E3/27** Khieu Samphan OCII Statement, at ENG 00156745; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396401; **E1/55.1** Transcript, 28 March 2012, Kaing Guek Eav *alias* Duch, 11.29.11 to 11.33.43 [“Khieu Samphan was instructed by Pol Pot and he was assigned with the task of the head of the Central Office and also the deputy prime minister of the Royal Government of National Union of Kampuchea.”]; **E3/28** GRUNK report entitled “Cambodia’s Seat in the United Nations,” 19 June 1973, at FR 00068118, ENG 00068119; **E3/3422** Vietnam Courier, *Seven More Vice-Ministers for Cambodian Resistance Government*, 28 September 1970, at ENG S 00021041; **E3/1717** U.S. Embassy report entitled “New FUNK/GRUNK Personalities,” 30 September 1971, at ENG 00419034 [“THE FUNK/GRUNK ORGANIZATION...3. Khieu Samphan, Vice Prime Minister, Minister of National Defense, Commander-in-Chief of the Cambodian National Liberation Forces.”]; **E3/30** FBIS, *Cabinet Ministers Listed*, 16 January 1975, at ENG 00166708; **E3/32** Statement of Norodom Sihanouk, 5 October 1974, at ENG 00282395; **E3/1239** FUNK News Bulletin No. 938, *Members of the G.R.U.N.K.*, 19 - 20 January 1975, at ENG 00280597; **E3/3169** Stephen Heder, *Pol Pot and Khieu Samphan*, at ENG 00002750.

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E1/21.1 Transcript, 13 December 2011, Khieu Samphan, 15.49.35; **E3/27** Khieu Samphan OCII Statement, at ENG 00156745; **E3/27** Khieu Samphan OCII Statement, at ENG 00156745, KHM 00156615, FR 00156668; **E1/100.1** Transcript, 1 August 2012, Rochoem Ton, 15.38.28 to 15.41.20 [“[A]fter the organization of the FUNK, he [i.e. Khieu Samphan] was the commander-in-chief of the military.”]; See also **E1/187.1** Transcript, 2 May 2013, Lim Sat, 09.26.01 to 09.31.32 [“Q. [I]n 1971 to 1975, did you know who were the leaders of the Khmer Rouge? A...I believe that the senior leaders...include Mr. Khieu Samphan, who was in charge of the military in Cambodia.”]; **E1/188.1** Transcript, 3 May 2013, Lim Sat, 11.16.37 to 11.19.45 [“Q. Mr. Khieu Samphan in between 1971 to 1975...what was his specific role and function back then? A. I did not know his specific role or function, but he was in charge of the military for the entire country.”]; See also **E3/3709** Vietnam Courier, *NUFK and RGNUK Reinforced*, 3 April 1972; **E3/1717** U.S. Embassy report entitled “New FUNK/GRUNK Personalities,” 30 September 1971, at ENG 00419034 [“THE FUNK/GRUNK ORGANIZATION...3. Khieu Samphan, Vice Prime Minister, Minister of National Defense, Commander-in-Chief of the Cambodian National Liberation Forces.”]; **E3/30** FBIS, *Cabinet Ministers Listed*, 16 January 1975, at ENG 00166708; **E3/28** GRUNK report entitled “Cambodia’s Seat in the United Nations,” 19 June 1973, at FR/ENG 00068126; **E3/32** Statement of Norodom Sihanouk, 5 October 1974, at ENG 00282395; **E3/1239** FUNK News Bulletin No. 938, *Members of the G.R.U.N.K.*, 19 - 20 January 1975, at ENG 00280597; **E3/2313** Analytical Report by the US Government entitled “Cambodian Armed Forces: April 1976 Order of Battle Summary,” 4 January 1976, at ENG 00158767 [“b. (C) Command Structure...Deputy Prime Minister and Minister of Defense Khieu Samphan is Commander in Chief of the CPNLAF.”].

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E3/3169 Stephen Heder, *Pol Pot and Khieu Samphan*, at ENG 00002750; See also **E1/130.1** Transcript, 4 October 2012, Meas Voeun, 09.33.57 to 09.36.03 [“Q. What was your understanding of Mr. Khieu Samphan’s role at that point in time? A... I heard from the radio broadcast that he was the head of the Democratic Kampuchea National Reunion Front.”]; **E1/132.1** Transcript, 9 October 2012, Meas Voeun, 11.28.53 to 11.35.16 [“I listened to the radio and I heard that [Khieu Samphan] was the head of the FUNK...Q. Are you sure that Mr. Khieu Samphan was the head of the FUNK and representing Democratic Kampuchea? A. Yes, I am.”].

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E3/18 Khieu Samphan, *Cambodia’s Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103744; See also **E3/3169** Stephen Heder, *Pol Pot and Khieu Samphan*, at ENG 00002750-51 [“NUON Chea explained...The fact that [reactionary classes] were tricked into believing that ‘...Khieu Samphan...real leaders of the revolution’...ensure[d] that Pol Pot, Nuon Chea...were able to work safely...”]; **E3/8** David Chandler, Ben Kiernan and Chantou Boua, *Pol Pot Plans the Future: Confidential Documents from Democratic Kampuchea*, at ENG 00104111[“To outsiders who did not hear the name Pol Pot until 1976, Hou Yuon, Khieu Samphan, and Hu Nim were the leaders of Khmer communism.”].

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E3/27 Khieu Samphan OCII Statement, at ENG 00156744; **E3/18** Khieu Samphan, *Cambodia’s Recent History & the Reasons Behind the Decisions I Made*, at ENG 00103742, FR 00595412-13, KHM 00103830; **E3/713** Khieu Samphan Interview, January 2004, at ENG 00177980; **E3/33** Oeun Tan OCII Statement, at ENG 00235126; See also **E1/96.1** Transcript, 25 July 2012, Rochoem Ton 15.37.39 to 15.41.07 [“Q. Thank you. As for you, personally, did you meet Khieu Samphan frequently then? A. I met him for the first time in that office [S-71].”].

- 2046 **E1/21.1**, Transcript, 13 December 2011, Khieu Samphan, 15.55.23; **E3/4034** Khieu Samphan Interview, at ENG 00793149 ["During the 1971 Congress, which I also attended, it was determined that Vietnam was a comrade with contradictions."]; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia From the Early Stage to the Period of Democratic Kampuchea*, at ENG 00498295, KHM 00380487 ["The 1971 Congress (I attended) determined that 'Vietnam is a friend with whom there is a contradiction.'"]; See also **E1/97.1** Transcript, 26 July 2012, Rochoem Ton, 11.20.45 to 11.26.24; **E3/1595** Photograph of CPK senior leaders at a 1971 Party Congress; See also **E3/1683** David Chandler, *The Tragedy of Cambodian History*, at ENG 00193299 ["In July 1971, the CPK['s]...conference...celebrate the September 30 anniversary of the [1960] congress...the Declaration of Patriotic Intellectuals [signed by] Saloth Sar, Son Sen, and Khieu Samphan."].
- 2047 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396426-27.
- 2048 **E1/190.1** Transcript, 7 May 2013, Philip Short, 10.58.47 to 11.04.51 ["The fact that [Khieu Samphan] was moved to be close to Pol Pot and that from that time on he remained close to Pol Pot, whereas the others were not. Khieu Samphan was singled out."], 11.07.40 to 11.10.40 ["Q. You say that Hu Nim, Hou Youn were not elected; neither was Non Suon...nor any of the Hanoi group. Is that of any significance...? A. Yes, it is. It reflects a view that those...were not trustworthy."]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396427 ["By...mid-September, they...elected a new CC of thirty members, including...Khieu Samphan...as alternates. Hou Yuon and Hu Nim were not included. Neither was Non Suon or any of the Hanoi group."].
- 2049 **E1/21.1** Transcript, 13 December 2011, Khieu Samphan, 15.55.23 to 15.58.35; **E3/27** Khieu Samphan OCIJ Statement, at ENG 00539265, KHM 00156619-20, FR 00156673; **E1/190.1** Transcript, 7 May 2013, Philip Short, 11.07.40 to 11.10.40; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396427.
- 2050 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156745, KHM 00156615, FR 00156668.
- 2051 **E1/68.1** Transcript, 25 April 2012, Saloth Ban, 11.18.40 to 11.23.53; **E1/96.1** Transcript, 25 July 2012, Rochoem Ton, 15.33.14 to 15.41.07 ["Q. [W]hat was the role and function of Office S-71? A. That office was the very important office. After the coup d'etat, all the commands were combined into that one very office."], 15.37.39 to 15.41.07; **E1/97.1** Transcript, 26 July 2012, Rochoem Ton, 11.09.40 ["I think he was at Office S-71 at the time. It was at the other side of the river -- that is, Chinit River."]; **E3/24** Phy Phoun *alias* Rochoem Ton OCIJ Statement, at ENG 00223580; **E3/23** DK Ministry of Foreign Affairs Publication, Black Paper, September 1978, at ENG 00082541; See also **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 10.17.31 to 10.23.51 [The leaders "gathered in Trapeang Thum village of Kampong Cham."].
- 2052 **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 10.53.08 to 10.58.15 ["A. The house of Khieu Samphan and Nuon Chea was about 300 or 400 metres away."]; **E1/98.1** Transcript, 30 July 2012, Rochoem Ton, 14.04.37 ["Then Khieu Samphan came to work in the office adjacent to Pol Pot's office."]; **E1/1/18.1** Transcript, 7 December 2011, Long Norin *alias* Rith, 15.26.40 to 15.31.23 ["I worked at B-20 then B-15 and Preah Vihear, I did went to work at Preah Vihear...A. Before moving to Preah Vihear I had to go to B-20 where I met both of them..."]; **E1/190.1** Transcript, 7 May 2013, Philip Short, 10.58.47 to 11.04.51 ["Q. [Y]ou describe the establishment of...the whole Central Committee area known as S 71...A...[T]he intellectuals...people like Hu Nim, Hou Youn...were nonetheless kept in a separate area."]; **E1/101.1** Transcript, 2 August 2012, Rochoem Ton, 09.07.12 to 09.09.48 ["A. Hu Nim and Hou Youn were not at Office S 71. He -- they were at another office."].
- 2053 **E1/99.1** Transcript, 31 July 2012, Rochoem Ton, 09.35.50; See also **E1/205.1** Transcript, 11 June 2013, So Socheat *alias* Rin, 14.35.55 to 14.38.25 ["Q. From the time you met him up to 1975, is your husband right when he says he stayed permanently with the leaders from your knowledge and observations? A...they were close to one another constantly."]; See also **E1/17.1** Transcript, 6 December 2011, Nuon Chea, 09.22.45 ["Upon returning to Cambodia in 1953...I would stay at Boeng Lvea, along Chinit River."]; **E1/151.1** Transcript, 11 December 2012, Phan Van, 11.30.40 to 11.32.38 ["Q. Nuon Chea, Pol Pot, Khieu Samphan, Hu Nim, and Hou Youn-- were those five uncles working and living in the same area? A. They stayed there altogether, but others came once in a while."], referring to **E3/57** Kham Phann *alias* P OCIJ Statement, at ENG 00290504-05 ["At B-20 there were Nuon Chea, Pol Pot, and a number of intellectuals included Khieu Samphan, Hou Nim, and HouYun...all the leaders of the sectors and zones came to meet here."].
- 2054 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton, 09.09.47 to 09.12.03 ["A. The Office S-71, there were Pol Pot, Nuon Chea, and Om Khieu Samphan who remained there rather permanently...who was actually in charge while he was away?...Om Nuon Chea, and Om Khieu Samphan..."]; See also **E1/204.1** Transcript, 10 June 2013, So Socheat, 13.57.36 to 13.59.49 ["I carries the meal from the kitchen to the dining table...And there, I saw Pol Pot, Nuon Chea, and Khieu Samphan...I only knew him as Bong Hem or Brother Hem."]

2055 **E1/98.1** Transcript, 30 July 2012, Rochoem Ton, 14.02.30 to 14.09.32; **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 10.15.54 to 10.17.31.

2056 **E1/18.1** Transcript, 7 December 2011, Long Norin, 15.26.40 to 15.29.27 ["I did went to work at Preah Vihear...the person who asked me to do thing in Preah Vihear was Nuon Chea and Khieu Samphan, these two people advised me to study from the people...in Preah Vihear."], 15.29.27 to 15.34.11 ["[T]hey asked me to remain in...Preah Vihear until I received any further notification from the leaders...asking me to wait for a telegram they would send to me before I could return."]; **E1/19.1** Transcript, 8 December 2011, Long Norin, 15.36.53 to 15.38.42; **E3/34** Long Norin *alias* Rit OCIJ Statement, at ENG 00223555.

2057 **E1/99.1** Transcript, 31 July 2012, Rochoem Ton, 09.07.28 to 09.10.07, 09.18.26 to 09.20.56, 11.13.13 to 11.15.55; See also **E1/205.1** Transcript, 11 June 2013, So Socheat, 14.38.25 to 15.03.27; See also **E1/190.1** Transcript, 7 May 2013, Philip Short, 11.02.20 to 11.04.51 ["Pol Pot felt that Khieu Samphan should get married, and a marriage...was arranged... this is an unusual level of interest from a leader of Pol Pot's standing in Khieu Samphan's well-being..."]

2058 **E1/96.1** Transcript, 25 July 2012, Rochoem Ton, 15.41.07 to ["I observed he did a lot of writing...He just kept writing and writing...there was this movement called the -- named the National United Front, and he wrote everything for that Front movement."]; **E1/99.1** Transcript, 31 July 2012, Rochoem Ton, 09.07.28 to 09.10.07 ["And sometimes I observe him at his residence sitting down and writing the documents."]; **E1/100.1** Transcript, 1 August 2012, Rochoem Ton, 15.38.28 to 15.41.20 ["He was writing in Khmer in large volume. He also translated from that Khmer text into French. That's how I observed his activity."]; See also **E1/111.1** Transcript, 21 August 2012, Kim Vun, 11.32.04 to 11.39.43 ["Q. Document E3/637...Do you still recall these statements? A. In fact, at that time, we broadcast this common statement in both the radio and also printed it in magazines."], 11.46.52 to 11.50.21 ["A. At that time, Brother Hem went to the printing house. Sometimes he simply came to say hello, and at other times he came...to encourage them, motivate them to continue to struggle."], 13.54.21 to 13.56.14 ["[T]he main statements were from Mr. Khieu Samphan."], 13.59.59 to 14.02.24 ["The statements [by Khieu Samphan] were mainly about promoting the offensive attack to win the victory at battlefields and appeals for people...to support one another, both at the battlefronts and the rear."].

2059 **E3/4201R** Video Entitled "*Facing Genocide: Khieu Samphan and Pol Pot*," 00.20.25 - 00.21.07; **E1/204.1** Transcript, 10 June 2013, So Socheat, 14.17.53 ["A few months later, when we were asked to receive Samdech Sihanouk, perhaps in 1973...I also joined the group as a servant of the former...Prince Sihanouk."]; **E1/112.1** Transcript, 22 August 2012, Kim Vun, 13.44.13 to 13.48.18; 15.42.19 to 15.46.31; See also **E3/1815** Ben Kieman, *How Pol Pot Came to Power*, at ENG 00487400 [Photo with the caption: "Norodom Sihanouk chairs a meeting of Khmer Rouge leaders, March 1973. Left to right: Ieng Sary, Hou Yuon, Pol Pot, Hu Nim, Khieu Samphan, Norodom Sihanouk"]; **E3/88** William Shawcross, *Sideshow: Nixon, Kissinger and the Destruction of Cambodia*, at ENG 00429983 ["In February and March 1973, Sihanouk...was driven in a jeep, down the Ho Chi Minh Trail into eastern Cambodia. He and his wife...were photographed with Khieu Samphan, Hou Yuon and Hu Nim."]; **E3/3255** Analytical Report by Henri Locard entitled "Northeast: Eisan Region - Zones-Sectors 101, 102, 104, 105, 107, 505, Provinces of Ratanakiri, Mondulkiri, Stung Treng and Kratie," 14 June 2007, at ENG 00403206-07 ["Sihanouk journey in March [1973]: Sihanouk and Monique travelled by car...In 2 nights, the princely couple reached Phnom Kulen... Pol Pot and Khieu Samphan were waiting for him at destination."]; **E3/3265** Analytical Report by Henri Locard entitled "Stung Treng: Dambon 104 & 103" at ENG 00403273 ["[A] woman in Stung Treng [named] Ham Maly...in 1973... was asked to cook for Samdech...She still has photographs of the event, with Madame Khieu Samphan."].

2060 **E1/190.1** Transcript, 7 May 2013, Philip Short, 13.53.32 to 13.55.15 ["[I]t was clearly in all their minds when they brought Sihanouk back in 1973 to visit the liberated areas: on the one hand, keep his support; on the other hand, don't let him acquire too much popularity."]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396469 ["Khieu Samphan...set out with Sihanouk on a two-month-long tour of GRUNC allies in Africa, Asia, and Eastern Europe...The aim was...to ensure that the Prince's commitment did not waver."]; See also **E3/1919** Analytical Report by Sokhym Em entitled "Revolutionary Female Medical Staff in Tram Kak District," October 2002, at ENG 00080479 ["'Memories' from Hu Nim's book include: 'In 1965...I received an order from Khieu Samphan to...convince Sihanouk that 'the dangers stem from the rightists'."].

2061 **E3/3141R** Video entitled "Vietnamese Disc 4," 00.01.45 - 00.02.15, 00.02.55 - 00.03.25, 00.09.40 - 00.11.00, 00.12.55-00.14.00, 00.16.55 - 00.19.00, 00.20.35 - 00.21.12; **E3/30** FBIS, *PRGRSV-NFLSV Delegation Visits 25 - 29 Dec*, 4 January 1975, at ENG 00166668 ["On...25 December 1974 a delegation of the NFLSV and PRGRSV...Deputy Prime Minister Khieu Samphan...and...Hu Him...went...to welcome the Vietnamese guests."]; **E3/30** FBIS, *Talks Concluded, Communique Signed*, 2 January 1975, at ENG 00166670 ["The NFLSV-PRGRSV delegation...on 17 December held talks with...delegation

headed by Khieu Samphan...of the NUFC Central Committee, deputy prime minister, ...and CPNLAF commander-in-chief.”], ENG 00166671 [“Following the talks, a solemn ceremony was held at 1730 on 28 December for the signing of a joint statement issued by the NUFC-RGNC and the NFLSV-PRGRSV delegation.”]; **E3/30** FBIS, *AKI Reports Departure*, 2 January 1975, at ENG 00166671 [“[O]n 29 December concluded its 5-day official friendship visit...Present at...delegation’s departure for the liberated zone...were Khieu Samphan...CPNLAF commander-in-chief...”]; **E3 /30** FBIS, *Text of Statement on Visit*, 3 January 1975, at ENG 00166672 [“On the Cambodian side: His Excellency Khieu Samphan, RGNC deputy prime minister and minister of national defense and CPNLAF commander in chief...”].

2062 **E1/96.1** Transcript, 25 July 2012, Rochoem Ton, 15.39.08 to 15.45.55 [“[H]e came to visit the kitchen hall where I worked...And sometimes he also gave lectures in study sessions regarding the forces of the National Liberated Front and measures to be taken...”]; 15.48.15 to 15.50.57; **E1/97.1** Transcript, 26 July 2012, Rochoem Ton, 09.20.26 [“[W]e were told...we engage in the popular democratic revolution, and the main enemy was the American imperialists...And another enemy...who refused to join the revolution...the CIA and the KGB agents,”], 09.23.39 to 09.26.03 [“[A]ll zones, sectors, and district levels were clearly educated to know about the enemies...Those senior leaders in the Party...disseminate the same information, including Pol Pot, Om Khieu Samphan...”]; **E1/112.1** Transcript, 22 August 2012, Kim Vun, 14.30.48 to 14.34.01 [“Khieu Samphan talked about the Lon Nol regime...talked about the Front, and he asked us to be vigilant, to be careful,”], 14.34.01 to 14.35.59 [“We were always referred to this 12-point morality by [Khieu Samphan]. In the 12-point moralities...combatant were expected not to steal things, even a grain of rice or a chili.”].

2063 **E1/188.1** Transcript, 3 May 2013, Lim Sat, 11.27.17 to 11.35.36 [“[T]he order would come from [Khieu Samphan], from the Upper Echelon...my military commander...attended the meeting... then relayed such instruction to us...the plan rendered from the Upper Echelon.”].

2064 **E1/222.1** Transcript, 11 July 2013, Stephen Heder, 14.15.14 to 14.24.53; **E1/225.1** Transcript, 17 July 2013, Stephen Heder, 10.00.39 to 10.05.05; **E1/111.1** Transcript, 21 August 2012, Kim Vun, 11.46.52 to 11.50.21, 13.40.12 to 13.44.06 [“Khieu Samphan brought along with him some food stuff to provide people working at the printing house, in order to encourage them, motivate them to continue to struggle.”]; **E1/112.1** Transcript, 22 August 2012, Kim Vun, 14.30.48 to 14.35.59, 15.32.43 to 15.36.48 [“[T]he leaders normally motivated us to work so they normally brought along with them foodstuff and food supplies and sweet...[Khieu Samphan] brought foodstuff for us.”].

2065 **E1/24.1** Transcript, 10 January 2011, Klan Fit, 15.48.38 to 15.51.56; **E1/153.1** Transcript, 13 December 2012, Phan Van, 16.22.51 to 16.26.11; See also **E3/637** Khieu Samphan Statement, January 1973, at ENG 00740943 [“Everywhere we went, people including men, women, children and elderly people warmly welcomed Deputy Prime Minister Khieu Samphan with great joy.”].

2066 **E1/112.1** Transcript, 22 August 2012, Kim Vun, 13.56.22 to 13.58.57 [“I cut the hair for people during that time, for senior people including Mr. Khieu Samphan.”].

2067 **E3/18** Khieu Samphan, *Cambodia’s Recent History & the Reasons Behind the Decisions I Made*, at ENG 00103747, KHM 00103835; See also **E3/380** Kim Vun OCIJ Statement, at ENG 00365646 [“In the three-year regime, Khieu Samphan organized transporting food to the sectors and zones.”].

2068 **E3/637** Khieu Samphan Statement, January 1973, at ENG 00740939-40.

2069 **E3/18** Khieu Samphan, *Cambodia’s Recent History & the Reasons Behind the Decisions I Made*, at 00103777, KHM 00103871 [“In the rare cases I heard about in informal conversations, I thought the Offending parties were simply pulled aside or sent to the villages to ‘learn closer to the people.’”]; **E3/1683** David Chandler, *The Tragedy of Cambodian History*, at ENG 00193309 [“In late 1972...CPK forces...purged returnees from North Vietnam. When the North Vietnamese queried Khieu Samphan about the purges, he replied that they were ‘possibly plots of the CIA.’”].

2070 **E1/209.1** Transcript, 19 June 2013, Nou Mao, 10.34.40 to 10.39.31 [“[T]he Cambodian Hanoi people...they gathered those people. Then those people mysteriously disappeared...I could say that the number was around, roughly, over 2,000...They never returned.”], 11.02.40 to 11.08.30”; **E1/190.1** Transcript, 7 May 2013, Philip Short, 11.45.05 to 11.50.15; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396450 [“Pol gave orders that the Hanoi returnees, apart from a small minority who had proved their loyalty, should...taken to a detention centre in Chhlong district...as suspected Vietnamese agents.”]; **E1/92.1** Transcript, 19 July 2012, David Chandler, 11.28.28 to 11.32.40 [“They had been in Vietnam for 15 years...they didn’t want to be upstaged by people they, primarily, assumed were foreign agents and, secondary, might have seen that were better equipped to dialectic...”]; **E3/1684** David Chandler, *Voices from S-21: Terror and History in Pol Pot’s Secret Prison*, at ENG 00192700 [“[B]etween 1972 and 1973, when a secret operation was set up by the Khmer Rouge to purge the so-

called Hanoi Khmers-Cambodians...Hundreds of them were secretly arrested and put to death in 1973...”].

- 2071 **E1/62.1** Transcript, 10 April 2012, Kaing Guek Eav *alias* Duch, 14.31.27 [“A. Khieu Samphan was not as high as Pol Pot and Nuon Chea but he was still high that he could sign the pass. He was a member of the Central Committee, a full fledged member.”]; **E1/69.1** Transcript, 26 April 2012, Saloth Ban *alias* Loth Nitya *alias* So Hong, 09.09.28 to 09.11.48 [“Q. Thank you. You mean he was an ordinary member of the Central Committee? A. Yes.”]; See also **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156751, KHM 00156619-20, FR 00156672; **E1/221.1** Transcript, 10 July 2013, Stephen Heder, 14.07.35 to 14.09.08; **E1/223.1** Transcript, 15 July 2013, Stephen Heder, 11.08.55.; See also **E3/215** *Revolutionary Flag*, September 1978, at ENG 00488633 [“Regarding our building of agriculture, our Party raised the slogan in accordance with the *Party Congress in January 1976...in 1977.*”] (emphasis added); **E3/130** CPK Statute, 1976, Article 21 [“The Central Committee must call an ordinary General Conference...once every four years in order to...3. Select and appoint the new the Central Committee. (Based on the Ten Criteria of the Party.)”]; **E3/1607** *Statute of the Communist Youth League of Kampuchea*, at ENG 00574545 [“January 1976”].
- 2072 **E3/130** CPK Statute, 1976, Article 7.1; See also Article 23 [“The tasks of the Central Committee...1. Implement the Party political line...throughout the Party; 2. Instruct all Zone and Sector...and Party organizations...; 3. Govern and arrange cadres...politically, ideologically, and organizationally.”], Article 8 [“Any Sector or unit which has special characteristics...may be organized separately, with the Central Committee being responsible, directly or indirectly, along a specific organizational line.”].
- 2073 **E3/12** Decision of the Central Committee Regarding a Number of Matters, 30 March 1976, at ENG 00182809-14.
- 2074 See for example **E3/748** *Revolutionary Flag* October - November 1975, at ENG 00498513, KHM 00063252, FR 00499697 [“The Centre Party Congress has unanimously decided that the average rice harvesting across the country in 1976 shall be three tons...per hectare of rice field...November 1975, the Centre Party has also unanimously endorsed...above.”]
- 2075 **E3/12** Decision of the Central Committee Regarding a Number of Matters, 30 March 1976, at ENG 00182813-14 [“After the elections, must set up the Assembly, the Presidium of State, and the government... The actual organization: Assembly: The methods and regime of work as follows...”].
- 2076 **E3/135** *Revolutionary Flag* June 1977, at ENG 00446850.
- 2077 **E3/557** Khieu Samphan Adversarial Hearing Statement, at ENG 00153270, KHM 00153234, FR 00153300, KHM 00103840, FR 00595431-32.
- 2078 **E3/27** Khieu Samphan OCIJ Interview, at ENG 00156750, KHM 00156619, FR 00156671; See also **E3/130** CPK Statute, 1976, Article 25 [“The Central Committee must hold ordinary meetings once every six months to examine, monitor, and deliberate all old work in every field and to bring up new work in every field.”].
- 2079 **E3/18** Khieu Samphan, *Cambodia’s Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103752, KH 00103840, FR 00595431-32.
- 2080 **E3/18** Khieu Samphan *Cambodia’s Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103752.
- 2081 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton, 14.04.18 to 14.06.57 [“A. Nuon Chea came later, perhaps on the 21st of April, I believe...A. At that time, Om Nuon Chea and Khieu Samphan, their trip was arranged by Pang and they came at a later date.”]; **E3/118** FBIS *Khieu Samphan 21 Apr Victory Message on Phnom Penh Radio*, 21 April 1975, at ENG 00166994, KHM, 00846160, FR 00845845.
- 2082 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396606.
- 2083 **E1/189.1** Transcript 6 May 2013, Philip Short, 14.01.34 to 14.02.47 [“Pol Pot had three main residences...in Phnom Penh. And the one in which they lived - and Khieu Samphan was there; Vorn Vet was there; Nuon Chea was there...That became the main, permanent headquarters.”]; See also **E3/18** Khieu Samphan, *Cambodia’s Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103775, KHM 00103869 [“Having been next to the leaders for quite a long time and having played a role in this difficult and controversial story...I can provide insight.”].
- 2084 **E1/91.1** Transcript, 18 July 2012, David Chandler, 15.34.23 [“[D]o you consider that the Party Centre would have included...Nuon Chea, Ieng Sary, and Khieu Samphan...A. The answer is yes, and also that it may have included other people...certainly those three, yes.”].
- 2085 **E3/731** *Revolutionary Flag*, December 1975-January 1976, at ENG 00089751 [“This opposition was dealt with not only ideologically, but also with more purges...Party Centre was able to grasp this problem ...to isolate these oppositionists...revealed their treason.”]; **E3/760** *Revolutionary Flag*, June 1976, at ENG 00509630 [“[T]he Party Center had discussions on annual attack strategy and tactics...the Party was in unity that we could attack...Based on this, the Party Center agreed...that we saw a

fundamental victory."], 00509633 ["Upper echelon must do this. The Party Center must have statistical tables."]; **E3/10** *Revolutionary Flag*, October 1976, at ENG 00450541 ["Thus, we...see the danger of private ownership...[t]he collective will know and will help constructively criticize us. So then, this is why we must indoctrinate for the Party Center and indoctrinate for the entire Party."]; **E3/25** *Revolutionary Flag*, December 1976 - January 1977, at ENG 00491411 ["During this assembly, the Party Center determined that based on the enemy situation and our situation, we had the advantage over the enemy in terms of politics and we were gaining further advantage."], 00491414 ["So, the Party Center...had to prepare to use weapons to attack the enemy. Had we not used weapons, the enemy would have been able to smash the revolution. So, we raised the line of having to prepare to strike with weapons."]; **E3/742** *Revolutionary Flag*, April 1977, at ENG 00478499 ["As for Party issues...the most important thing is the Party Center...it is imperative...Party Committees be clean and follow the political, ideological, and organizational lines of the Party."], at 00478501 ["Those who carry on...must build following the Party line, not following any unit or any individual other than the Party line. As for this issue, it is the direct duty of the Party Center to manage and instruct the actual process."]; **E3/778** *Revolutionary Flag*, October-November 1977, at ENG 00182569 ["The Centre can only be strong like we want it to be if every one of its members is strong...their dissemination of the resolutions of the Party Centre to their bases will also be strong..."], 00182580 ["If there is solidarity among everyone in the Party Center we will be strong...The Party Center is a unit of organization that speaks jointly...we will be very strong."]; **E3/135** *Letter of Honorary Red Flag*, at ENG 00142906 ["Obviously, party center is the core for the whole country."].

2086 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156745, KHM 00156615, FR 00156668 ["Nuon Chea and Pol Pot brought me from Udong to Phnom Penh...to the buildings of the railway station and we stayed there around a month before going to the Silver Pagoda and then to the Bassac waterfront."], see also ENG 00156746, KHM 00156616, FR 00156669 ["At the meeting everybody felt happy, but as for me, I was unhappy...In fact, there was no meeting. I was at the railway station with Pol Pot, Nuon Chea."].

2087 **E1/97.1** Transcript, 26 July 2012, RochoemTon, 14.10.10 to 14.14.24 ["I saw them working at the train station and at the former Ministry of Commerce, they met and had meetings -- they met a lot, they met days and nights, and they kept meeting people at the battlefields."], 14.19.16 to 14.24.24 ["I just stated that at the train station military commanders from each respective battlefield -- for example, Ta Mok, Vorn Vet, Koy Thuon, So Phim battlefields...kept coming to work with them on a regular basis..."]; **E3/24** Phy Phoun OCIJ Statement, at ENG 00223582; See also **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156746, KHM 00156616, FR 00156669 ["I was at the railway station with Pol Pot, Nuon Chea and the other persons who frequently visited the place to get instructions from Pol Pot."].

2088 **E1/97.1** Transcript, 26 July 2012, RochoemTon, 14.24.24 to 14.32.42 ["It was that we conducted -- or engaged in popular democratic revolution and that was completed...now we are going to engage in...socialist revolution..."], 14.32.42 to 14.36.42 ["the construction of the socialist revolution; about building and defending the country; about building the progressive cooperatives..."]; **E3/24** Phy Phoun OCIJ Statement, at ENG 00223582-83; **E1/198.1** Transcript, 29 May 2013, Khieu Samphan, 10.03.42 to 10.06.46 ["The idea behind Pol Pot's thinking was that the situation at the time was in need of urgent attention...so Cambodia had to urgently rebuild our country and not to let Vietnam catch up and swallow us"]; **E3/735** David Chandler, Ben Kiernan & Chanthou Boua, *Pol Pot Plans the Future*, at ENG 00104059.

2089 **E3/37** Khieu Samphan OCIJ Statement, at ENG 00156755, KHM: 00156676-77, FR 00156682; **E1/204.1** Transcript, 10 June 2013, So Socheat, 14.37.46 to 14.40.30 ["A. I stayed at the Silver Pagoda for some months, but I cannot recall it clearly. It was probably till middle or late 1975, then I went to K-1 which was located at the riverfront of - near - of the Tonle Basak - Basak River."].

2090 **E1/97.1** Transcript, 26 July 2012, RochoemTon, 14.40.30 to 14.43.3 ["Based on my collection, there were many places; there were K-3, and later on they moved to K-1. That was in late 1975."]; **E1/101.1** Transcript, 2 August 2012, Rochoem Ton, 11.30.02 to 11.33.41 ["A. [Khieu Samphan] was there altogether...It was that, first, he worked at K-3, and then he moved to work at K-1. It was part of the mobility of the leaders."], President Nil Noon, ["[Confusion probably has been stemming from the question...concerning K-3 to K-1, K-1 to K-3...the term "mobile" was used...in the Democratic Kampuchea to preserve the principle of secrecy."]; **E1/204.1** Transcript, 10 June 2013, So Socheat, 14.37.46 to 14.43.36 ["A. To my understanding, K-1 was the workplace for the leaders. It was big and it was surrounded by zinc fence and the compound was huge. It was for the leaders to work there."]; **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 11.52.44 to 11.54.56 ["A. At K-1, it was the workplace for

all leaders. As for K-3 -- rather everyone was to attend meetings at K-1. No meetings were held at other places.”].

2091 **E3/37** Khieu Samphan OCII Statement, at ENG 00156755; See also **E1/204.1** Transcript, 10 June 2013, So Socheat, 14.46.01 to 14.48.05, 15.18.05 to 15.22.02; **E1/206.1** Transcript, 12 June 2013, So Socheat, 09.30.58 to 09.32.50 .

2092 **E1/71.1** Transcript, 2 May 2012, Pean Khean, 15.57.40 to 15.59.06 ; **E1/73.1** Transcript 17 May 2012, Pean Khean, 16.32.55 to 16.35.09; **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 11.14.15, 11.50.06 to 11.52.44; **E1/208.1** Transcript, 17 June 2013, Leng Chhoeung, 09.29.32 to 09.31.10, 09.42.05 to 09.46.08;); **E1/101.1** Transcript, 2 August 2012, Rochoem Ton, 11.31.33 to 11.33.41; **E3/37** Khieu Samphan OCII Statement, at ENG 00156755; **E3/33** Oeun Tan OCII Statement, at ENG 00235131, **E3/104** Sâ Vi OCII Statement, at ENG 00204059; **E3/385** Leng Chhoeung OCII Statement, at ENG 00360127; **E3/57** Phan Van *alias* Kham Phan OCII Statement, at ENG 00290506; **E187.1** Pean Khean Statement, at ENG 00089701; **E3/435** Pean Khean OCII Statement, at ENG 00375890; **E3/67** Norng Sophang OCII Statement, at ENG 00483967; See also: **E3/18** Khieu Samphan, *Cambodia's Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103756; **E3/103** Saut Toeung OCII Statement, at ENG 00204020; **E3/423** Saut Toeung OCII Statement, at ENG 00414607; **E1/63.1** Transcript, 18 April 2012, Saut Toeung, 13.56.28 to 13.57.35; **E3/43** Noem Sem OCII Statement, at ENG 00365660, 62; **E1/126.1** Transcript, 25 September 2012, Noem Sem, 13.58.38 to 14.06.14, 15.29.13 to 15.31.45; **E1/204.1** Transcript, 10 June 2013, So Socheat, 14.46.01.

2093 **E3/37** Khieu Samphan OCII Statement, at ENG 00156755, KHM: 00156676-77, FR 00156682.

2094 **E1/71.1** Transcript, 2 May 2012, Pean Khean, 14.15.48 to 14.17.36, 15.57.40 to 15.59.06; **E1/72.1** Transcript 3 May 2012, Pean Khean, 09.46.36 to 09.48.40; **E3/37** Khieu Samphan OCII Statement, at ENG 00156755, KHM 00156676-77, FR 00156682083; **E3/435** Pean Khean OCII Statement, at ENG 00375887; **E3/33** Oeun Tan OCII Statement, at ENG 00235127.

2095 **E3/3196** Transcript of Interview with Khieu Samphan, at ENG 00815868 [“Pol Pot and Nuon Chea collectively ate with all of us. They did not eat separately...for the sake of running the country. My wife did the cooking in the dining hall with a few other women.”]; **E3/3198** Transcript of Interview with Khieu Samphan, at ENG 00815884 [“As for daily life, Pol Pot and Nuon Chea had meals with me, and we had meals together. We did nothing separately.”]; **E1/126.1** Transcript, 25 September 2012, Noem Sem, 14.00.10 to 14.02.03 [“Q. A while ago, you said you saw Nuon Chea at K-3...Was that the same occasion where you saw Khieu Samphan at K-3? A. I saw...him...when they had meal together rather.”], 14.12.38 to 14.14.17 [“Q. [Y]ou stated that you saw the Uncles eating together. Can you...specify who? A. Uncles here refer to Uncle Pol Pot, Nuon Chea and Khieu Samphan -- the three of them were seen having a meal together.”]; **E3/43** Noem Sem OCII Statement, at ENG 00365660; **E1/205.1** Transcript, 11 June 2013, So Socheat, 15.44.38 to 15.46.54; **E1/55.1** Transcript, 2 March 2012, Kaing Guek Eav *alias* Duch, 13.36.52 [“A. I heard that they lived together; they would even eat together. That’s what I heard about.”].

2096 **E3/464** [REDACTED] OCII Statement, at ENG 00226111.

2097 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton, 15.48.39 to 15.50.30 [“The Office 870 where Khieu Samphan stayed would be both at K-3 and K-1. These were the two locations where I had contact with him...before I went to see him I would telephone him in advance...on his desk.”].

2098 **E1/204.1** Transcript, 10 June 2013, So Socheat, 15.28.06 to 15.34.45; **E1/205.1** Transcript 11 June 2013, So Socheat, 15.42.04 to 15.44.38; **E1/206.1** Transcript 12 June 2013, So Socheat, 09.30.58 to 09.34.24.

2099 **E3/37** Khieu Samphan OCII Statement, at ENG 00156755, KHM 00156676-77, FR 00156682-83 [“As for myself I lived in K3 after I had stayed at K1...In fact, most of the leaders lived in K3, Ieng Sary, Son Sen, Nuon Chea...Pol Pot, once in a while he stayed in K3...could be held in the kitchen.”]; **E289.1.1** Transcript of the Khieu Samphan interview on the France Culture French radio station, August 2007, at ENG 00923077 [“**LDV**: Let us return to this 77-78 period, when things became considerably worse...Were you ever afraid...? KS: Never...second of all, because I was always living in close quarters with the Cambodian leaders.”]; **E3/3198** Khieu Samphan Interview, at ENG 00815884 [“As for daily life, Pol Pot and Nuon Chea had meals with me, and we had meals together. We did nothing separately.”].

2100 See, for example, **E1/208.1** Transcript, 17 June 2013, Leng Chhoeung, 09.42.05 to 09.48.12 [“A. They were living on the other section divided by a road. So Khieu Samphan’s house was on one side of the road and Nuon Chea’s house was on the other side.”], 14.29.53 to 14.31.51 [“[Y]ou said that when you came in 1978 Nuon Chea and Ieng Sary still had houses in K-3...A. They had different homes...but they did have a house at K-3.”]; **E3/385** Leng Chhoeung OCII Statement at ENG 00360127 [“In 1978, they assigned me to drive for Khieu Samphan...in the K-3 office near Khieu Samphan’s house. At that time, Nuon Chea and Ieng Sary also stayed in the K-3 office, their houses were...directions.”]; **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 11.50.06 to 11.54.56 [“K-3 was the residence places for Nuon Chea and Khieu Samphan and the workplace was at K-1.”]; **E1/126.1** Transcript, 25 September 2012, Noem

- Sem, 14.02.03 to 14.04.09 [“A. Offices K-1 and K-3 were the locations where Uncles would stay.”]; **E1/71.1** Transcript 2 May 2012, Pean Khean, 14.15.48 to 14.17.36 [“A. K-1 was a place where Pol Pot would stay. K-3 was a joint office where Om Pol Pot, Om Hem or Khieu Samphan, Om Ieng Sary, and Om Son Sen worked.”].
- 2101 **E3/858** DK Report entitled Office K-1, 1978, at ENG 00391725 - 26 [“K-III...Guard for Uncle II...Guard for Borthor Van...Guard for Brother Hem...Guard for Brother Vorn”]; See also at ENG 00391727.
- 2102 **E1/16.1** Transcript, 5 December 2011, Nuon Chea, 14.18.20 [“Your Honours...the principle underlying the [CPK] is not the individual ownership of the Party, so the Party is the representation of a collective responsibility, so we work collectively in this Party.”]; **E1/23.1** Transcript, 15 December 2011, Nuon Chea, 10.57.18 to 11.00.26 [“Was the principle of collective decisions part of the principle of democratic centralism?...A...that means all decisions of the Party must be made collectively, and not individually...democratic centralism.”], 11.02.32 [“Yes...it was implemented...‘collectivity’ means everybody would participate in a meeting to express the ideas. Every meeting adhered to this...if there is no complete agreement, discussion needs to continue.”], 11.04.47 [“Not only during the time that I was the Deputy Secretary, it was at every stage, at all the times...It was a universal principle of the Party...implemented from the Party’s branch up to the Central Committee”]; **E1/24.1** Transcript, 10 January 2012, Nuon Chea, 11.11.11 [“Was the procedure for appointing people [at 1960 Congress] the same collective decision...A. The appointment would be collectively. Only when it...was approved by collective that any appointment would take place.”]; **E3/130** CPK Statute, Article 6 [“The Communist Party of Kampuchea takes the principle of democratic centralism as its organizational foundation...2. All of the various decisions of the Party must be made collectively.”].
- 2103 **E1/91.1** Transcript, 18 July 2012, David Chandler, 15.19.02 to 15.36.34 [“At present, based on all your research and experience, do you consider that the Party Centre would have included the Accused or do you consider that otherwise was the case? A. The answer is yes...”]; See also **E1/191.1** Transcript, 8 May 2013, Philip Short, 10.24.09 to 10.27.18 [“Q. And, you say...‘it was not just Pol Pot...there were swathe of leaders...who thought very much as Pol Pot did.’ Would you include in...leaders, Nuon Chea and Khieu Samphan? A. Yes, I would...transformed.”]; **E1/98.1** Transcript, 27 July 2012, Rochoem Ton, 09.24.10 [“At Office 870, if Pol Pot was in place, Pol Pot would be the one in charge, or Om Nuon Chea or Om Khieu Samphan; the three of them.”]; **E1/99.1** Transcript, 31 July 2012, Rochoem Ton, 09.35.50 [“And after the liberation, the three of them remained together permanently as well.”].
- 2104 **E1/91.1** Transcript, 18 July 2012, David Chandler, 10.58.15 [“‘Angkar’...it seems to me that the word, in this context, signifies that the decisions was made--at that meeting were made collectively by the organization itself -- in other words, the people who were at the meeting”], 13.41.12 [“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 one...the driving force of the -- of the organization.”]; **E1/92.1** Transcript, 19 July 2012, David Chandler, 13.41.45 [“It was written by -- it was collectively written, certainly, collectively approved, coming out of the collective leadership.”]; **E1/93.1** Transcript, 20 July 2012, David Chandler, 09.55.42 [“[C]ollective decisions all the time.”], 11.09.59 to 11.14.46 [“[T]he leadership of Democratic Kampuchea was more collective...I would say that the leadership was, from all the evidence I’ve seen since then, more truly collective than the evidence I had to use in 1990.”].
- 2105 **E1/151.1** Transcript, 11 December 2012, Phan Van, 15.37.04 to 15.39.47 [“During the Democratic Kampuchea era, ‘uncles’ referred to Nuon Chea, Pol Pot, Khieu Samphan. We addressed them as ‘uncles’ or ‘Om Om’.”]; **E1/97.1** Transcript, 26 July 2012, Rochoem Ton, 09.40.28 [“[A]s early as April 1975, uncles met to discuss about the evacuation of the population. Om Pol Pot...Om Nuon Chea, Om Khieu Samphan, Ta Mok, Son Sen, Koy Thuon, Vorn Vet...all were there in the meeting.”]; **E1/122.1** Transcript, 5 September 2012, Norng Sophang, 13.38.20 [“In general, the line ‘copy to,’ as you have seen so far - the word, it means copied to those Uncles: Uncle, Uncle Nuon, Uncle Van, Uncle Khieu, Office, and Document.”]; **E1/124.1** Transcript, 20 September 2012, Chea Say, 14.08.54 to 14.12.12 [“Do you know who were the leaders of 870? A. I was not sure at that time, but the supreme leaders, at that time, were these Uncles...the supreme leaders were no one else other than these Uncles.”]; See also **E3/1743** Noem Sem Statement, at ENG 0008969; See also **E1/126.1** Transcript, Noem Sem, 25 September 2012, 14.02.03 to 14.04.09 [“...A. They were Uncles Nuon Chea, Khieu Samphan, and Pol Pot.”].
- 2106 **E1/126.1** Transcript, 25 September 2012, Noem Sem, 14.02.03 to 14.04.09 [“Offices K-1 and K-3 were the locations where Uncles would stay. They would move from one place to another among the two locations...They were Uncles Nuon Chea, Khieu Samphan, and Pol Pot.”]; **E1/206.1** Transcript, 12 June 2013, So Socheat, 09.16.16 to 09.21.25 [“Based on the food that I prepared, sometime I had to prepare more food and sometime I prepared less food and some of the times there were only a few of them.”]; **E3/104** Sa Vi OCIJ Statement, at ENG 00204059; **E1/156.1** Transcript, 8 January 2013, Sa Vi, 09.42.35

to 09.47.08 [“A. I saw other leaders, including Uncle Ieng Sary, Nuon Chea, Khieu Samphan, who came and went to the office. Every time they came to the meetings and worked...”], 10.07.03; **E3/69** Chea Say OCIJ Statement, at ENG 00233151; See also **E1/63.1** Transcript, 18 April 2012, Saut Toeung, 13.56.28 to 13.57.35, 14.02.58 to 14.06.50; **E1/66.1** Transcript 23 April 2012, Saloth Ban, 14.05.53 to 14.09.58; **E1/69.1** Transcript, 26 April 2012, Saloth Ban, 09.11.48 to 09.14.04; **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 11.52.54 to 11.57.17; **E1/71.1** Transcript 2 May 2012, Pean Khean, 14.15.48 to 14.17.36, 15.57.40; **E1/72.1** Transcript 3 May 2012, Pean Khean, 10.21.25; **E3/104** Sa Vi OCIJ Statement, at ENG 00204059; **E3/103** Saut Toeung OCIJ Statement, 4 December 2007, at ENG 00204020-21; **E3/423** Saut Toeung OCIJ Statement, 2 December 2009, at ENG 00414607; **E3/446** Salot Ban OCIJ Statement, at ENG 00503164.

2107 **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 11.14.15 to 11.17.02 [“A. At that time, Nuon Chea, Ieng Sary and Khieu Samphan attended the meetings at K-1 and I don’t remember other people who also attended the meeting there”], 11.18.25 to 11.20.00 [“A. Sometimes the meetings were held once a month, sometimes once every fortnight, but I think that’s just my observation.”], 11.44.27 to 11.45.28 [“A. In each meeting there were Mr. Khieu Samphan, Ieng Sary, Nuon Chea, and others. They were there regularly; either the meeting was held monthly or fortnightly.”]; **E3/33** Oeun Tan OCIJ Statement, at ENG 00235127; **E1/208.1** Transcript, 17 June 2013, Leng Chhoeung, 09.56.55 to 09.59.32 [“A...I only drove him to K 1 occasionally...A. I don’t remember exactly the period of time he would stay there, but sometimes he would be there for half an hour or one hour before he returned.”]; **E3/385** Leng Chhoeung OCIJ Statement, at ENG 00360129; **E1/156.1** Transcript, 8 January 2013, Sa Vi, 09.42.35 to 09.49.27 [“Q. Did any other senior leaders... reside at K-1? A. I saw other leaders, including Uncle Ieng Sary, Nuon Chea, Khieu Samphan... A. I saw them on a regular basis; they came to [K-1] very often.”], 10.04.51 to 10.11.11 [“E3/104 - you indicated that you saw Nuon Chea, Ieng Sary, and Khieu Samphan coming and going into K-1 frequently...Did you see them from the time that you started working in early 76 until early 79? A. Yes.”]; 11.13.56 to 11.18.36 [“I observed [Khieu Samphan] coming and going to work often at K-1.”]; **E3/104** Sa Vi OCIJ Statement, at ENG 00204059-60 See also **E1/204.1** Transcript, 10 June 2013, So Socheat, 15.39.10 to 15.41.14.

2108 **E1/156.1** Transcript, 8 January 2013, Sa Vi, 11.16.08 to 11.18.36 [“I observed him coming and going to work often at K-1.”] 10.09.25 to 10.11.11, 15.42.28 to 15.44.28 (Sa Vi); **E3/198** Khieu Samphan Interview, 17 August 2005, at ENG 00184680, KHM 00078213, FR 00296212 [“Office 870 situated in K-1.”].

2109 **E3/37** Khieu Samphan OCIJ Statement, at ENG 00156755, KHM 00156677, FR 00156683

2110 **E1/86.1** Transcript, 13 June 2012, 13.37.28 to 13.39.48 (Oeun Tan); **E3/33** Oeun Tan OCIJ Statement, at ENG 00235130; see also 2, 3 10.18.41 [“Sometimes, during the - the sessions, only this group of people would be seen, because the sessions were not conducted for the popular masses, but they were meant to be for this group of people.”]; 09.55.40 [“[S]ometimes, during the sessions, only this group of people would be seen... A. To my recollection, back then, the meeting of this kind took place around twice or three times a month.”]; **E3/446** Saloth Ban OCIJ Statement, at ENG 00503164.

2111 **E1/71.1** Transcript 2 May 2012, Pean Khean, 14.15.48 to 14.17.36 [“A. K-1 was a place where Pol Pot would stay. K-3 was a joint office where Om Pol Pot, Om Hem or Khieu Samphan, Om Ieng Sary, and Om Son Sen worked.”]; **E1/72.1** Transcript, 3 May 2012, Pean Khean, to 10.18.41 to 10.23.38 [“Sometimes, during the - the sessions, only this group of people would be seen, because the session were not conducted for the popular masses, but they were meant for this group of people.”]; **E3/435** Pean Khean OCIJ Statement, at ENG 00375887; **E187.1** Pean Khean Statement, at ENG 00089701; **E1/73.1** Transcript 17 May 2012, Pean Khean, 09.55.40 to 09.57.06 [“A. To my recollection, back then, the meeting of this kind took place around twice or three times a month.”].

2112 **E3/447** Phan Van *alias* Kham Phan OCIJ Statement, at ENG 00486515-6; **E3/57** Phan Van *alias* Kham Phan OCIJ Statement, at ENG 00290509; **E1/152.1** Transcript, 12 December 2012, Phan Van, 10.05.17 to 10.06.54 [“Did she meet with him at K-3 at the request of Mr. Nuon Chea? I was taking here to K-3, where I would be stopped and asked to wait outside. They would meet two to three times each month.”]; See also **E3/226** CPK Standing Committee Minutes of Meeting on Health and Social Affairs, 10 June 1976, at ENG 00183363, KHM 00017147, FR 00296158.

2113 **E1/198.1** Transcript 29 May 2013, Khieu Samphan, 14.47.19 [“I was also criticized during the Central Committee’s meeting, as I was asked to criticize and self-criticize...about my class stand and that I should not maintain my capitalist stand that I used to go and study in Paris.”]; **E3/4024** Khieu Samphan Interview, at ENG 00788870 [“I also participated in the study sessions with them, but I could not follow them...I had to do criticism and self-criticism every half-month on that matter, saying how much I knew at the time, how much I had done...”]; **E3/3198** Transcript of Interview with Khieu Samphan, at ENG 00815884 [“My wife was always at the Communal Kitchen...when meetings to perform self-criticism

were held. Some of the meetings were held to discuss how to keep secrets...This is what I, what made me understand..."], 00815885 ["Pol Pot tried hard to organize Meetings to perform self-criticisms...he said to Ta Mok that Ta Mok was already strong and had a lot of precise experiences, but Ta Mok had to think more about the theories...no progress."]; **E3/210** Khieu Samphan OCIJ Statement, at ENG 00156949, KHM 00156690-91, FR 0015696 ["In relation to the excesses which had been denounced during auto-criticism I would like to give an example: a number of cadres believed it appropriate to punish...Such mistakes were denounced and corrected."]; See also **E3/16** Khieu Samphan, *Considerations on the History of Cambodia From the Early Stage to the Period of Democratic Kampuchea*, at ENG 00498229 ["On the organizational side...with iron discipline, which all voluntarily accepted'...constant criticism and self-criticism...Later, these words were used to educate me too."]; **E1/190.1** Transcript, 7 May 2013, Philip Short, 11.20.35 to 11.23.45 ["I think Mr. Khieu Samphan described...the study - study meetings that took place before Central Committee meetings. This was absolutely a ritual."]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396433 ["Criticism and self-criticism took place at so-called 'lifestyle meetings' held in small groups, usually twice a week...Khieu Samphan called them 'a daily accounting of revolutionary activities'."].

2114 **E1/159.1** Transcript, 11 January 2013, Chhaom Se, 11.36.24 to 11.40.51 ["After Phnom Penh was liberated, I attended a conference in which...the birthday or the anniversary of the establishment of the army at that time...at the Olympic Stadium."], 11.47.00 to 11.52.30 ["I already mentioned that during the conference in the stadium, there were 21 senior leaders who attended the event...I still recall having seen...Mr. Khieu Samphan...all the people who were the senior leaders."], **E1/177.1** Transcript, 8 April 2013, Chhaom Se, 11.50.08 to 11.57.10, 15.30.44 to 15.38.38 ["Are you 100 per cent sure that [Khieu Samphan] attended this meeting? A. Mr. Khieu Samphan was present because he was the chairman of the State Presidium."]; See also **E3/405** Chhaom Se OCIJ Statement, at ENG 00406211 ["Division 801 was created in Phnom Penh during the General Assembly at the Olympic Stadium during approximately September."].

2115 **E3/4201R** Video Entitled "Facing Genocide: Khieu Samphan and Pol Pot," at 01.11.00 to 01.11.25 [So Socheat: "Since I joined the movement, I met Pol Pot all the time. As a person, he was very reasonable. When he taught, he gave reasons - very clear and straightforward. And I loved listening to him."], 01.30.00 to 01.30.32 [So Socheat: "We knew each other and used to talk to each other. He [Nuon Chea] was a good man."]; **E1/206.1** Transcript, 12 June 2013, So Socheat, 09.45.57 ["Q. Out of the wives of Pol Pot, Nuon Chea, Ieng Sary and Son Sen, which of those wives were you closest to? A. I was closest to Nuon Chea's wife..."].

2116 **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 11.14.15 to 11.17.02 ["A. So far as I know, there were other people from sectors, zones, who also coming to the meetings."], 11.22.30 to 11.23.32, 11.39.40 to 11.44.27 ["A. Pol Pot told me that there would be sectors and zones to participate in the meetings. That's what he told me."]; See also: **E3/104** Sa Vi OCIJ Statement, at ENG 00204059; **E1/156.1** Transcript, 8 January 2013, Sa Vi, 10.13.11 to 10.17.32, 15.09.45 to 15.13.52 ["Q. Apart from...Khieu Samphan...do you still remember some people from the zones...A. I remember...including Uncle So Phim, from the East...and Ta Mok, from the Southwest Zone."], 15.40.08 to 15.42.28; See also **E1/63.1** Transcript 18 April 2012, Saut Toeung, 13.56.28 ["Q. Could you also tell us the names of the individuals you saw coming in and out of the offices? A. These people include Koy Thuon, Ta Kheu (phonetic), and other people; I don't know their names."], 15.18.42 to 15.20.53 ["Q. How often did you see Ta Mok in Phnom Penh? A. Once every one or two months. It was rather frequent. Q. And where in Phnom Penh...A. He would come to K-1."], 15.26.34 to 15.39.02 ["Q. And did you ever see Ta Nhim come to Phnom Penh for meetings with Nuon Chea or other Party leaders of Phnom Penh? A. Yes, they would -- he would come to Phnom Penh on a regular basis..."]; **E3/462 TCW-638** OCIJ Statement, at ENG 00223564 "I saw meetings of all the Zone Secretaries at Office Ka 1."].

2117 **E3/33** Oeun Tan OCIJ Statement, at ENG 00235128 - 29; **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 11.18.25 ["A. Sometimes the meetings were held once a month, sometimes once every fortnight, but I think that's just my observation."], 11.42.57 to 11.45.28 ["A. In each meeting there were Mr. Khieu Samphan, Ieng Sary, Nuon Chea, and others. They were there regularly; either the meeting was held monthly or fortnightly."].

2118 **E3/33** Oeun Tan OCIJ Statement, at ENG 00235128 - 29; **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 11.05.01, 11.09.54 to 11.12.19; **E1/87.1** Transcript, 14 June 2012, Oeun Tan, 09.31.53 to 09.41.29 ["Q. You mean all the meetings over a period of three and a half years? A. Yes, it is true."].

2119 **E1/83.1** Transcript, 7 June 2012, Sao Sarun, 11.50.45 to 11.53.08, 11.54.08 ["We had to report basically on the economic welfare of the people...They did ask us...for information...We did not know about those activities so we did not report."].

- 2120 **E1/83.1** Transcript, 7 June 2012, Sao Sarun, 11.45.40 to 11.53.08 [“A. In that meeting we discussed...managing the forces and masses...educate people and raise their awareness about economic matters and how they could help...self-sufficiency...strengthen the defence...”]; **E1/84.1** Transcript, 11 June 2012, Sao Sarun, 09.13.55 to 09.19.10; 09.12.20 to 09.20.49; **E3/367** Sao Sarun OCIJ Statement, at ENG 00278696; **E1/84.1** Transcript, 11 June 2012, Sao Sarun.
- 2121 **E1/83.1** Transcript, 7 June 2012, Sao Sarun, 11.55.37 [“I did talk about economic matters with him. We requested materials to supply to the people...we also discussed other matters as well and chitchatted with each other...It was at the same meeting venue.”]; **E1/85.1** Transcript, 11 June 2012, Sao Sarun, 10.06.49 [“A. Well, he was talking about economy, about growing vegetables, about production, about food ration of the people...”]; **E3/367** Sao Sarun OCIJ Statement, at ENG 00278696 [“I used to give a commerce list requesting for equipment to Khieu Samphan personally and used to talk with him about economic matters during meals time or outside official meeting.”].
- 2122 **E1/83.1** Transcript, 7 June 2012, Sao Sarun, 11.55.37 to 11.57.51 [“We only informed him about the actual shortages so that we brought that matter up to their attention.”]; See also **E3/1919** Analytical Report by Sokhym Em entitled “Revolutionary Female Medical Staff in Tram Kak District,” October 2002, at ENG 00080505 [“A hospital chief...Sim Leanghak, alias Sei, presented a report during a central committee meeting of Pol Pot, Nuon Chea, Khieu Samphan and Ieng Thirith...in April 17 hospitals...many cases of providing wrong drugs.”].
- 2123 **E3/18** Khieu Samphan, *Cambodia's Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103754, KHM 00103843-44, FR 00595436-37; **E152.1.3.1** Khieu Samphan Interview, at ENG 00789478 [“[A]s for zone chairpersons, I saw that they had nothing to fear because they came to the meetings working and laughing together in a playful way...I saw that there was nothing about Pol Pot to cause them to be that fearful.”].
- 2124 **E1/205.1** Transcript, 11 June 2013, So Socheat *alias* Rin, 10.59.35 to 11.04.50 [“Q. All right let's talk now a little bit about the atmosphere that reigned in K-1 and K-3...A. The atmosphere was normal. Nobody was fearful...Yes there were a lot of jokes but I cannot recall all of the jokes.”]
- 2125 **E3/18** Khieu Samphan, *Cambodia's Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103754-55, KHM 00103843-44, FR 00595436-37; See also **E3/210** Khieu Samphan OCIJ Statement, at ENG 00156949, KHM 00156690, FR 00156696 [“Finally, in relation to the disappearance of the members of the central committee and the standing committee, everyone seemed to approve, but I did not know the extent or the scope of the arrests.”].
- 2126 **E152.1.30.1** Khieu Samphan Interview, at ENG 00790536 [“During the years of 1954 through 1960, we did lots of study...and concluded that it was impossible to rely upon Vietnam...foreign countries...We had to take the stance of independence and mastery.”]; **E152.1.36.1** Khieu Samphan Interview, at ENG 00792053 [“During the pre-war period we were not yet able to do anything...But now that we were already liberated, we could discuss things together...had to have an East Zone that had the stance of independence and mastery...”]; **E152.1.37.1** Khieu Samphan Interview, at ENG 00793149 [“[D]uring the 1971 Congress, which I also attended, it was determined that Vietnam was a comrade with contradictions...Sao Phim...and cadres in the East Zone who had been close to Vietnam were already off-line”]; **E152.1.49.1** Khieu Samphan Interview, at ENG 00788876 [“When we were right or wrong, only four or ten people might die. But now we lead divisions of thousands of people. So then, if we lead in the peasant style...use some science.”]; **E152.1.3.1** Khieu Samphan Interview, at ENG 00792906 [“To keep up the struggle would have been too extreme. We the leadership could have prevented that, could have prevented a break in solidarity, and could have resolved the problems of each stratum...preventing splits”].
- 2127 **E152.1.3.1** Khieu Samphan Interview, at ENG 00792053.
- 2128 **E152.1.52.1** Khieu Samphan Interview, at ENG 00788872 [“[I]f there had been a single voice against the evacuations, there could have been no evacuations; but they all agreed because they saw that if they were not evacuated, the people would die of starvation.”].
- 2129 **E1/55.1** Transcript, 28 March 2012, Kaing Guek Eav *alias* Duch, 15.35.00 to 15.36.26 [“I only knew Brother Hem, who was the presenter of the overall situation...I also knew Comrade Roeng...and he was in charge of the state warehouse at that time.”]; **E1/184.1** Transcript, 25 April 2013, Ruos Suy, 11.31.45 to 11.38.22 [“I just focus only on the...warehouse unit only...I do not remember the exact number, but of course, the leader of the battalion, company, and the group chief attended that study session.”]; 11.39.29 to 11.44.26 [“19.158...English, 00710554...[Did] people that attended the meeting include ‘leaders from the army, Industry, and Commerce’...? A... people from different ministries and offices attended that meeting.”]; **E3/4623** Sim Hao Statement, at ENG 00679722 [“Only the heads of units or battalions were invited to the meeting. Regular people were not invited.”]; **E1/207.1** Transcript, 13 June 2013, Sim Hao, 14.19.32 [“Q. [H]ow many people attended this meeting...? A... [M]any people... from different

- ministries... not only...Ministry of Commerce...from ministry of transport and other ministries... I guess, up to a hundred.”].
- 2130 **E1/55.1** Transcript, 28 March 2012, Kaing Guek Eav *alias* Duch, 15.33.30 to 15.38.38 [“6 January 1979, at around 9 or 10 a.m. The venue was at the Preah Suramarit Buddhist High School...Brother Hem, who was the presenter of the overall situation at that time.”]; **E1/62.1** Transcript, 10 April 2012, Kaing Guek Eav *alias* Duch, 13.36.03 to 13.46.01 [“Brother Hem chaired the meeting regarding the situation that the Vietnamese soldiers arrived in the Cambodian territory.”]; **E1/184.1** Transcript, 25 April 2013, Ruos Suy, 11.34.20 to 11.38.22; **E3/4594** Ruos Suy Statement, at ENG 00710554 [“A. Mr. KHIEU Samphan, on 5 January, called all the leaderships to attend a meeting...Q. What leadership levels attended that meeting? A. There was just Khieu Samphan.”]; **E1/207.1** Transcript, 13 June 2013, Sim Hao, 14.15.56 to 14.28.35 [“I only saw Mr. Khieu Samphan. I did not see any other leader.”]
- 2131 **E3/4594** Ruos Suy Statement, at ENG 00710554 [“Q. During that study meeting did he speak about any problem with the enemy burrowing within? A. Yes.”]; **E1/184.1** Transcript, 25 April 2013, Ruos Suy, 11.44.26 to 11.46.17 [“Q. Is that correct that Mr. Khieu Samphan said that the problems with the outside enemy would not have occurred if it wasn’t for internal enemies, based on his assessment? A. Yes, that is correct.”].
- 2132 **E1/55.1** Transcript, 28 March 2012, Kaing Guek Eav *alias* Duch, 15.33.30 to 15.38.38 [“Brother Hem...said that Vietnamese soldier were forcing their way in and Comrade Soen...and San...were trying to counter-attack against them and we should remain calm, we should not be terrified or panic.”]; **E1/62.1** Transcript, 10 April 2012, Kaing Guek Eav *alias* Duch, 13.36.03 to 13.46.01 [“Comrade Roeung and Comrade San would be able to counter the Vietnamese.”]; **E1/206.1** Transcript, 12 June 2013, Sim Hao, 15.10.30 to 15.17.44 [“Mr. Khieu Samphan did advise us to dig trenches...strengthen our spirit to fight back and...reinforce their forces.”]; **E1/207.1** Transcript, 13 June 2013, Sim Hao, 14.21.15 to 14.34.16 [“Q. [W]hat did Khieu Samphan say? A. He told us...to dig trenches...bombardment was imminent...we had to fight back... for self-protection.”]; **E3/4623** Sim Hao Statement, at ENG 00679721-22 [“On the 5th [January 1979]...I came to a meeting in the morning at Borei Keila...Khieu Samphan said...we as... leaders, commanders...have to dig trenches and reinforce our forces...cannot just run away.”]; **E1/184.1** Transcript, 25 April 2013, Ruos Suy, 11.31.45 to 11.38.22 [“After the situation in Phnom Penh changed he called us so that he could give advice, inform us about the situation in Cambodia, and he told us that he had -- we have to leave Phnom Penh temporarily.”]; 11.46.17 to 11.48.34 [“[H]e said we left the city temporarily only, and then we could plan the attack back against the Vietnamese troops.”].
- 2133 **E1/208.1** Transcript, 17 June 2013, Leng Chhoeung, 11.26.45 to 11.37.51.
- 2134 **E3/27** Khieu Samphan OCJ Interview, at ENG 00156750, KHM 00156619, FR 00156671.
- 2135 See also **E3/27** Khieu Samphan OCJ Statement, at ENG 00156751, KHM 00156619, FR 00156672 [“The standing committee...it was not necessary to have all the members in order that the meeting could be convened.”].
- 2136 **E1/198.1** Transcript, 29 May 2013, Khieu Samphan, 14.44.52 [“And you can put the question that I participated in the Standing Committee’s meeting...that kind of meeting was a broad meeting for members like myself...”]; See also **E3/26** Khieu Samphan OCJ Statement, at ENG 00156751, KHM 00156620, FR 00156672-73; **E3/557** Khieu Samphan Adversarial Hearing Statement, at ENG 00153270, KHM 00153234, FR 00153300; **E3/18** Khieu Samphan, *Cambodia’s Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103754, 00103758.
- 2137 **E3/232** CPK Standing Committee entitled “Minutes of Meeting on Base Work,” 8 March 1976, at ENG 00182628, KHM 00017116, FR 00323932 [“Comrade Sreng, Comrade Hang, Comrade Sof”]; **E3/231** CPK Standing Committee Minutes on Propaganda, 8 March 1976, at ENG 00528385, KHM 00017124, FR 00323930 [Comrade Phoas]; **E3/218** CPK Standing Committee Minute entitled “Results of Negotiations with Vietnam Regarding the Eastern border,” 26 March 1976, at ENG 00182651, KHM 00000752, FR 00334967 [“Comrade Ya, Comrade Tum”]; **E3/221** CPK Standing Committee Minutes entitled “Examination of the Reaction of Vietnam During the Fifth Meeting,” at ENG 00182693, KHM 00000810, FR 00386175 [“Comrade Ya, Comrade Chan, Comrade Se”]; **E3/226** CPK Standing Committee Minutes entitled “Minutes of Meeting on Health and Social Affairs,” 10 June 1976, at ENG 00183363, KHM 00017147, FR 00296158 [“Comrade Phea, Comrade Sou, Comade Sei and Cadres of Social Affairs and Health.”]
- 2138 **E3/3702** S-21 Confession of Phok Chhay *alias* Touch, Office 870 Minute Taker.
- 2139 **E3/557** Khieu Samphan Adversarial Hearing Statement, at ENG 00153270, KHM 00153234, FR 00153300; **E1/198.1** Transcript, 29 May 2013, Khieu Samphan, 14.44.52 [“I participated in the Standing Committee’s meeting...as I needed to liaise with friendly countries or the heads of states. And for that reason, I needed to know some matters concerning the development of the country”].

- 2140 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156747, KHM 00156616, FR 00156669; **E1/93.1** Transcript, 20 July 2012, David Chandler, 13.57.39 to 14.00.14.
- 2141 **E1/190.1** Transcript, 7 May 2013, Philip Short, 09.52.21 [“This is part of the - I was going to say the ‘general thing’ of secrecy. Secrecy was one of the key principles of the Communist Party of Kampuchea. Knowledge was only for those who needed to have it.”].
- 2142 **E1/189.1** Transcript, 6 May 2013, Philip Short, 13.50.26 to 13.51.57 [“The very fact of attending Standing Committee meetings is itself significant...you were among a very, very small group which knew what was going on”].
- 2143 **E/1550** Confession of Hou *alias* Phoas, 18 May 1977, at ENG 00249844, KHM 00008923, FR 00766902 [“Respected Communist Party of Kampuchea worth more than my life. My respect to Brother Pol, Brother Nuon, Brother Van, Brother Vorn, Cadre Khieu and Hem...I have never betrayed the party...”]; **E1/93.1** Transcript, 20 July 2012, David Chandler, 11.03.48 to 11.05.18 [“A. Well, these are the revolutionary names of the members of the Party Centre...Hu Nim was high enough up in the Party hierarchy to know who the members of the committee were.”], 14.02.08 [“we saw the letter...He knew their names, he knew how to write to them, but he was an insider. No one else in the country could have used those five names in the same facility.”]; **E1/56.1** Transcript, Kaing Guek Eav *alias* Duch, 29 March 2012, 15.58.12.
- 2144 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156751, KHM 00156620, FR 00156673 [“During the expanded meetings of the standing committee, I never took the floor.”].
- 2145 **E3/232** CPK Standing Committee Minutes entitled “Minutes Meeting on Base Work,” 8 March 1976, at ENG 00182628, KHM 00017116, FR 00323932 [“The report of Comrade Hem.”].
- 2146 **E3/197** CPK Standing Committee Meeting Minutes entitled “the Front” on the Front, 11 & 13 March 1976, at ENG 00182638, KHM 00000744, FR 00334961 [“Comrade Hem reported to the Standing Committee on the resignation of Sihanouk”]; ENG 00182640, KHM 00000747, FR 00334963 [“Comrade Hem reported to the Standing Committee on the Sihanouk problem.”]
- 2147 **E3/37** Khieu Samphan OCIJ Statement, at ENG 00156754, KHM 00156676, FR 00156581 [“I was in charge of preparing the price list for the cooperatives...I also had to maintain relations with King Norodom Sihanouk”]; **E3/2343R** Video entitled “Cambodge 1ère Partie,” at 00.43.03 - 00.44.20; **E3/182** CPK Standing Committee Minutes 9 October 1975, at ENG 00183393, KHM 0001908, FR 00292868 [“4. Comrade Hem nmr Responsible for the Front and the Royal Government, and Commerce for accounting and pricing”]; **E3/20** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, at 00238146 [“Sihanouk and his entourage saw no one but Khieu Samphan during the first two years. During the final year, 1978, Sihanouk was taken around the countryside each month to lift up the spirits of the peasants.”].
- 2148 **E3/557** Khieu Samphan Adversarial Hearing Statement, at ENG 00153270, KHM 00153234, FR 00153300, KHM 00103840, FR 00595431-32.
- 2149 **E289.1.1** Transcript of the Khieu Samphan interview on the France Culture French radio station, August 2007, at ENG 00923077 [“I was locked up in the offices of the Standing Committee...As long as you couldn’t leave the office quarters, you couldn’t know anything.”]; See also **E3/18** Khieu Samphan, *Cambodia’s Recent History And The Reasons Behind The Decisions I Made*, at ENG 00103787 [“But at no time was I invited to participate in meetings where purges or arrests were decided...not having participated in any of the meetings where purges and arrests were decided...‘confessions.’”], 00103793 [“I was never in a position either to know of arrest and execution decisions made by the C.P.K.’s [Standing] Committee or to ensure that they were implemented.”].
- 2150 **E1/198.1** Transcript, 29 May 2013, Khieu Samphan, 14.44.52 to 14.47.19 [“And that kind of meeting was a broad meeting for members like myself because for certain meetings I was not allowed to know...In particular regarding the meetings concerning the arrests...information.”]; See also **E3/4201R** Video Entitled “Facing Genocide: Khieu Samphan and Pol Pot,” at 00.53.15 - 00.53.51 [“Why didn’t I know anything? Why didn’t I try to find out? Perhaps you can blame me for that. But for me, I didn’t want to know because I respected the rules of the party.”].
- 2151 **E3/231** CPK Standing Committee Minute of Meeting entitled “Propaganda,” 8 March 1976; **E3/232**, CPK Standing Committee Minutes entitled “Meeting on Base Work,” 8 March 1976, at ENG 00182628-30, KHM 00017116-18, FR 00323932-33 [“D. Education and propaganda...do not let it be seen that we want to suppress...do not speak playfully about the Assembly...to let them see that we are deceptive, and our Assembly is worthless.”]; **E3/197** CPK Standing Committee Minutes entitled “The Front,” 11 March 1976, at ERN 00182638-41.
- 2152 **E3/197** CPK Standing Committee Meeting Minutes entitled “The Front,” 11 & 13 March 1976.
- 2153 **E3/232** CPK Standing Committee Minutes entitled “Meeting on Base Work,” 8 March 1976, at ENG 00182630, KHM 00017118, FR 00323933 [“The situation in 303...A-Loeun’s group...34 persons, whom

the Zone military have all already arrested...asked for instructions from Angkar.”], ENG 00182630-31, KHM 00017118-19, FR 00323933-34 [“2. The situation in 106...Enemy situation: Along the border, the Thais send spies...The ones we have captured all pure Thai, and they refused to speak. In the sectors, there are some bandits...discovered.”], ENG 00182631, KHM 00017118-19, FR 00323934 [“3. The situation in 103...As for the entire sector, there is no enemy activity, just groups fleeing in from different locations...Since January almost 100 have been arrested.”], ENG 00182631, KHM 00017120, FR 00323934 [“Opinions and instructions of Angkar...Regarding the problems in 303: As measures: - Must call in those named...Question and keep them at one site, and report to upper echelon along with a case file.”].

2154 **E3/232** CPK Standing Committee Minutes entitled “Meeting on Base Work,” 8 March 1976, at ENG 00182633, KHM 00017122, FR 00323935 [“5. The enemy situation...Must concentrate on both the East and the West...[T]hey continue to destroy us, attack us, send in spies, and conduct various activities strongly. We must be vigilant...100 years.”]; **E3/227**, CPK Standing Committee Minutes, 2 November 1975, at ENG 00183411, KHM 00019130.

2155 **E3/227** CPK Standing Committee Minutes, 2 November 1975, at ENG 00183412, KHM 00019132 [“2. Phourissara and a number of other elements cannot be guaranteed. We must be really vigilant”]; See also **E3/30** FBIS, *Sihanouk Names New RGNUG Ministers*, 16 January 1975, at ENG 00166707-08 [“2. Khieu Samphan - Deputy prime minister, minister of national defence, commander in chief...Prince Norodom Phurissara - Minister of Justice and Judicial Reforms.”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396512 [“Phurissara had been sent to reform himself through manual labour in a remote village in Preah Vihear, near the border with Thailand.”]; See also **E1/150.1** Transcript, 7 December 2012, Dr Hun Chhunly, 16.01.41 to 16.13.00; **E3/3351** Hun Chhunly, *The Life of a Physician Under the Khmer Rouge Regime*, at ENG 00369728 -29 [“[T]he prince said. “We live in a wooden house, a kind of house arrest...One morning the same white Peugeot vehicle carried Prince Phurissara’s family away from the Military Hospital P2.”]; **E3/1602** [REDACTED] OCIJ Statement, at ENG 00498629-30 [“Q: Were these families sent away altogether at once? A...I remember that the first family to be sent away was Sisowath Phurisara. The rest were sent later in that same year”].

2156 **E3/232** CPK Standing Committee Minutes entitled “Meeting on Base Work,” 8 March 1976, at ENG 00182633, KHM 00017122, FR 00323935 [“B. Propose reporting to the Standing Committee every week on the rice field dike situation...send reports...[so] the Standing Committee knows the situation in order to provide timely instructions.”].

2157 **E3/229** CPK Standing Committee Minutes entitled “Evening of 22 February 1976 - National Defense Matters,” 22 February 1976, at ENG 00182627, KHM 00000715-16, FR 00334959-60; **E3/222** CPK Standing Committee Minutes, 15 May 1976, at ENG 00182665-66.

2158 **E3/224** CPK Standing Committee Minutes entitled “Agricultural Production Work of the Army,” 30 May 1976, at ENG 00182667-68.

2159 **E3/229** CPK Standing Committee Minutes entitled “Evening of 22 February 1976 - National Defense Matters,” 22 February 1976, at ENG 00182627, KHM 00000716, FR 00334960 [“Airfield: Propose the examination of a new site, somewhat deep inside, for example in the vicinity of Tmat Porn or Kampong Chhang”]; **E3/222** CPK Standing Committee Minutes, 15 May 1976, at ENG 00182665-66, KHM 00000770-71, FR 00323892-93

2160 **E3/217** CPK Standing Committee Minutes entitled “Problems on the Eastern Frontier,” 11 March 1976, ENG 00182636, KHM 00000737, FR 00334964-65 [“2. Vietnam seizes the opportunity to aggress against us...The major problem is the acts of expansionism...Future measures...Like in Ratanakiri and in Takeo...Kratie, we attacked and damaged them.”]; **E3/218** CPK Standing Committee Minutes entitled “Results of negotiations with Vietnam regarding the Eastern border,” 26 March 1976; **E3/221** CPK Standing Committee Minutes, 14 May 1976.

2161 **E3/218** CPK Standing Committee Minutes entitled “Results of negotiations with Vietnam regarding the Eastern border,” 26 March 1976, ENG 00182651-52, KHM 00000751-52, FR 00334967 [“He made the accusation...On 9 February 76, we shot at and destroyed two of their vehicles and additionally a number of them were killed and wounded.”], ENG 00182652, KHM 00000752, FR 00334967-68 [“He said this was most regretful. More than 40 of them had died...He said that this site was the most serious... more than fifty of them had been killed or wounded. The discussions were tense...quit writing.”]; **E3/221** CPK Standing Committee Minutes entitled “Examination of the Reaction of Vietnam During the Fifth Meeting, at ENG 00182693, KHM 00000810, FR 00386175 [“They said that since March, we had caused eight clashes with them already. A number of them been killed or wounded.”]

2162 **E3/232** CPK Standing Committee Minutes entitled “Meeting on Base Work,” 8 March 1976, at ENG 00182633, KHM 00017121-22, FR 00323934-35 [“As for rice, it should be two cans or a little more...Importantly, at least two cans [of rice per person per day.”].

- 2163 **E3/232** CPK Standing Committee Minutes entitled “Meeting on Base Work,” 8 March 1976, at ENG 00182630, KHM 00017119, FR 00323933 [“Comrade Sot; brought up a number of matters: A. The problems of many sick people in the work sites, a loss of 40 percent of the labor force.”].
- 2164 **E3/226** CPK Standing Committee Minutes entitled “Minutes of Meeting on Health and Social Affairs,” Health and Social Affairs, 10 June 1976, at ENG 00183363, KHM 00017147, FR 00296158.
- 2165 **E3/226** CPK Standing Committee Minutes entitled “Minutes of Meeting on Health and Social Affairs,” 10 June 1976, at ENG 00183364, 00183367-69, KHM 00017149, 00017152-53, FR 00296159, 00296161-62, 00296169.
- 2166 **E3/226** CPK Standing Committee Minutes entitled “Minutes of Meeting on Health and Social Affairs,” 10 June 1976, at ENG 00183366, KHM 00017150-51, FR 00296160-61; ENG 00183370, KHM 00017157, FR 00296165 [“So, the important issue was the research for raw materials in the country, such as trees, horns.”].
- 2167 **E3/226** CPK Standing Committee Minutes entitled “Minutes of Meeting on Health and Social Affairs,” 10 June 1976, at ENG 00183372, KHM 00017159, FR 00296166 [“Third: Issue of [work] force: Now, they were still young children...For the whole nation we faced shortfall of [work] force...young children could make striking assault...”]; **E3/230**, CPK Standing Committee Minutes entitled “Evening of 22 February 1976 - Economic Matters,” 22 February 1976, at ENG 00182547, KHM 00000712, FR 00301331.
- 2168 **E3/219** CPK Standing Committee Minutes entitled “Foreign Affairs Work,” 3 May 1976; **E3/223** CPK Standing Committee Minutes, 17 May 1976.
- 2169 **E3/233** CPK Standing Committee Minutes, 13 March 1976; **E3/220** CPK Standing Committee Minutes, 7 May 1976.
- 2170 **E3/230** CPK Standing Committee Minutes entitled “Evening of 22 February 1976 - Economic Matters,” 22 February 1976, at ENG 00182547, KHM 00000712, FR 00301331; **E3/229** CPK Standing Committee Minutes entitled “Evening of 22 February 1976 - National Defense Matters,” 22 February 1976, at ENG 00182625, KHM 00000713-14, FR 00334958-59.
- 2171 **E1/84.1** Transcript, 11 June 2012, Sao Sarun, 09.57.19 to 10.02.58, 10.04.32 [“Q. And as you indicated in the statement, was Khieu Samphan one of the members -- people who was identified as a member of the Central Committee and called to the stage at the congress? A. Yes, it’s correct.”]; **E3/367** Sao Sarun OCIJ Statement, at ENG 00278694 [“The persons who attended in the opening and closing sessions included Pol Pot, Nuon Chea, Khieu Samphan, Ieng Sary, Ieng Thirith and Son Sen but Nuon Chea gave more presentations...”].
- 2172 **E1/84.1** Transcript, 11 June 2012, Sao Sarun, 09.48.02 to 09.51.04, 10.24.29 to 11.01.12; **E3/764** Guidance of the Central Committee of the Communist Party of Kampuchea On the Party’s Policy towards Mised Persons who have joined the CIA, served as Yuon Agents or joined the KGB and opposed the Party, Revolution, People and Democratic Kampuchea, 20 June 1978, at 00275217-20; See also **E3/367** Sao Sarun OCIJ Statement, at ENG 00278694.
- 2173 **E1/84.1** Transcript, 11 June 2012, Sao Sarun, 10.22.31 to 10.24.29 [“Q. Did Pol Pot say that civilian and military cadres should stop killings and arrests, unless a prior summons from the Centre was obtained? Yes...”]; **E3/367** Sao Sarun OCIJ Statement, at ENG 00278694.
- 2174 **E3/18** Khieu Samphan, *Cambodia’s Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103783 [“Indeed most militants of my generation, including those who, like me, were driven by fervent nationalism, made a fundamental mistake.”].
- 2175 **E3/4201R** Video Entitled “*Facing Genocide: Khieu Samphan and Pol Pot*,” at 01.15.10 - 01.15.42 [“You have to understand that, without Pol Pot, without the Khmer Rouge, after the coup d’etat 1970, Cambodian would have been in the hands of the Vietnamese communists. Don’t forget that!”]; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia From the Early Stage to the Period of Democratic Kampuchea*, ENG, 00498302, KHM 00380497-500, FR 00643909 [“If the Vietnamese had liberated the South before...there may have been major danger...it was imperative to run again...Were it not for the...cooperatives, Kampuchea would have had to suffer...Vietnam...”]; **E1/190.1** Transcript, 7 May 2013, Philip Short, 14.37.11 [“I think...reflects the concern about Vietnam. The fact that they conquered Phnom Penh before the Vietnamese got Saigon put them, in a sense, ahead...they had to keep running. That reflects the paranoia about Vietnam.”]; **E1/191.1** Transcript, 7 May 2013, Philip Short, 09.34.26 [“This is the classic Khmer Rouge-CPK explanation, and it became a self-fulfilling prophecy. If you are convinced that the Vietnamese wish you ill, then you see all kinds of reasons to take measures...enmity.”], 09.38.32 to 09.40.15 [“It was that paranoia, which fuelled the purges, and...was responsible for the determination to push the country to its limits...to resist Vietnam, causing death from overwork, starvation, exhaustion, and so on.”].

- 2176 **E3/18** Khieu Samphan, *Cambodia's Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103782 ["Traumatized by the forced evacuation...torn and confronted by the most absurd contradictions, I could not bring myself to raise my voice to express my opposition to the violence perpetrated in my name"]; See also **E3/210** Khieu Samphan OCIJ Statement, at ENG 00156949, KHM 00156690, FR 00156695 ["I observed that some members of the central committee disappeared one after another."], ENG 00156949, KHM 00156690, FR 00156695 ["Pertaining to the evacuation of Phnom Penh, I clearly realised that the population might have fallen along the way. That is why after the fall of the movement, I asked myself the reasons why...principles."], ENG 00156950, KHM 00156691, FR 00156695 ["I was speaking of the contradictions I was faced with but could not solve."].
- 2177 **E289.1.1** Transcript of the Khieu Samphan interview on the France Culture French radio station, August 2007, at ENG 00923076 ["I asked myself the following question...Should I leave Pol Pot?...But how, as an intellectual, could I personally create dissidence?...Fighting Pol Pot meant objectively siding with Viet Nam."], 00923077 ["LDV: There was no possible choice. KS: There was no possible choice because there was no other movement able to truly resist the Vietnamese."]; **E3/18** Khieu Samphan, *Cambodia's Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103721 ["[P]ressure from Vietnam...played a key role in the evolution of the...regime and that of my own opinion...I considered it my duty to stand by the government...maintain Cambodia's sovereignty."]; **E3/18** Khieu Samphan, *Cambodia's Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103757 ["[I]n my soul...seeing how the Vietnamese leaders were behaving...the fears of the communist Khmer leaders were legitimate, and I did not want to see the mobilized national force they represented weakened"].
- 2178 **E3/18** Khieu Samphan, *Cambodia's Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103738 ["Can one be true to the principles of respect for human rights and defense...I still profoundly agree...that the defense of one's country's independence and sovereignty is always and ever legitimate and necessary."].
- 2179 **E3/275** Khieu Samphan Speech, 15 April 1976, at ENG 00167631 ["Our people, workers, peasants and revolutionary army, under the clear-sighted leadership of our revolutionary organization...have also put an end to the dark era"], ENG 00167636 ["We have our revolutionary organization to lead us along a correct and wise political line."]; **E3/549** Khieu Samphan Speech, 16 - 19 August 1976, at ENG 00644938 ["The great victory won by the people of Kampuchea is due to the correct political line of our Revolutionary Organization"]; **E3/201** Khieu Samphan's Speech at Anniversary Meeting, 15 April 1977, at ENG 00419512, KHM 00292803-04, FR 00612165 ["[U]nder the correct and clear-sighted leadership of our revolutionary organization, our workers, peasants and revolutionary army have scored...achievements...in the field of defending and...national rehabilitation"], ENG 00419513, KHM 00292804-05, FR 00612166 ["We must wipe out the enemy...following the lines of domestic policy, foreign policy and military policy of our revolutionary organization."], ENG 00419514, KHM 00292806, FR 00612166 ["Therefore, the efficient implementation of our revolutionary organization's 1977 plan should be seen as another great victory for us."], ENG 00419517, KHM 00292813-14, FR 00612172 ["We must...become more humble, alert and careful, and respect and follow every line of our revolutionary organization more steadily...implement and carry out our revolutionary organization's 1977 plan 100% and even more"]; **D108/28.123** Khieu Samphan Speech, 30 December 1977, at ENG 00166069, KHM 00229024, FR 00345470 ["The KCP is a correct and clear-sighted party which has valiantly and successfully gone through a long complicated, difficult revolutionary struggle"], ENG 00166071 ["Long live the great, correct and clear-sighted KCP."]; **E3/169** Khieu Samphan Speech, 17 April 1978, at ENG 00280389, KHM S 00704515, FR S 00004802 ["[T]he day when our working class and peasantry and the Revolutionary Army of Kampuchea, under the just and far-sighted leadership of the [CPK], totally and definitely liberated our country" and...ended the dark era"], ENG 00280390 ["The grandiose victory of 17 April 1975...under the just and far-sighted leadership of the [CPK]...important [achievements]...under the just and far-sighted leadership of the [CPK] from 17 April 1977 to 17 April 1978."], ENG 00280398, KHM S 00704526, FR S 00004808 ["We can only succeed if we properly implement the Party line in external as well as internal defence...Long live the just and far-sighted Communist Party of Kampuchea"]; **E3/562** Khieu Samphan Speech, 16 April 1978, at ENG S 00010558, FR 00280373 ["[A]ll of us are celebrating...amid a splendid situation in all fields, since our Cambodian nation, people and worker-peasant class, under the wise and correct leadership of our CPK"], ENG S 00010563, KHM 00249989, FR 00280379 ["[W]e must struggle arduously to fulfil the Party's tasks assigned to each unit, section and base...Only by implementing the Party's lines can we defend our country against both internal and external enemies."], ENG S 00010566 ["[T]he leadership should be the model for the masses with regard to the political, ideological and organizational stand, work performance, life style, morality, solidarity and unity along the Party's line"].

- 2180 **E3/144** Pol Pot *Long Live the 17th Anniversary of the Communist Party of Kampuchea*, 29 September 1977, at S 00012674 [“The First Party Congress...To give an example...among the comrades who were then under arrest or in prison were our most distinguished intellectuals, such as the comrade president of the State Presidium.”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ERN 00396544; **E3/3169** Steve Heder, *Pol Pot and Khieu Samphan*, at ENG 00087782 [“It seemed to signal publicly the special trust Pol Pot had in the two men...Nuon Chea and Khieu Samphan...the only two Party leaders who Pol Pot found the opportunity to mention favourably.”].
- 2181 **E289.1.1** Transcript of the Khieu Samphan interview on the France Culture French radio station, August 2007, August 2007, at ENG 00923079 [“[A]fter January 1979?...KS: My duty to remain with Pol Pot forever became even more imperious...Loyal...I consider him a patriot who did all...to preserve Cambodia’s independence...”].
- 2182 **E3/18** Khieu Samphan, *Cambodia’s Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103754, KH 00103843-44, FR 00595436-37; **E3/4201R** Video Entitled “Facing Genocide: Khieu Samphan and Pol Pot,” 01.17.00 [“They demonize Pol Pot...They accuse him of being a dictator and use the word ‘genocide.’ It’s not true! A great leader of such a movement could never act like that...I will shout it out at the trial.”]; **E3/4201R** Video Entitled “Facing Genocide: Khieu Samphan and Pol Pot,” at 00.53.50 - 00.54.18 [“Did you feel cheated by Pol Pot that he didn’t let you know? No. Because afterwards still I felt that he had reasons for it. What Pol Pot really did, he had certain reasons to do it.”].
- 2183 **E289.1.1** Transcript of the Khieu Samphan interview on the France Culture French radio station, August 2007, August 2007, at ENG 00923080; See also **E289.1.1** Khieu Samphan Interview, August 2007, at ENG 00923079.
- 2184 **E3/4201R** Video Entitled “Facing Genocide: Khieu Samphan and Pol Pot,” 00.43.40 - 00.44.30 [“I can still see him, in the Cardamom Mountains...I always keep a clear image of him in my head. Do you miss Pol Pot? Yes. Because he had such an exceptional mind. To us.”].
- 2185 **E3/16** Khieu Samphan, *Considerations on the History of Cambodia From the Early Stage to the Period of Democratic Kampuchea*, at ENG 00498273, KHM 00380445, FR 00643878-79 [“Pol Pot’s methodology on any issue was to gather maximum documentation for analysis...compiled a document entitled, ‘Leading and Working Following the 3-7-8 Principle of Analysis’...personally implemented this principle.”]; **E3/4024** Khieu Samphan Interview, at ENG 00788870 [“3-7-8 was known of and heard by all veteran Khmer Rouge. Go ask them...They know!...I understood and saw that clearly every single day. I had to do criticism and self-criticism every half-month on that matter...”]; **E1/191.1** Transcript, 8 May 2013, Philip Short, 09.32.24 to 09.34.26 [“In your interviews with Khieu Samphan, were you able to discuss...methodologies...Pol Pot...investigating cadres. A...I can confirm we discussed...Pol Pot’s obtaining maximum information...method, yeah.”].
- 2186 **E152.1.3.1** Khieu Samphan Interview, at ENG 00798304 [“He paid attention to situations and cadres, particularly key cadres...He often invited them to have chit-chats...those individuals who came for chit-chats...were not aware of Pol Pot’s real intent...”].
- 2187 **E289.1.1** Transcript of the Khieu Samphan interview on the France Culture French radio station, August 2007, at ENG 00923077; See also **E152.1.46.1** Khieu Samphan Interview, at ENG 00789052 [“Mr. Pol Pot had very clear ways and work formalities of his own, and we all understood and knew Mr. Pol Pot...when I was in place, I had no reason to fear...Knowing each other well, we would talk as normal...”]; See also **E1/205.1** Transcript, 11 June 2013, So Socheat, 10.59.35 to 11.02.40.
- 2188 **E152.1.3.1** Khieu Samphan Interview, at ENG 00789478.
- 2189 **E152.1.2.1** Khieu Samphan Interview, at ENG 00792554-55 [“[T]he Khmer Rouge are an important national force, and to clarify that they are an important national force, I would like to inform you as follows...”], 00792556 [“It means regardless of how the Khmer Rouge forces were wrong or right, they are a real national force that truly exists in our Cambodian society, a trend in our Cambodian society.”], 00792556 [“Khmer Rouge forces were both right and wrong... regardless, they played an important role within the nation and the recent history of the nation. Do not forget that...”]; **E152.1.4.1** Khieu Samphan Interview, at ENG 00793390 [“I’m not saying that the Khmer Rouge were angels...However, any wrong after being offset would be right, leading to a national force...learning from history means - avoiding grudges...”], 00793391 [“Everyone is already aware that Khmer Rouge forces struggled to protect the interest of the nation and the life of the nation. It was extremely tough, hard and enduring...”]; **E152.1.52.1** Khieu Samphan Interview, at ENG 00788873 [“[W]e struggled against Vietnam who greedily wished to control us...What for? Was it not to defend our nation?”]; **E152.1.53.1** Khieu Samphan Interview, at ENG 00792445 [“[W]e used and considered the Khmer Rouge as one of the national forces...If the Khmer Rouge had not been present in 1970, would Cambodia in the current situation have ever existed?”], 00792446 [“[T]he Khmer Rouge who worked extremely hard are considered as enemies. Nobody worked harder than the Khmer Rouge...They worked hard for survival of

the nation.”]; **E3/18** Khieu Samphan, *Cambodia’s Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103783 [“But, deep inside, I felt proud to see that [Ta Mok] the man I considered a peasant had become one of the important representatives of a national resistance movement, capable...people in the countryside”], 00103745 [“If I insist on this, it is because I want our compatriots to better understand the reasons why I chose to become a representative of the interior resistance. From that point of view, I was dictated by my conscience.”]

2190 **E1/197.1** Transcript, 27 May 2013, Khieu Samphan, 14.51.38 [“First of all, I would like to inform you that I am not the Khmer Rouge. And I cannot bear responsibility for those accusations.”]

2191 **E3/18** Khieu Samphan, *Cambodia’s Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103744 [“[M]y social origins and my old and fairly good relations...gave me an important, if not an indispensable, role...I had to agree to assume the role as an important leader of the country’s internal resistance.”]; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia From the Early Stage to the Period of Democratic Kampuchea*, at ENG 00498222, KHM 00380351, FR 00643824 [“I travelled with the movement for 30 years, and I passed through many twists and turns, many times, sometimes at the peril of my life...I personally knew many heroes unknown to others, cadres, combatants...”].

2192 **E1/55.1** Transcript, 28 March 2012, Kaing Guek Eav *alias* Duch, 11.36.15 to 11.40.08 [“...we thought that Khieu Samphan was the student of Saloth Sar, or Pol Pot...And I learnt that from Touch Phoeun...He told me that Brother Hem had great respect for Pol Pot.”], 11.48.30 [“A. We knew his task. He headed the Central Office under the supervision of Pol Pot and he was the student of Pol Pot.”]; **E1/57.1** Transcript, 2 April 2012, Kaing Guek Eav *alias* Duch, 10.14.08; **E1/58.1** Transcript, 3 April 2012, Kaing Guek Eav *alias* Duch, 14.11.45 to 14.13.38; **E3/107** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00198224; **E3/356** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00242877 [“I can also emphasise once again that Khieu Samphan had a special relationship with Pol Pot; the latter regarded him with esteem and perhaps was planning to make him his successor.”].

2193 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396544 [“Pol placed growing trust in him. He appreciated his patience and perseverance, and the fact that when he was given a task, he would carry it out to the letter, doing neither more nor less than he was asked.”]

2194 **E1/58.1** Transcript, 3 April 2012, Kaing Guek Eav *alias* Duch, 14.13.38 to 14.18.48 [“A. Important issues were allowed. In other words, he was allowed to know important information. Pol Pot allows him to know and help him remember the issues...All documents were in the hands of Khieu Samphan.”]; **E3/456** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00198883.

2195 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396521 [“Samphan was also entrusted with missions which Pol judged too sensitive for others to handle”].

2196 **E1/191.1** Transcript, 8 May 2013, Philip Short 09.47.42 to 09.49.37 [“[T]hat is very much in Khieu Samphan’s role. He was trusted. He was someone in whom Pol Pot had confidence...”].

2197 **E1/204.1** Transcript, 10 June 2013, So Socheat, 14.40.21 to 14.46.01 [“At K-1, I went to stay in his room. He was by himself and he came down to visit my elder child...He came to visit us; that is, me and my child and then he asked me to go and stay with him in a house.”]; 14.46.01 to 14.48.05 [“I left later because I only left after my delivery of my second child; that was about two or three months after he had left, then I moved to K-3”], 15.18.05 to 15.22.02 [“A few months later I heard Pol Pot order a house for us because he learned that I stayed in that house and it was not proper so he would ask a house to be built or to be arranged so that we could share it.”], 15.34.45 [“Every day...he would cuddle my middle daughter, bathe her, and then after he went down to his workplace; and that was his daily routine, and he never missed it.”], 15.25.54 to 15.28.06 [“A. My son when he was three years old...in the children’s unit...it was compulsory and...I would ask for permission to have my son be brought to us so that we can be with him...but we had no choice.”]; See also **E1/190.1** Transcript, 7 May 2013, Philip Short, 15.24.15 to 15.28.40 [“I don’t think you went far enough in using the word ‘double standard’ It was particularly shocking because...the people of Democratic Kampuchea had nothing...the gap was enormous...abstinence.”]

2198 **E1/205.1** Transcript, 11 June 2013, So Socheat, 10.17.58 to 10.27.08 [“7 A. I went to visit the house of my mother-in-law...some months later she was brought in to live in that house and I went to visit her. My apologies...A. I visited my mother-in-law.”]; **E1/208.1** Transcript, 17 June 2013, Leng Chhoeung, 09.37.40 to 09.42.05 [“Q...He returned to rest at the K 3 office after finishing his work. I often drove Khieu Samphan to his mother’s house near Boeng Keng Kang...A. Yes, that is correct.”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396520 [“Khieu Ponnary’s...had been assigned a house in Boeung Keng King, in the southern part of the city, where relatives of other leading figures, including Khieu Samphan’s elderly mother, also lived.”]; **E1/191.1** Transcript, 8 May 2013, Philip Short, 11.36.45 to 11.39.30 [“A. The families of the senior leaders...Khieu Samphan’s mother was in Phnom

Penh with two helpers to look after her because she was very elderly. His wife and his children...were in Phnom Penh.”].

2199 **E3/420** Prum Sou OCIJ Statement, at ENG 00422379-80 [“In mid 1978, Svay Voeun who came from West Zone became the secretary of Sector 103. At that time, *Ta Khim* and *Saroeun* were arrested and sent to Siem Reap province.”].

2200 **E1/130.1** Transcript, 4 October 2012, Meas Voeun, 14.11.45 to 14.15.14, 14.17.15, 14.25.15 to 14.26.30; **E1/131.1** Transcript, 8 October 2012, Meas Voeun, 14.08.50 to 14.13.46; **E1/132.1** Transcript, 9 October 2012, Meas Voeun, 11.28.53 to 11.31.57, 14.08.31 to 14.10.47, 14.12.16, **E3/424** Meas Voeun OCIJ Statement, at ENG 00421072-74;

2201 **E1/130.1** Transcript, 4 October 2012, Meas Voeun, 14.17.15.

2202 **E3/420** Prum Sou OCIJ Statement, at ENG 00422380 [“The survivors include...*Bang Yiet* (female) who was the head of women of Sector and also was the elder sister-in-law of *Ta Khieu Samphan*.”].

2203 **E1/130.1** Transcript, 4 October 2012, Meas Voeun, 14.13.35, 14.17.15 to 14.25.15.

2204 **E1/130.1** Transcript, 4 October 2012, Meas Voeun, 14.32.40; **E3/420** Prum Sou OCIJ Statement, at ENG 00422381.

2205 **E1/129/1** Transcript, 3 October 2012, Meas Voeun, 14.26.55 to 14.29.37; **E1/130.1** Transcript, 4 October 2012, Meas Voeun, 14.21.10 to 14.23.22, 14.28.34 to 14.31.21; **E1/132.1** Transcript, 9 October 2012, Meas Voeun, 14.06.48 to 14.10.47; **E3/424** Meas Voeun OCIJ Statement, at ENG 00421074.

2206 **E1/130.1** Transcript, 4 October 2012, Meas Voeun, 14.19.13 to 14.21.10, 14.28.34 to 14.32.40.

2207 **E3/420** Prum Sou OCIJ Statement, at ENG 00422379-80 [“Do you know staffs of Sector 103 who were arrested to Siem Reap Security Centres and still survive?...The survivors include...*Bang Chhorn*...Sector 103’s commerce...brother-in-law of *Ta Khieu Samphan*.”].

2208 **E1/130.1** Transcript, 4 October 2012, Meas Voeun, 14.15.14 to 14.17.15.

2209 **E1/60.1** Transcript, 5 April 2012, Kaing Guek Eav *alias* Duch, 15.38.41 [“...*Kang Chap* arrested the wife of a relative of *Khieu Samphan*...was known by *Pol*, *Kang Chap* was punished...You had the rights to make the decisions to smash, but you can’t decide subjectively”]; **E3/442** Kaing Guek Eav *alias* Duch Final Written Submission, at ENG 00412102 [“*Kang Chab alias Se*...when *Se* went to arrest the relatives of *Khieu Samphan*’s wife, he was arrested upon the order from *POL Pot* and sent to *S-21*.”].

2210 **E1/54.1** Transcript, 27 March 2012, Kaing Guek Eav *alias* Duch, 11.52.13 to 11.54.55 [“And there was one confession that implicated *Khieu Samphan* as well.”]; **E1/55.1** Transcript, 28 March 2012, Kaing Guek Eav *alias* Duch, 14.32.36 [“I would like to refer to the statement by a person named *Youk Chuong alias Chorn*...He said that *Khieu Samphan*...then, *Brother Nuon* reprimanded me...would you wish to go to be assigned to work at the embassy?”], 15.29.05 to 15.33.30 [“When *Youk Chorn* - or *Youk Chuong* was arrested and sent to *S-21*, he implicated *Brother Hem*. He said that the main traitor was *Brother Hem*.”]; **E1/56.1** Transcript, Kaing Guek Eav *alias* Duch, 29 March 2012, 14.23.57 to 14.26.07 [“*Nuon Chea* said to you...that you should have taken the name of *Khieu Samphan* out of one of the confessions...is that correct?...I can say that again...So I never forgot it.”]; **E1/58.1** Transcript, 3 April 2012, Kaing Guek Eav *alias* Duch, 14.07.10 [“Q. So, if I summarize all of this, did you then understand that the fact of mentioning an incrimination of *Khieu Samphan* in a confession could have dangerous consequences? A. Thank you. It is correct, Your Honour.”]; **E1/62.1** Transcript, 10 April 2012, Kaing Guek Eav *alias* Duch, 13.49.06; **E3/107** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00198224 [“Concerning *Khieu Samphan*’s responsibilities, I can say that *Comrade Chorn*...*Nuon Chea* threatened to “send me as a diplomat” when I reported *Khieu Samphan*’s implication by *Chorn*.”]; **E3/356** OCIJ Statement, at ENG 00242899 [“...*Chorn* had implicated *Khieu Samphan*, I then sought advice from *Nuon Chea*...When members of the upper echelon were implicated in confessions, I had to seek advice from, then *Nuon Chea*.”]; **E3/355** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00242877 [“*Chorn*. He accused his chief, *Khieu Samphan* of being a traitor. That was the occasion when *Nuon Chea* threatened to ‘send me to be a diplomat.’”].

2211 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton, 14.29.38 to 14.34.24; **E1/100.1** Transcript, 1 August 2012, Rochoem Ton, 15.29.23 to 15.38.28; See also **E1/96.1** Transcript, 25 July 2012, Rochoem Ton, 14.22.15 to 14.28.20 [“After the liberation, the first instructor was *Om Khieu Samphan*. It was at the Soviet Technical School. And the other instructor was *Bong So Hong*. He was teaching at the Ministry of Commerce.”]

2212 **E1/71.1**, Transcript, 2 May 2012, Pean Khean, 14.05.07 to 14.08.50, 14.38.12, 15.09.27 to 15.12.22, 15.49.00 - 15.52.04.

2213 **E1/73.1** Transcript, 17 May 2012, Pean Khean, 10.08.24 to 10.19.39.

2214 **E1/73.1** Transcript, 17 May 2012, Pean Khean, 10.10.21 to 10.12.03 [“I saw some senior people or leaders...include *Uncle Hem*...the meeting must have been at a higher level than the normal meeting *Pang* would chair.”].

- 2215 **E1/73.1**, Transcript, 17 May 2012, Pean Khean, 10.12.03 to 10.14.52 [“[T]he content of the meeting was more important than the normal meeting to ordinary peasants or workers because we were reminded about the political line.”].
- 2216 **E1/73.1** Transcript, 17 May 2012, Pean Khean, 10.16.41 to 10.19.39.
- 2217 **E1/73.1** Transcript, 17 May 2012, Pean Khean, 10.19.39 to 10.20.56
- 2218 **E1/73.1** Transcript, 17 May 2012, Pean Khean, 10.20.56 to 10.24.01.
- 2219 **E1/72.1** Transcript, 3 May 2012, Pean Khean, 10.11.13 to 10.16.31 [“Enemies were those...affiliated with the American CIA and who infiltrated in the Party and those who were KGB agents of the Vietnamese...shall be destroyed...were against the revolution of the CPK.”].
- 2220 **E1/113.1** Transcript, 23 August 2012, Em Oeun, 11.58.26, 13.36.55, 13.39.25 to 13.42.47, 14.06.54;
- 2221 **E1/113.1** Transcript, 23 August 2012, Em Oeun, 13.49.08 to 13.51.37; **E1/115.1** Transcript, 27 August 2012, Em Oeun, 09.19.35 - 09.21.36.
- 2222 **E1/113.1** Transcript, 23 August 2012, Em Oeun, 13.53.48 to 13.56.05; **E1/116.1** Transcript, 28 August 2012, President Nil Noon, 15.46.20 [“Because the questions...was rather confusing because in 1976 he attended a political training session in Borei Keila; it was not the date when he came to work...Actually, he came to work in Phnom Penh in June 1975.”].
- 2223 **E1/116.1** Transcript, 28 August 2012, Em Oeun, 10.59.43 to 11.02.19 [“Later on in 1976, the Angkar included me as an active member of the regime. In the same year, the Angkar sent me to undertake a study in Phnom Penh”], 15.42.51 [“[Y]ou quoted your arrival in Phnom Penh in order to study at the Khmer-Soviet Hospital as being in July 1976; am I correct? A. That is correct.”], 15.44.22 [“[Y]ou are therefore in Phnom Penh from July 1976 and for nine months, and then you go back to your sector; is that correct? A. Yes, that’s correct.”], 09.20.55 to 09.23.29 [“Mr. President, according to my calculation, it is obviously true that it was in 1976. Yesterday, I did say perhaps it was in late 1976 or early 1977 -- that was my statement...I will have to stand by the 1976...”], 09.24.30 [“Mr. President. I will have to choose to attend the political training session on the - on June 1976, or please allow me some more time to recollect this. I will have to say that it was in July 1976.”].
- 2224 **E1/113.1** Transcript, 23 August 2012, Em Oeun, 15.35.36 [“You mentioned that you had to return to the base to treat 2 injured combatants in the war with Vietnam. Can you tell the Court when, exactly, you went back to the base? It was my estimation...in late 1977 or early 1978.”] See also **E1/116.1** Transcript, 28 August 2012, Em Oeun, 09.08.43 to 09.12.34 [“In which year did this training session take place?...It was either late 1977; I believe it was in late 1977.”].
- 2225 **E1/113.1** Transcript, 23 August 2012, Em Oeun, 14.10.35 to 14.14.51; **E1/115.1** Transcript, 27 August 2012, Em Oeun, 09.32.12 - 09.34.38 [“The 17 Hospital was known as the Party’s hospital. It was the 17 April Hospital, and it was called the Party’s hospital”].
- 2226 **E1/113.1** Transcript, 23 August 2012, Em Oeun, 14.17.0; **E1/117.1** Transcript, 29 August 2012, Em Oeun, 09.06.25 [“[A]t that time, I was asked to monitor the trainees and to help -- become a focal person. For example, when students or trainees needed anything, then they should communicate through me to the upper level.”], 09.08.50 [“At that time, I was a member of the Party, and the others were not members, so I was chosen to become the leader of the group.”].
- 2227 **E1/113.1** Transcript, 23 August 2012, Em Oeun, 14.22.12 to 14.24.29, 14.32.48 [“I believe that the session could be no longer than 10 days, but no less than seven days”].
- 2228 **E1/113.1** Transcript, 23 August 2012, Em Oeun, 14.32.48 to 14.35.53, 15.37.38, 15.39.07; **E1/117.1** Transcript, 29 August 2012, Em Oeun, 09.31.49 to 09.34.30.
- 2229 **E1/113.1** Transcript, 23 August 2012, Em Oeun, 14.27.16, 14.27.16 to 14.30.56 [“At the beginning, there were several people in the leadership position who were seen on the stage...those people included Mr. Nuon Chea, Khieu Samphan...The person who had the floor first was...Pol Pot.”].
- 2230 **E3/1729** Em Oeun Civil Party Application, at ENG 00751867; **E1/115.1** Transcript, 27 August 2012, Em Oeun, 10.24.40 to 10.28.26.
- 2231 **E3/1729** Em Oeun Civil Party Application at ENG 00751867.
- 2232 **E1/113.1** Transcript, 23 August 2012, Em Oeun, 14.35.53 to 14.37.54.
- 2233 **E1/115.1** Transcript, 27 August 2012, Em Oeun, 11.18.00 to 11.20.30.
- 2234 **E1/115.1** Transcript, 27 August 2012, Em Oeun, 11.08.28 to 11.14.22.
- 2235 **E1/113.1** Transcript, 23 August 2012, Em Oeun, 14.27.16 [“I saw comrade Pol Pot and I saw Mr. Nuon Chea, Mr. Khieu Samphan...at the time I was sure that I saw Khieu Samphan.”].
- 2236 **E1/113.1** Transcript, 23 August 2012, Em Oeun, 14.37.54 to 14.40.59; See also 15.02.08 to 15.04.50 [“He told us to look into people ways of doing things. He said that whatever the Party wanted us to do, we had to.”]; See also **E1/116.1** Transcript, 28 August 2012, Em Oeun, 10.29.10 [“I did not accuse him of saying that women broke a needle, but it was part of the study document that each politician or each leader would start by commenting on this element. And it is true...Not just women, anyone.”].

- 2237 **E1/113.1** Transcript, 23 August 2012, Em Oeun, 15.45.33 to 15.51.23..
- 2238 **E1/115.1** Transcript, 27 August 2012, Em Oeun, 11.23.53 to 11.27.47 [“[H]e emphasized strongly to the trainees that people who were perceived as the members of the Party had to be vigilant and cautious, because the term “infiltrated enemies” had to be identified...”].
- 2239 **E1/115.1** Transcript, 27 August 2012, Em Oeun, 11.21.47 [“[H]e would use the same expression as shared by the other previous speakers...he indicated that, to uncover the traitors of the Revolution and the infiltrated enemies...work more, eat less, rest less.”]
- 2240 **E1/115.1** Transcript, 27 August 2012, Em Oeun, 11.32.20, 11.34.38 to 11.40.34, see for example [“You said that Khieu Samphan ‘asked the cadres to pay special attention to the New People who were steeped in feudalism.’ But...of course the word ‘feudalism’ was mentioned in his speech...”].
- 2241 **E1/115.1** Transcript, 27 August 2012, Em Oeun, 10.11.40 to 10.16.23 [“How did you know they were called Yun Yat, Pol Pot, Nuon Chea, Khieu Samphan, and Hu Nim?...The committee of the political study session presented - or introduced these individuals.”]; **E1/117.1** Transcript, 29 August 2012, Em Oeun, 09.29.57 [“I stated earlier that they were introduced to the participants of the training session. It was from that time onward that I recognized them.”].
- 2242 **E1/115.1** Transcript, 27 August 2012, Em Oeun, 10.18.13 to 10.19.58.
- 2243 **E1/113.1** Transcript 23 August 2012, Em Oeun, 14.30.56 to 14.32.48 [“And when Nuon Chea came to the stage, he picked up a few words from Pol Pot before he began his own speech. Mr. Khieu Samphan also did the same.”], 15.51.23 [“Before they change the speakers...normally they try to recall what the previous speaker mentioned, and they then try to link up from where they left off.”]; **E1/115.1** Transcript, 27 August 2012, Em Oeun, 11.02.47 to 11.04.32 [“[E]ach speaker proceeded...One would pick up briefly from the previous speaker...‘as the Party already indicated’...Mr. Pol Pot already had something to say, then Nuon Chea, then Khieu Samphan...”].
- 2244 **E1/115.1** Transcript, 27 August 2012, Em Oeun, 10.28.26 to 10.31.05; See also 10.54.00 [“In a nutshell, members in the Party were powerless; they only listen to a circular issued by 870. They had to comply with this circular - circular 870...they had to abide by this circular.”], 10.56.06 to 10.58.23 [“Pol Pot and others were...very vigilant of the enemies burrowing from within. They said, if the external enemies, they could see them easily, but the internal enemies, the enemies burrowing from within were invisible...”].
- 2245 **E1/113.1** Transcript, 23 August 2012, Em Oeun, 15.20.11 to 15.27.05; **E1/115.1** Transcript, 27 August 2012, Em Oeun, 09.47.13 to 09.49.09, 10.08.02 to 10.10.31; **E1/116.1** Transcript, 28 August 2012, Em Oeun, 10.15.14 to 10.16.56; **E1/117.1** Transcript, 29 August 2012, Em Oeun, 09.24.27 to 09.25.45.
- 2246 **E1/116.1** Transcript, 28 August 2012, Em Oeun, 16.00.23 [“I did not make a mistake yesterday. The content of the statement was correct. I made -- I may have made some mistakes in the dates. Q. Very well, I suppose I’ll just have to accept that answer.”].
- 2247 **E1/116.1** Transcript, 28 August 2012, Em Oeun, 09.26.16 to 09.28.59 [“I have to tell you that, at the beginning, I was not precise on the dates...And forgive me if I am not very consistent in the date because it was a long time ago...”], 10.08.58 [“Although the truth is there -- I mean, the event, the elements of the event are there, and I apologize for not being precise on the dates or if the dates are not consistent.”], 15.01.56 [“So, I believe that the date was not specified in my statement so it was not correctly put. But again, the veracity of the story is still there; it’s still true...”], 15.23.30 [“I apologize for being so inconsistent in the dates. And I believe that everyone in Cambodia would also experience the same problem in those days -- that our memory at some point is deteriorating.”]; **E1/117.1** Transcript, 29 August 2012, Em Oeun, 09.44.40 to 09.47.11 [“I have already mentioned the inconsistencies of the date. But the truth is the truth, because the story -- the fact was there, but the date may be erroneous on my part. I have to tell the truth.”], 10.19.55 to 10.21.45 [“But please be reminded that I am here to tell the truth and my statement is full of truth. I filed the Civil Party Complaint to voice my concern and suffering...I am now telling the truth about what happened to me, what I experienced.”]
- 2248 **E1/124.1** Transcript, 20 September 2012, Chea Say, 10.17.55; See also **E1/73.1** Transcript, 17 May 2012, Pean Khean, 10.08.24 to 10.16.41; **E187.1** Pean Khean Statement, at ENG 00089702.
- 2249 **E3/69** Chea Say OCIJ Statement, at ENG 00233152.
- 2250 **E1/124.1** Transcript, 20 September 2012, Chea Say, 10.04.40 [“[M]y memory does not serve me well. I have been sick a lot since 1979 and, secondly, I cannot recall it well.”], 10.20.32 [“It’s almost 40 years and, of course, my memory does not serve me well and I also have a heart issue...”], 11.55.54 [“I’m afraid I cannot respond to this question because my memory doesn’t serve me very well.”].
- 2251 **E1/124.1** Transcript, 20 September 2012, Chea Say, 10.17.55 to 10.20.32 [“Those Uncles taught us politics...during the political training, the main theme would be on working hard, on economization, on engaging in good work.”], 10.26.16 [“They did not teach us on doing anything bad, at all, as I can recall it clearly, that we saw strive to work hard in order to build the country.”], 10.52.48 [“Yes, they did it

clearly. As I stated, there were those points that I already mentioned. They spoke about economization, engaging in good deeds, etc.”].

2252 **E1/124.1** Transcript, 20 September 2012, Chea Say, 09.30.06 to 09.31.58 [“Before you entered the courtroom...Yes, indeed, Mr. President, the accounts are consistent to what I gave before the co-investigators at my home.”]; 13.40.38 - 13.43.09 [“I did not fabricate anything, but it’s about the truth that I knew. And it was recorded in this written record of interview.”].

2253 **E1/124.1** Transcript, 20 September 2012, Chea Say, 10.12.48 [“Q. During the time that you worked at the auto repair section, did you ever see Khieu Samphan? A. I occasionally saw him...He was a senior person, so I saw him come in.”], 10.12.48, 10.30.29 [“Mr. Nuon Chea and Mr. Khieu Samphan talked during the three days or the four-day workshop - or, rather, training sessions, and these people were the senior leaders...”].

2254 **E1/124.1** Transcript, 20 September 2012, Chea Say, 10.12.48, 10.59.46 [“Besides the two, there was no other instructor, or I never saw any other instructor.”].

2255 **E1/124.1** Transcript, 20 September 2012, Chea Say, 10.17.55 to 10.20.32 [“At that time, it is common that leaders educated the subordinates. Those Uncles taught us politics...”], 10.22.11 to 10.24.45 [“The political study sessions lasted at least three days; never one day.”], 10.28.17 [“The two...came from the same family; they 7 spoke on the same subject matters...because they are from the same team...So the political education is the same.”], 10.54.08 [“Whether the teaching is good or bad, it’s difficult, because they were from the same party. So the main message was the same.”].

2256 **E1/124.1** Transcript, 20 September 2012, Chea Say, 13.57.14 [“When the study session was opened, sometimes the units under the K offices would be sent there, maybe five or 10 per each office...”].

2257 **E1/124.1** Transcript, 20 September 2012, Chea Say, 10.59.46 to 11.01.30.

2258 **E1/124.1** Transcript, 20 September 2012, Chea Say, 11.04.56 to 11.07.32.

2259 **E1/124.1** Transcript, 20 September 2012, Chea Say, 09.46.30 [“During that time, there was no big problem in my unit.”].

2260 **E1/124.1** Transcript, 20 September 2012, Chea Say, 11.12.16 to 11.14.45; See also **E3/69** Chea Say OCII Statement, at ENG 00233152 [“All workers in my unit were removed and sent to be tempered. I heard that East Zone leader Sao Phim was accused of being a traitor.”], 00233152-53 [“After 1978, did the situation become tense only in your unit or in all units? CS: In all units. I knew it because I drove around Phnom Penh. I saw that young people from the southwest zone came...”], 00233153 [“Were you scared by that time? CS: Very scared because all the East Zone people were removed and only I remained.”].

2261 **E1/217.1** Transcript, 3 July 2013, Ek Hen, 10.15.28 to 10.19.49.

2262 **E1/217.1** Transcript, 3 July 2013, Ek Hen, 14.10.31 [“The first session was conducted in late ‘76, early 1977. At that time, arrests were not yet made, no traitors were being mentioned. But in 1978, during the second session, then these terms were mentioned.”], 14.12.11 [“Who led the second study session? Who spoke? Who was the person who led that study session? A. Uncle Khieu Samphan was chairing the second session and the first session was chaired by Uncle Nuon Chea.”]; See also **E1/82.1** Transcript, 6 June 2012, Sao Sarun, 09.54.40 to 10.00.00; **E3/367** Sao Sarun OCII Statement, at ENG 00278694, KHM 00251437-38, FR 00486010.

2263 **E1/217.1** Transcript, 3 July 2013, Ek Hen, 11.16.44 to 11.18.47.

2264 **E1/217.1** Transcript, 3 July 2013, Ek Hen, 11.14.35 to 11.16.44, 11.16.44 [“To your knowledge, had other garment workers gone to other study sessions before you? A. Yes. As I said, we took turn to attend...after another group concluded, then our group attended the study session.”], and 11.23.50 - 11.26.06 [“So, just to clarify...After lunch, he went to his place, and we broke into small groups for discussion.”].

2265 **E1/217.1** Transcript, 3 July 2013, Ek Hen, 11.18.47 - 11.21.13.

2266 **E1/217.1** Transcript, 3 July 2013, Ek Hen, 11.26.06 - 11.28.02, 11.30.15 - 11.33.02; **E3/474** Ek Hen OCII Statement, at ERN 00205049 - 00205050; **D94/8.1** Ek Hen OCII Statement Transcript, at ENG 00942345 [“What did Khieu Samphan say? EK Hen: A leader named Pang who defected to join with the Vietnamese. Daravan: Was Pang arrested? EK Hen: Yes.”], 00942346 [“Yes he said so...Because of the betrayal. Daravan: To join with whom?...Vietnamese?” EK Hen: Yes...He said Pang had been arrested and taken away.”].

2267 **E1/217.1** Transcript, 3 July 2013, Ek Hen, 11.30.15.

2268 **E1/217.1** Transcript, 3 July 2013, Ek Hen, 15.21.22 to 15.23.37.

2269 **D94/8.1** Ek Hen OCII Statement Transcript, at ENG 00942343 [“*The second time was by Grandfather Khieu Samphan*. Daravan: So...the first time by Nuon Chea and the second one by Khieu Samphan, weren’t you? EK Hen: Yes” (emphasis added)].

2270 **D94/8.1** Ek Hen OCII Statement Transcript, at ENG 00942343 [“Daran: By Khieu Samphan in which year? EK Hen: *Since 1976?*” (emphasis added)], ENG 00942343 [“Daravan:...Regarding Mr. Khieu

Samphan *when he came to teach in 1976*, how many workers and staff members did he teach? Where? At Borei Keila or at the stadium? EK Hen: Still at Borei Keila.” (emphasis added)]; See also ENG 00942340 [“Daravan: Which year did you study *with Nuon Chea*?...*was it probably in [19]78*? EK Hen: Yes, it was probably in [19]78. Daravan: You studied with Nuon Chea once *probably in [19]78, didn’t you?* EK Hen: *Yes.*” (emphases added)].

2271 **E1/217.1** Transcript, 3 July 2013, 14.14.15 Ek Hen [“And the fact is there; two of them would be chairing these events.”], 14.14.15 to 14.16.02 [“I would like to now state clearly and choose to say that during the first session, Uncle Nuon Chea was chairing the meeting and the second one was chaired by Uncle Khieu Samphan], 15.04.44 to 15.06.47 [“[w]ho led the first study session and who chaired the second study session? A. Mr. Nuon Chea was chairing the first session and Mr. Khieu Samphan was chairing the second session in 1978.”], 15.06.47 [“I am sure that it was Nuon Chea who was chairing the first session and that Khieu Samphan was the one who chaired the second session.”].

2272 See **D94/8.1** Ek Hen OCII Statement Transcript, at ENG 00942343 [quoted above].

2273 **E3/1596** S-21 Confession of Chhim Sam Aok *alias* Pang, 28 May 1978, at ENG 00753743; **E3/2017** S-21 Execution Log, 1978, at ENG 00183667 [“Contemptible Pang...Chairman, Ministry S-71”], **E3/342** Revised S-21 Prisoner List, entry number 1,117.

2274 **E1/217.1** Transcript, 3 July 2013, Ek Hen, 11.26.06 [“Did Khieu Samphan say when Pang had been arrested? A. No, he did not say the date of his arrest. He said that Pang had been arrested, and that’s all.”], 11.30.15 [“He mentioned a person by the name of Pang who was a traitor and he said we should not follow what Pang did. We had to reunite...could not be broken easily.”]; See also **D94/8.1** Ek Hen OCII Statement Transcript, at ENG 00942345-46, 00942355.

2275 **E1/217.1** Transcript, 3 July 2013, Ek Hen, 11.10.24 to 11.16.44, 11.33.02 [“When he came, we were still working and we had to rise to greet him.”], 15.23.37 to 15.26.07; **E3/474** Ek Hen OCII Statement, at ERN 00205049; **D94/8.1** Ek Hen OCII Statement Transcript, at ENG 00942348 [“How many times did Khieu Samphan go there? Can you recall? EK Hen: 3-4 times”].

2276 **E1/217.1** Transcript, 3 July 2013, Ek Hen, 11.33.02 to 11.37.13 [“A. We were having rice, and he saw us...He would like to taste the soup. And then he grabbed the spoon and tasted the soup, and then he said it was delicious...we were at the same table.”]; **D94/8.1** Ek Hen OCII Statement Transcript, at ENG 00942347 [“Yes, he visited in [19]77. Sometimes, he visited during our meal time. One day, while I was having my meal, he came and took away my spoon.”], 00942347 [“He took the spoon from me to dip the soup for tasting. He asked me if it was tasty and I said yes. Then, he told the cooks to make such tasty soup. Actually, the soup was not tasty.”]; See also **E3/3232** Analytical Report by Henri Locard entitled “Niredey region,” 31 May 2007, at ENG 00217636 [“Kung Suon saw Khieu Samphan...[Khieu Samphan] ask [all factory workers] about...food and living conditions...lasted 4 hours...Khieu Samphan said: ‘the workers can eat what they want’...end of 1978”].

2277 **E1/217.1** Transcript, 3 July 2013, Ek Hen, 10.21.49 to 10.33.18; **E3/474** Ek Hen OCII Statement, at ERN 00205049.

2278 **E1/191.1** Transcript, 8 May 2013, Philip Short, 10.12.00, [“Khieu Samphan, study sessions...for the students who came back from overseas...he certainly had an important role and I think it was something which he felt at ease doing, because he did it quite a lot.”].

2279 **E1/190.1** Transcript, 7 May 2013, Philip Short, 09.27.20 to 09.28.36, 09.48.07 to 09.54.20, **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396523-25.

2280 **E1/190.1** Transcript, 7 May 2013, Philip Short, 09.49.11; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396524.

2281 **E1/190.1** Transcript, 7 May 2013, Philip Short, 09.51.11 [“Secrecy was one of the key principles of the Communist Party of Kampuchea...right up until the end...everything they did was marked by extraordinary secrecy...absolutely fundamental to everything they did.”].

2282 **E3/1593** Ben Kiernan, *The Pol Pot Regime: Race, Power, and Genocide in Cambodia under the Khmer Rouge, 1975-79*, at ENG 00678569 [“[I]f people had stayed in Phnom Penh they would have died because there was no rice.”].

2283 **E1/103.1** Transcript, 7 August 2012, Ong Thon Hoeung, 15.31.22 to 15.33.23.

2284 **E3/97** Ong Thon Hoeung OCII Statement, at ENG 00287106; **E3/1715** Ong Thon Hoeung OCII Statement Transcript, at ENG 00833422; **E1/103.1** Transcript, 7 August 2012, Ong Thon Hoeung, 15.33.23 to 15.37.35.

2285 **E1/192.1** Transcript, 9 May 2013, Philip Short, 14.22.25 to 14.23.57; See also **E1/91.1** Transcript, 18 July 2012, David Chandler, 15.20.03 to 15.21.40; **E1/93.1** Transcript, 20 July 2012, David Chandler, 09.44.38 to 09.46.19.

2286 **E1/191.1** Transcript, 8 May 2013, Philip Short, 10.10.30 to 10.12.00.

- 2287 **E1/191.1** Transcript, 8 May 2013, Philip Short, 09.59.06 to 10.00.38 [“The political office of 870...is the office which gives implementation to the decisions reached by the Standing Committee...the transmission belt, and as such, obviously plays an absolutely crucial role.”]; **E3/48** Stephen Heder and Brian Tittmore, *Seven Candidates for Prosecution*, at ENG 00393581.
- 2288 **E1/191.1** Transcript, 8 May 2013, Philip Short, 09.59.06-10.00.38; **E3/48** Stephen Heder and Brian Tittmore, *Seven Candidates for Prosecution*, at ENG 00393581; **E3/182** CPK Standing Committee Meeting Minutes entitled “Meeting of the Standing Committee,” 9 October 1975,” 9 October 1975, at ENG 00183396-7.
- 2289 **E3/48** Stephen Heder and Brian Tittmore, *Seven Candidates for Prosecution*, at ENG 00393581; **E3/9** Philip Short, *Pol Pot: History of a Nightmare*, at ENG 00396521.
- 2290 **E3/37** Khieu Samphan OCIJ Statement, at ENG 00156753, KHM 00156675, FR 00156680 [“Earlier, you said that Soeu Vasi alias Doeun was the Chairman of Office 870...Answer: He was appointed when Pol Pot established his office on the Tonle Bassac riverfront...around June 1975.”].
- 2291 **E3/182** CPK Standing Committee Meeting Minutes entitled “Meeting of the Standing Committee”, 9 October 1975,” 9 October 1975, at ENG 00183396, KHM 00019113, FR 00292872; **E1/191.1** Transcript 8 May 2012, Philip Short, 10.00.38 to 10.02.22.
- 2292 **E3/12** CPK Central Committee Minutes entitled “Decision of the Central Committee Regarding a Number of Matters,” 30 March 1976, at ENG 00182809.
- 2293 **E1/69.1** Transcript, 26 April 2012, Saloth Ban, 09.22.53; **E3/342** Revised S-21 Prisoner List, entry number 9,546 [described as “Member of zone 304”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396574, FR 00639935-36 [described as one of Koy Thuon’s “old subordinates”].
- 2294 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156751, FR 00156672, KHM 00156619-20.
- 2295 **E3/182** CPK Standing Committee Meeting Minutes entitled “Meeting of the Standing Committee,” 9 October 1975,” 9 October 1975, at ENG 00183393; **E1/55.1** Transcript, 28 March 2012, Kaing Guek Eav *alias* Duch, 15.38.38 to 15.41.25; **E1/57.1** Transcript 2 April 2012, Kaing Guek Eav *alias* Duch, 09.57.27; **E1/189.1** Transcript, 6 May 2013, Philip Short, 13.51.57; **E1/190.1** Transcript, 7 May 2013, 15.56.36 to 15.58.10; **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 11.48.02 to 11.51.25; **E3/37** Khieu Samphan OCIJ Statement, at ENG 00156753; **E3/456** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00198884; **E3/1684** David Chandler, *Voices from S-21*, at ENG 00192742.
- 2296 **E3/37** Khieu Samphan OCIJ Statement, at ENG 00156754; **E3/18** Khieu Samphan, *Cambodia’s Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103755-56, KHM 00103844-45, FR 00595439-40; See also **E1/68.1** Transcript, 25 April 2012, Saloth Ban, 11.12.50 to 11.13.47; **E3/446** Saloth Ban OCIJ Statement, at ENG 00503164; **E1/66.1** Transcript, 23 April 2012, Saloth Ban, 14.15.54 to 14.19.51; **E3/356** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00242902.
- 2297 **E3/356** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00242903-04.
- 2298 **E1/222.1** Transcript, 11 July 2013, Stephen Heder, 14.36.21.
- 2299 See Annex 2; **E3/227** CPK Standing Committee Minutes entitled “Standing Committee Meeting”, 2 November 1975, at ENG 00183409; **E3/228** CPK Standing Committee Minutes entitled “Minutes, Meeting of the Standing Committee 9 January 1976,” at ENG 00182614; **E3/229** CPK Standing Committee Minutes entitled “Minutes, Meeting of the Standing Committee Evening of 22 February 1976,” 22 February 1976, at ENG 00182625; **E3/230** CPK Standing Committee Minutes entitled “Minutes, Meeting of the Standing Committee Evening of 22 February 1976,” 22 February 1976, at ENG 00182546; **E3/231** CPK Standing Committee Minutes entitled “Minutes of the 8 March 1976 meeting on propaganda,” 8 March 1976, at ENG 00528385; **E3/232** CPK Standing Committee Minutes of Meeting on Base Work, 8 March 1976, at ENG 00182628; **E3/217** CPK Standing Committee Minutes entitled “Record of Meeting of the Standing Committee, 11 March 1976,” 11 March 1976, at ENG 00182635; **E3/197** CPK Standing Committee Minutes entitled “Minutes of Meeting of the Standing Committee, The Front, 11 March 1976,” 11 March 1976, at ENG 00182638; **E3/233** CPK Standing Committee Minutes entitled “Record of Meeting of the Standing Committee, 13 March 1976,” 13 March 1976, at ENG 00000749; **E3/218** CPK Standing Committee Minutes entitled “Record of Meeting of the Standing Committee 26 March 1976,” 26 March 1976, at ENG 00182651; **E3/220** CPK Standing Committee Minutes entitled “Record of Standing Committee Meeting, 7 May 1976,” 7 May 1976, at ENG 00182706; **E3/222** CPK Standing Committee Minutes entitled “Minutes of Meeting of the Standing Committee, 15-5-76,” 15 May 1976, at ENG 00182665.
- 2300 **E3/341** S-21 Prisoner List entitled “Revised S-21 Prisoner List”, at ENG 00330011; **E3/1625** S-21 Confession of Seua Vasi, 19 February 1977, at ENG 00183208-19; **E3/1684** David Chandler, *Voices from S-21*, at ENG 00192742-3; **E1/101.1** Transcript 2 August 2012, Rochoem Ton, 11.52.12; **E3/456** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00198884-85; **E3/355** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00242874, **E3/356** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00242903.

2301 **E1/55.1** Transcript, 28 March 2012, Kaing Guek Eav *alias* Duch, 15.36.26 to 15.38.38; **E1/58.1** Transcript, 3 April 2012, Kaing Guek Eav *alias* Duch, 14.11.45 to 14.18.48 [“A. Khieu Samphan, as far as I know, was not the personal assistant, or clerk. He was the one who knew about the documents, about the decisions of Pol Pot. Other issues may be taken care of by other clerks.”]; **E3/107** Kaing Guek Eav *alias* Duch OCII Statement, at ENG 00198224 [“I know he had Pol Pot’s trust. I was told that he had been appointed Head of Office 870 after the arrest of Soeu Vasy *alias* Doeun...I cannot believe that he could have been ‘downgraded’ in such a way.”]; **E3/456** Kaing Guek Eav *alias* Duch OCII Statement, at ENG 00198882 [“I think that from this arrest onwards, he effectively became the Head of Office 870...not a promotion, just an additional task...the way Nuon Chea took Son Sen’s position at S-21 when Son Sen had to leave.”], 00198885 [“Doeun was not arrested while he was still head of Office 870, but when he was Minister of Commerce.”]; **E3/355** Kaing Guek Eav *alias* Duch OCII Statement, at ENG 00242874 [“Khieu Samphan became Secretary of the Office 870 Committee when Soeu Vasi became minister of commerce...Soeu Vasi asked...to be appointed minister of commerce around April or May 1976...”]; **E3/356** Kaing Guek Eav *alias* Duch OCII Statement, at ENG 00242904 [“Khieu Samphan was the Secretary of the Office 870 committee.”]; **E3/9** Philip Short, *Pol Pot: History of a Nightmare*, at ENG 00396563 [“Doeun, the Director of Central Committee was appointed to act in [Koy Thuon’s] place...Soon evidence emerged that Doeun had been privy to Thuon’s activities...Northern Zone conspiracy to overthrow the regime.”]; **E3/3169** Stephen Heder, *Pol Pot and Khieu Samphan*, at ENG 00002760 [“[I]n early 1977 Khieu Saipphan received a promotion: he replaced Deuan as Office 870 Chairman...the Party Secretary...could have more confidence in the conscientiousness of Khieu Samphan as regards purge work.”], 00002761 [“To assist Pol Pot in the conduct of the general purge, Office 870 Chairman Khieu Samphan was dispatched to the West Zone in August 1977 to conduct an investigation into the confused situation it had provoked there.”]; **E3/1684** David Chandler, *Voices from S-21*, at ENG 00192742-43; **E1/91.1** Transcript, 18 July 2012, David Chandler, 15.14.17 to 15.16.09, 15.39.07 to 15.40.12; **E3/48** Stephen Heder and Brian Tittmore, *Seven Candidates for Prosecution*, at ENG 00393581; See also; **E1/66.1** Transcript, 23 April 2012, Saloth Ban *alias* Loth Nitya *alias* So Hong, 14.15.54 to 14.17.25; **E1/69.1** Transcript, 26 April 2012, Saloth Ban *alias* Loth Nitya *alias* So Hong, 09.27.48 to 09.30.14, 09.34.53 [“When Doeun disappeared, Brother Khieu Samphan came to replace Doeun regarding management of staff.”]; **E3/446** Saloth Ban OCII Statement, at ENG 00503164-65 [“Upon having seen...I assumed...Khieu Samphan were the head of Office 870 ...successor of Soeu Vasy *alias* Doeun...in the aftermath of Doeun’s arrest. At the beginning they both worked together.”].

2302 **E3/205**, Khieu Samphan, *Open letter to all compatriots in the Cambodia Daily*, 16 August 2001, at ENG 00149527; **E3/557**, Statement of Khieu Samphan at OCII Adversarial Hearing, 19 November 2007, at ENG 00153268; **E3/37** Khieu Samphan OCII Statement, at ENG 00156754; **E3/112** Request to send a letter by Khieu Samphan, 30 December 2007, at ENG 00170882; **E3/18** Khieu Samphan, *Cambodia’s Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103793-4.

2303 **E3/18** Khieu Samphan, *Cambodia’s Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103800.

2304 **E3/37** Khieu Samphan OCII Statement, at ENG 00156753, KHM 00156675, FR 00156680 [“[Doeun] was arrested in 1977, but I only discovered that fact...1979...as I have said, each of us had to concentrate on his or her own tasks. He travelled quite a lot, Doeun.”].

2305 **E3/37** Khieu Samphan OCII Statement, at ENG 00156754; **E3/18** Khieu Samphan, *Cambodia’s Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103793-4; See also **E3/3512** Ben Kiernan, *Don’t Blame Me, It Was My Prime Minister*, at ENG 00080475, KHM 00758171-72, FR 00755595-96 [“For all DK’s crimes, which he is shocked (shocked!) to discover now, Samphan expects sympathy from the surviving victims.”].

2306 **E1/192.1** Transcript, 9 May 2012, Philip Short, 14.22.25 to 14.23.57 [“[I]t was a highly secret organization and served, if you like, as the nerve centre for transmissions from the Standing Committee. I researched it as much as I could...able to.”].

2307 **E3/573** Ieng Sary Statement, at ENG 00427599; **E3/190** Ieng Sary Statement, at ENG 00081572; **E1/223.1** Transcript, 15 July 2013, Stephen Heder, 09.10.38 to 09.13.10, 09.16.38; **E3/48** Stephen Heder and Brian Tittmore, *Seven Candidates for Prosecution*, at ENG 00393581.

2308 **E3/5699** [REDACTED] Statement, 21 March 2004, at ENG 00567469; **E1/223.1** Transcript, 15 July 2013, Stephen Heder, 09.20.20 to 09.21.27.

2309 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton, 15.50.30 to 15.53.04, 15.57.37 to 16.00.28; **E1/98.1** Transcript, 30 July 2012, Rochoem Ton, 15.12.07 to 15.15.14, 15.15.14 to 15.16.46; **E1/101.1** Transcript, 2 August 2012, Rochoem Ton, 11.48.16 to 11.50.42 [“So far as I remember, when he was in charge or taking over from Doeun, it meant that he was already in charge from what Doeun could have done.”]; **E3/24** Phy Phuon OCII Statement, at ENG 00223584 [“The person in charge of Office 870 was

Pang...Pang was gone, Deun came to replace him...later on there was Khieu Samphan...Doeun was in charge of policy...Approximately late 1977 or early 1978.”]; **E3/63** Phy Phuon OCIJ Statement, at ENG 00231411.

2310 **E3/356** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00242904; **E3/15** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00251378; **E3/355** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00242874.

2311 **E3/456** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00198882; **E3/107** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00198224.

2312 **E3/448** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00154911.

2313 **E3/15** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00251376.

2314 **E1/55.1** Transcript, 28 March 2012, Kaing Guek Eav *alias* Duch, 14.17.35 to 14.18.40.

2315 **E1/66.1** Transcript, 23 April 2012, Saloth Ban, 14.14.04 to 14.19.51; **E3/446** Saloth Ban OCIJ Statement, at ENG 00503164.

2316 **E1/191.1** Transcript, 8 May 2013, Philip Short, 10.00.38 to 10.04.37 [“37 [“[H]aving a formal appointment and...being the acting head...are different...no one else...has ever been cited... Khieu Samphan certainly had an important role in the general office after Doeun left.”]; **E1/192.1** Transcript, 9 May 2013, Philip Short, 14.03.24 to 14.11.34.

2317 **E1/91.1** Transcript, 18 July 2012, David Chandler, 14.36.33, 15.12.26 to 15.26.09, 15.39.07 to 15.40.12, 15.40.37 to 15.42.14; **E1/93.1** Transcript, 20 July 2012, David Chandler, 09.44.38 to 09.46.19; **E3/1684** David Chandler, *Voices from S-21*, at ENG 00192742-3.

2318 **E1/223** Transcript 15 July 2013, Stephen Heder, 09.20.20 to 09.21.27; **E3/3169** Stephen Heder, *Pol Pot and Khieu Samphan*, at ENG 00002760-61.

2319 **E1/55.1** Transcript, 28 March 2012, Kaing Guek Eav *alias* Duch, 15.38.38 to 15.42.43 [“When we talk about political work...So, whatever was decided, Doeun would be the witness. So Doeun was simply in charge of maintaining records...Khieu Samphan, when he was in charge of the Central Office,”]; **E1/57.1** Transcript, 2 April 2012, Kaing Guek Eav *alias* Duch, 10.01.11 [“Brother Khieu Samphan...He could have not been the full-right member; if he were, he could not or he would not have held the full-right position as Brother Khieu Samphan would.”], 10.14.08 [“Doeun came to work at the Central Office in his capacity as the person in charge of the secretariat”].

2320 **E3/456** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00198882; **E3/355** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00242874; See also **E1/55.1** Transcript, 28 March 2012, Kaing Guek Eav *alias* Duch, 15.38.38 to 15.42.43; See also **E3/107** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00198224.

2321 See, for example, **E1/71.1** Transcript, 2 May 2012, So Hong, 09.43.34 - 09.50.25 [on the principle of keeping secrecy taught in study sessions - slogan: “Disclosing secrecy will lead to death. Keeping secrecy will earn us 80 per cent of victory.”]; **E1/190.1** Transcript, 7 May 2013, Philip Short, 09.52.21 [“Secrecy was one of the key principles of the Communist Party of Kampuchea. Knowledge was only for those who needed to have it.”].

2322 **E1/226.1** Transcript 18 July 2013, Stephen Heder, 09.51.11 to 09.53.45.

2323 **E1/124.1** Transcript 20 September 2012, Chea Say, 10.10.42 to 10.12.48 [“Do you know what S-71 refers to? A. Frankly speaking...Personally, I never knew that office.”], 14.06.38 - 14.12.12 [“In your statement concerning Office 870...I never been there -- I have heard of the unit”]; **E1/217.1** Transcript, 3 July 2013, Ek Hen, 10.15.28 to 10.19.49 [“It was a big sewing place. It was known as ‘Kor’-9 [K-9] and it was part of the 870 Office...I did not know that, but he - the person said that.”]; **E1/86.1** Transcript 13 June 2012, Oeun Tan, 11.50.06, 15.59.15 to 16.01.32; **E1/72.1** Transcript, 3 May 2012, Pean Khean, 09.59.12 to 10.05.41 [“A. I knew that Pang was overally in charge of Office 870. That’s all...A. Office 870 was an office of the central framework of the CPK And Pang was the person in charge of the office on a daily basis.”]; **E3/43** Noem Sem OCIJ Statement, at ENG 00365659 [“After Pang was arrested in 1977, they promoted my husband to replace Pang, who was the Chairman of Office 870 or S-71 -- I am not sure because 870 or S-71 had the same meaning.”]; **E3/69** Chea Say OCIJ Statement, at ENG 00233151 [“What was unit 870? CS: It was called office 870 under the supervision of Pang...Office 870 was in charge of supervising all K offices.”], 00233151 [“Office 870 was controlled by the high leaders such as Pol Pot and Pang was responsible for that office.”]; **E3/33** Oeun Tan OCIJ Statement, at ENG 00235128, 00235131 **E3/104** Sa Vi OCIJ Statement, at ENG 00204062.

2324 **E1/226.1** Transcript 18 July 2013, Stephen Heder, 09.09.12 to 09.10.27; **E1/222.1** Transcript, 11 July 2013, Stephen Heder, 15.28.09 to 15.29.33.

2325 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 11.30.05 to 11.32.49 [“‘870’ was the Party Centre -- or, at the same time, called the Committee of the Centre. And there had not been any change prior to 1975 or after 1975. The term ‘870’ had been referred to as the Party Centre, and it remained the

same all along.”], 14.22.28 to 14.26.37 [“A. ‘M’...M-870 is similar to Office 870. It refers to the Central Committee...‘Angkar, 870, M870,’ are a reference to the Central Committee, as you understood it? A. That’s my understanding, yes.”]; **E1/121.1** Transcript, 4 September 2012, Norng Sophang, 09.44.43 to 09.48.28 [“Pol Pot was Party Secretary and Chairman of Committee 870...The telegrams were usually designated as 870, i.e. the Central Committee.”]; **E3/67** Norng Sophang OCIJ Statement, at ENG 00483966, KHM 00294538, FR 00374935; See also **E3/37** Khieu Samphan OCIJ Statement, at ENG 00156754, KHM 00156676, FR 00156681 [“Organisation 870 and Committee 870 referred to the party, which means Pol Pot. Pol Pot signed documents by writing 870 or 87.”]; **E1/91.1** Transcript, 18 July 2012, David Chandler, 15.19.02 to 15.23.10.

2326 **E1/91.1** Transcript 18 July 2012, David Chandler, 14.26.25 to 14.28.45.

2327 **E1/91.1** Transcript 18 July 2012, David Chandler, 14.26.25.

2328 **E1/226.1** Transcript 18 July 2013, Stephen Heder, 09.17.12 to 09.19.06.

2329 **E1/91.1** Transcript 18 July 2012, David Chandler, 15.40.37 to 15.42.14 [Political Office 870 “managed the paperwork and the flow going in and out of the Party Centre - going out of the lungs of the Party.”]

2330 **E3/67** Norng Sophang OCIJ Statement, at ENG 00483968.

2331 **E1/121.1** Transcript, 4 September 2012, Norng Sophang, 09.44.43 to 09.48.24 [“S-71...is under the supervision of 870 Committee...Q...S-71, a unit led by Pang, was under the 870 Committee or the Central Committee. Is that an accurate description...? A. Yes, it is correct.”], 09.52.34 to 09.54.14 [“[A]nd S-71 was a small unit of the Party Centre, which did not have rights to [cover] the various ministries and did not have rights over the army.”] **E3/67** Norng Sophang OCIJ Statement, at ENG 00483967-68; **E3/64** Norng Sophang OCIJ Statement, at ENG 00334047 [“Pang was the one in charge of all offices around the Party Centre (Committee 870). Around the Committee 870 there were many offices...Office of Production and Vegetables Farming called K-8...”]; See also **E1/124.1** Transcript, 20 September 2012, Chea Say, 09.57.49 to 10.00.42 [“Pang came to inspect the work occasionally and that was the time that I saw him.”], 13.53.02 to 13.54.57 [“I knew Pang as above K-12 Office because he came to contact and communicate with Mr. Meal who was supervisor of K-12.”].

2332 **E3/355** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00242874 [“Under this body was the Office 870 Committee and around this office there was the above mentioned ‘working group’ of which Pang was the secretary. Those under Pang’s orders were part of ‘S-71.’”]; See also **E3/2017** S-21 Execution Log, 1978, at ENG 00183667 [“Contemptible Pang...Chairman, Ministry S-71”];

2333 **E3/464** [REDACTED] OCIJ Statement, at ENG 00226110 [“Pang controlled all offices...such as K-1...K-12. Pang was with uncle Pol Pot....Pang received the joint order from all uncles such as Pol Pot, Ieng Sary, Khieu Samphan, and Nuon Chea...”]; See also **E1/124.1** Transcript 20, September 2012, Chea Say, 14.08.54 - 14.14.46 [“[T]he supreme leaders, at that time, were these Uncles...And then below them was Pang.”]; **E3/504** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00147521 [“Chhim Sam-aok *alias* Pang, who was an assistant to the Party Center...”]; **E3/1743** Noem Sem Statement, at ENG 00089699 [“Haem (Khieu Samphan) was superior to Pang and Lin, from what I could see.”]; **E1/126.1** Transcript, 25 September 2012, Noem Sem, 13.58.38.

2334 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton, 15.53.04 [“In terms of policy, it means...in charge of chairing the study session for the cadres. But for the administration, it would deal with the day-to-day tasks...Doeun was dealing with the policy...study sessions...participants.”]; **E1/68.1** Transcript, 25 April 2012, Saloth Ban, 11.11.15 to 11.13.47 [“A. Khieu Samphan mainly worked inside...Regarding Pang, Pang mainly worked outside.”]; **E1/72.1** Transcript, 3 May 2012, Pean Khean, 10.02.41 [“A. Pang was an assistant. Q. And do I understand you correctly that he was less senior than people we just mentioned - Pol Pot, Nuon Chea, Khieu Samphan, Ieng Sary, and Son Sen? Was he less senior than those people? A. Yes, it is.”]; **E1/73.1** Transcript, 17 May 2012, Pean Khean, 10.02.18 [“Q. And is it correct...Khieu Samphan who chaired things politically in meetings with K officers and that Pang arranged those meetings? Is that the truth? A. Yes, it is, through my observation back then.”]; See also **D91/10.1** Phy Phuon OCIJ Statement Transcript, at ENG 00762973 [“Pang was in charge of administrative work like mine. Doeun was responsible for political affairs. He was in overall charge just before they went missing”]; **E3/24** Phy Phuon OCIJ Statement at ENG 00223584, KHM 00204071, FR 00503924 [“Pang was in charge of 870 administration, and Doeun was in charge of policy.”]; **E187.1** Pean Kean Statement, 25 July 2005, at ENG 00089701.

2335 **E187.1** Pean Khean Statement, at ENG 00089701 [“It was Pang who arranged meetings, but Haem (Khieu Samphan) who chaired things politically...Haem (Khieu Samphan) was superior to Pang.”]; **E1/72.1** Transcript, 3 May 2012, Pean Khean, 09.59.12 to 10.05.41 [“You said...Pol Pot, Nuon Chea, Ieng Sary, Khieu Samphan...were senior leaders...was Pang one of the senior leaders...A. Pang was an assistant...less senior than people we just mentioned...Yes it is.”]; See also **E1/73.1** Transcript, 17 May 2012, Pean Khean, 10.03.22 to 10.04.51; **E1/86.1** Transcript, 13 June 2012, Oeun Tan, at 11.05.01 [“Pang

worked with Pol Pot, Nuon Chea, and Khieu Samphan at K-1 location...Pang was ordinarily in charge of the messengers and the production section.”]; **E1/124.1** Transcript, 20 September 2012, Chea Say, 14.08.54 to 14.14.46 [“[T]he supreme leaders, at that time, were these Uncles...the supreme leaders were no one else other than these Uncles...And then below them was Pang.”].

2336 See also **E1/62.1** Transcript, 10 April 2012, Kaing Guek Eav *alias* Duch, 09.16.52 to 09.20.10 [“Pang was the organizer for the meeting place in order to - for the members of the Standing Committee to convene the meeting. In principle, I believed Pang did not have the right to attend the meeting.”].

2337 **E3/1596** S-21 Confession of Chhim Sam Aok *alias* Pang, 28 May 1978.

2338 **E1/190.1** Transcript, 7 May 2013, Philip Short, 15.56.36 to 15.58.10.

2339 **E1/191.1** Transcript, 8 May 2013, Philip Short, 10.02.22 to 10.04.37.

2340 **E1/93.1** Transcript, 20 July 2012, David Chandler, 09.45.05.

2341 **E1/117.1** Transcript, 29 August 2012, Norg Sophang, 15.32.59 to 15.36.14; **E3/1739** Norg Sophang, Transcription of Interview, at ENG 00844060.

2342 **E1/120.1** Transcript, 3 September 2012, Norg Sophang, 10.58.18 to 11.07.15; **E1/122.1** Transcript, 5 September 2012, Norg Sophang, 13.38.20 to 13.40.49 [“In general, the line ‘copy to,’ as you have seen so far - the word, it means copied to those Uncles: Uncle, Uncle Nuon, Uncle Van, Uncle Khieu, Office, and Document.”]; **E3/48** Stephen Heder and Brian Tittmore, *Seven Candidates for Prosecution*, at ENG 00393553; **E1/223.1** Transcript, 15 July 2013, Stephen Heder, 09.31.18 to 09.33.40; **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 13.43.38 to 13.55.44, 15.55.34 to 15.59.15 [“A. The telegrams were taken from Pang’s office...to me, and I would take from there to Pol Pot, Pang, and Yuos...Q...also given to Nuon Chea?...Q. Did it ever occur that some telegrams were not delivered...A. No...”].

2343 **E3/198** Khieu Samphan Interview, 17 August 2005, at ENG 00184680, KHM 00078213, FR 00296212 [“Doeun was the chief of Office 870...Doeun was the person to receive zone reports that were sent to 870.”]; **E1/120.1** Transcript, 3 September 2012, Norg Sophang, 11.02.40 to 11.07.15, 11.27.38, 11.32.49 to 11.35.56; **E1/122.1** Transcript 5 September 2012, Norg Sophang, 09.13.01 to 09.15.02; **E3/64** Norg Sophang OCIJ Statement, at ENG 00334059-60.

2344 **E1/120.1** Transcript, 3 September 2012, Norg Sophang, 11.27.38; **E1/122.1** Transcript 5 September 2012, Norg Sophang, 09.15.02 to 09.16.53 [“Q...Therefore, is Pol Pot ‘the Office’?... A. It is my understanding that for Uncle ...one copy will be maintained at the office in addition to the one copy that was...sent or given to Pol Pot.”].

2345 **E1/58.1** Transcript, 3 April 2012, Kaing Guek Eav *alias* Duch, 14.16.22 [“All documents were in the hands of Khieu Samphan.”].

2346 **E1/120.1** Transcript, 3 September 2012, Norg Sophang, 11.43.32 to 11.48.02.

2347 **E3/355** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00242874-5.

2348 **E1/151.1** Transcript, 11 December 2012, Phan Van, 15.48.00 to 15.52.18 [“Q. E3/58...‘With respect to issues...clothing, etc.’ When a telegram was sent to 870, do you know who, exactly, was the recipient? A... the telegram was sent to uncles...Nuon Chea, Pol Pot, Khieu Samphan.”]; **E3/58** Kham Phan *alias* Phan Van OCIJ Statement, at ENG 00250089 [“I mostly sent [‘typewritten documents] to office 870. For equipments, healthcare or social affairs and matters other than security I had to type in plain language (non-coded) and sent to Khieu Samphan alias Hem.”]; **E1/154.1** Transcript, 14 December 2012, Phan Van, 09.26.25 to 09.34.26 [“Q. E3/58, ERN... English, 00250088...‘Where was...husked rice.’ A. [A]ccording to what you read just now and the statement I made, I stand by it.”]; **E1/117.1** Transcript, 29 August 2012, Norg Sophang, 11.50.20 to 11.55.36; **E1/122.1** Transcript 5 September 2012, Norg Sophang, 09.35.27 to 09.37.14 [“This...was sent to 870 Committee. The Committee...was not referred to any specific individual, but it was meant to send to the members of the committee.”], 09.57.51 to 10.02.05 [“So, ‘M-870’, here, is referred to the members of Office 870 Committee...A....the Standing Committee could appoint someone to be in charge of the political office or the administrative office of Office 870.”]; See also **E1/82.1** Transcript, 6 June 2012, Sao Sarun, 09.59.04 to 10.02.32 [“M870 referred to the Central Committee that as I remember, consisted of Pol Pot, Nuon Chea, Khieu Samphan Son Sen, and Ta Mok’...A. Yes, the statement is truthful, as I stated before the Co-Investigating Judges.”]; **E3/383** Sao Sarun OCIJ Statement, at ENG 00350263, KHM 00345912, and FR 00361763.

2349 **E3/893** Telegram 78 from But to Brother Mo. 870 [Office 870] and Brother VI, 26 January 1976; **E3/974** Telegram 31 from Ruos Nhim to Office 870 entitled “Dear Beloved and missed Mo. 870 [Office 870],” 9 March 1976; **E3/1224** Telegram 15 from Dim to Meas Mut, 6 October 1976 [“Situation of Koh Kong’s maritime territory...three enemy’s ships which entered our maritime territory in between Koh Kong and Koh Rong.”]; **E3/1196** Telegram 33 from Chhan to Office 870, 26 November 1976 [“2. The situation of the 7 people remains the same. We have adopted military measures. Both the divisions and sector units are in consensus.”]; **E3/239** Telegram 16 from Pauk to Chief of 870, 30 April 1977 [“I had instructed Comrade Soeun to pay attention to the firm grasp of the enemy...self-mastery in smashing the

enemies...Some of them are Platoon soldiers, Group workers, and combatants.”]; **E3/501**Telegram 95 from Yi, Sector 505 to Office 870, 11 May 1977 [“3. According to Prom’s report, people and armed forces in Region 21...kept entering 505...this also causes difficulties for us to search the forest for enemies.”]; **E3/1099** Telegram 05 from San, Division 920, Political Section to brother 89, 9 June 1977 [“1. On 2nd of June at Spearhead 91 at Au Leav, a Vietnamese airplane...2. On Spearhead 92, after burning their trucks, a Vietnamese fighter plane...fired and dropped bombs at that area.”]; **E3/880** Telegram 56 from Chhean to Brother, 20 July 1977; **E3570** Telegram 38 from Nhim to Ankar 870, 12 August 1977 [“1. The enemy’s situation at the border on the nights of 10 and 11 August 1977...”]; **E3/241** Telegram 52 from Se, Zone 801 to Com. 870, 23 August 1977, at ENG 00183627 [“The enemy situation. On August 10 at 9 am, enemies along the border fired 60mm three times and M-79 one time into our territory...”]; **E3/1036** Telegram 32 from Phim to Office 870, 15 September 1977 [“We have received a telegram dated 15 September 1977 on comrade Chea-Sdaeng who had requested to meet comrade Chan to discuss the cooperation on the issue of border protection.”]; **E3/889** Telegram 55 from Chhon to M-870, 26 October 1977 [“We would like to report about the situations at the border battlefields as follows...It is requested that Angkar’s forces are reinforced immediately so that the problem can be solved.”]; **E3/975** Telegram from On to Office 870, 27 October 1977 [“This morning on 27 October, we fought the enemy in all directions.”]; **E3/978** Telegram 46 from Thuon to Yi via Office 870, 5 November 1977 [“1. The situation along the Yuon border: They have deployed their troops from Route 13 to Route 14.”]; **E3/979**, **E3/980** Telegram 85 from Chhon to Brother Pol, 19 November 1977 [“We would like to provide additional information about the situation at the Road 13 battlefield...”]; **E3/897** Telegram 85 from Chhon to M-870, 7 December 1977 [“1. The enemy situation at [Region] 23: Enemies manage to attack us from Thnar Thnung, Korki Saom, Ta Ei, Chi Phou to Bavet...We manage to smash certain number of enemies...concluded later.”]; **E3/985** Telegram 225 from Se, North Zone Secretary to Committee 870, 10 December 1977; **E3/900** Telegram 93 from Peam to M870, 13 December 1977, at ENG 00185192; **E3/902** Telegram 238 from Se to M870, 13 December 1977 [“Concerning the enemy situation in Trapeang Tao, contemptible traitors of In Tam networks who were once entered out territory... intervened by four truckloads of Thai reactionary soldiers...”]; **E3/903** Telegram 68 from Kuon to Yi through Office 870, 22 December 1977; **E3/905** Telegram 06 from Phuong to M-870, 23 December 1977; **E3/910** Telegram 25 from Nhim, Secretary of Northwest Zone, to Ankar 870, 24 December 1977; **E3/916** Telegram 15 from Phuong to M-870, 1 January 1978; **E3/989** Telegram 34 from Roath to Brother, 11 February 1978; **E3/868** Telegram 16 from 47 to Brother 009, 20 March 1997; **E3/258** Telegram 03 from Comrade Pauk to Office 870 Committee, 12 April 1978; **E3/516** Telegram 10 from Ke Pauk, Central Zone Secretary to Com. 870, 4 May 1978 [“1. We reached the battlefield in the evening of 04 April 1978 at 6.30, and have received Angkar’s letter.”]; **E3/873** Telegram 63 from Nhim to Angkar 870, 15 June 1978; **E3/948** Telegram 13 from M-560 to Committee 870, 10 May 1978, at ENG 00003534 [“On May 5, in Region I. regional armed forces and zone armed forces found the enemy in Sloek mountain, east or Veat Chap mountain. We destroyed 32 of them... We now are chasing to destroy the rest.”].

E3/952 Telegram 04 from Ke Pauk to Pol Pot, 2 April 1976, at ENG 00182658 [“The enemies are former soldiers in combination with the Cham and former cooperative team chairmen...we captured some elements. Along with this, they have agents imbedded inside.”]; **E3/1222** Telegram 11 from Deum to Meas Mut, 24 September 1976 [“[A]fter 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.”]; **E3/1223** Telegram 12 from Deum to Meas Mut, 27 September 1976 [“Enemy situations: on the night of 23 September 1976, we arrested a boy, aged 16...his duty was to be an informer conducting reconnaissance for the dacoits...This is what he confessed”]; **E3/1226** Telegram 17 from Dim to Meas, 8 October 1976 [“On the evening of 6 October 1976, in Roluos, there is a combatant named San who had tied up 5 bombs...The cell caught him and brought to comrade Roeun’s place.”]; **E3/1199** Telegram 11 from San to Brother 98, 6 April 1977 [“[notation:] arrest them 3. The state of affairs in the days after education is that 90 per cent or more of the brothers and sisters are more and more concerned that there are traitors.”]; **E3/876** Telegram 43 from Leu, Division 810, Political Section to Reuan, 23 April 1977 [“Uncle Lav...He gave us some reports about the responses of the three enemies who were previously arrested...”]; **E3/156** Telegram 54 from Sarun, 23 April 1978 [“Comrade Sot, chairman of the repair factory, has committed immoral acts with a woman. Now the arrests have been made: both the man and the woman have been arrested...”]; **E3/877** Telegram 54 from Chhan to Mo-870, 20 May 1977 [“Our assessment is that this was not an enemy from the outside. We suspect the Division, henchmen...Despite arrests of unit 920s, activities continue one after the other, but we are making arrest after arrest, too.”]; **E3/1099** Telegram 05 from San, Division 920, Political Section to Brother 89, 9 June 1977 [“On Spearhead 92, after burning their trucks, a Vietnamese fighter plane...fired and dropped bombs at that area. We have arrested four Vietnamese families and three elephants...handed over them to the locals.”]; **E3/956** Telegram 14 from Mo-401 to beloved Organization,

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25 June 1977 ["On 23 June 1977 the defense unit on duty at the Prey Kri cooperative...detained 24 persons...Their intention was to flee to the Phnum Kulam to find the contemptible Chantareangsei."]; **E3/241** Telegram 52 from Se, Zone 801 to Com. 870, 23 August 1977, at ENG 00183627 ["Internal enemy. These few days we found managed to find and arrest hidden enemies burrowing from within the [revolutionary] rank and the people successively."]; **E3/1204** Telegram 34 from Chhan to Respected and Beloved M-870, 27 August 1977 ["4. For the enemy situations in Kratie, two enemies escaped into Keo Seima district. These two enemies were arrested and sent back to Kratie...It is now up for a decision, either to purge them here or send them to the northeast zone."]; **E3/1206** Telegram 29 from Yi to beloved M-870, 14 September 1977 ["On 10 September, three Cham Muslims fled...They were fleeing to Vietnam. We chased to ambush them but failed to stop them."]; **E3/1120** Telegram 100 from San, Mo-560 to Nhim, 6 November 1977 ["Another one...contemptible Chhoeun, was captured...1. Going all out to find more enemy apparatuses...3. The grassroots and the military must cooperate closely to smash all kinds of enemies."]; **E3/1208** Telegram 21 from Nhim to Ankar 870, 21 December 1977 ["I wish the security to ask Som who is responsible for zone military logistics as soon as possible so that all of his connections are identified and arrested."]; **E3/995**, **E3/996** Telegram 313 from Se, North Zone Secretary to Committee 870, 19 March 1978, at ENG 00185583 ["A number of soldiers, police and civil servants fled after we had swept approximately 20 head of them cleanly away. We are continuing to take further measures to find and arrest them."]; **E3/1146**, **E3/1147** Telegram 32 from Ke Pauk to Committee 870, 29 March 1978 ["These two soldiers...The reason of arresting is that they do not have traveling passes and do not have identity cards with them...So, when our forces saw this they caught them."]; **E3/1078** Telegram 46 from Sarun to M-870, 9 April 1978 ["On the night of 7 April 1978, there was a fire which destroyed...The measures of the sector: 1. Arrest the two men...2. Arrest contemptible Lean; according to the examination, there had been the assignment (sic) from Lean."]; **E3/1077** Telegram 324 from Se, North Zone Secretary to Committee 870, 10 April 1978, at ENG 00340539 ["Nowadays, the Thais enemy encourages 'A' In Tam group to carry out activities to stir us up along the borders...But after we arrested Hang and all...In Tam group has no more support."].

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E3/871 Telegram 21 from Chhouk to Pol Pot, 21 March 1976 ["[T]his guy was a pacification agent...we beat him up during interrogation about his organizational links and got on to more than 20 more of them in the grassroots of Preah Sdech district..."]; **E3/952** Telegram 04 from Ke Pauk (Pok) to Pol Pot, 2 April 1976 [The enemies are former soldiers in combination... they have agents imbedded inside. We tracked and examined that to learn their composition, and we will take additional measures.]; **E3/874** Telegram 50 from Hang to "Beloved and Missed Brother," 18 July 1976 ["Yeung is also linked with the ten persons above...who were already smashed...CIA pacification agents made contact with these guys from Thailand...There will be a further detailed investigation."]; **E3/1023** Telegram 11 from Chhon, 10 September 1976 ["[T] enemy dropped an audio-recording device down on Samraong Thmei village, Tuol Sdei sub-district, Chantrea district...this device belonged to the American imperialists."]; **E3/1223** Telegram 11 from Deum to Meas Mut, 27 September 1976 ["Enemy situations: on the night of 23 September 1976, we arrested a boy, aged 16. According to this boy's confession...This is what he confessed"]; **E3/1225** Telegram 16 from Dim to Meas Mut, 6 October 1976 ["If we fail to meet those bandits, at least we will meet contemptible traitors burrowing within the village who would come to contact those bandits."]; **E3/1196** Telegram 33 from Chhan to Office 870, 26 November 1976 ["The activity is like that of year 1974; there has been stone throwing onto houses at many places. People are seen at night, but we were not able to shoot them in time."]; **E3/241** Telegram 52 from Se, Zone 801 to Com. 870, 23 August 1977, at ENG 00183628 ["We continue sweeping out and paying attention to hidden enemies burrowing from within."]; **E3/1119** Telegram 84 from Nhim to Ankar 870, 20 October 1977 ["2. At Thmar Puok, on 16 October we shot three Sereika soldiers dead on spot, arrested one alive, and captured five rifles and some other devices...The arrestee will be interrogated."]; **E3/918** Telegram 254 from Sae to Committee 870, 10 January 1978, at 00182758 ["3- Strengthening the cooperatives, especially by basing on the base class to sweep out the underground enemy as well as the bandits."]; **E3/1122**, **E3/1123** Telegram 69 from Vi to 'Respected Brother,' 11 January 1978 ["2. Undercover burrowing enemies...are nurturing traitors by concealing paddy...The chief of the undercover traitors who was agitating others to flee was the contemptible Nou..."]; **E3/995** Telegram 313 from Se, North Zone Secretary to Committee 870, 19 March 1978, at ENG 00185583 ["The past measure has been that district and sector armies...to find and smash all these dacoits...The situation of undercover enemies burrowing from within... we systematically swept them cleanly away."]; **E3/1116** Telegram 61 from Roath to Brother, 1 April 1978 ["[R]eport to you about opinions of various embassies towards the confessions of the Vietnamese spies and the interview of Brother Secretary as the following."]; **E3/1077** Telegram 324 from Se, North Zone Secretary to Committee 870, 10 April 1978, at ENG 00340539 ["We have a plan to search and destroy it. 'A' In Tam group previously used the traitors in Sector 103 whose leader was A"]

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Hang...we arrested Hang and all of his henchmen in Chaom Ksan district and in Sector 103 military unit...”, ENG 00340540 [“3-The internal situation...continuing to purge the remaining group continuously, including those who oppose our revolution openly and secretly... In Sector 103, we carry out the purge of the hiding-burrowing-enemy.”]; **E3/935** Telegram 08 from Vy, Northeast Zone Secretary to Brother, 21 April 1978 [“With regard to the fashioning of forces, they have been purged...imperative to go down constantly...giving instructions, which has silenced a number of elements, some...flushed out, isolated and cleaned up...”]; **E3/950** Telegram 242 from Nhim to Ankar 870, 11 May 1978, at ENG 00185215 [“[I] reported about the recommendations of 870...when they were trying to escape away with 40 people, we smashed all of them...There also occurred commission of moral offenses.”], 00185216 [“Measures: Prevent it more carefully; be more highly vigilant; smash invasive enemies; successively sweep all destructive elements; and prevent all acts of secret moving and looting.”]; **E3/873** Telegram 63 from Nhim to Angkar 870, 15 June 1978 [“As we are now- suppressing [suspects] to answer, some answered incriminating Comrade Number 2 who has already gone there...American imperialists since 1972. It is even clear...[we see that] it is true.”]; **E3/1210** Compilation of DK Telegrams entitled “The Khmer Rouge Telegrams: ‘Sent and Copied to Uncle Vann,’” 1997, at ENG 00003970 [“Everybody’s comments are...that Phoeun has no more revolutionary element [potential]...He can only betray [us] further...the only issue is to search for traitors’ connections and their origin.”].

E3/952 Telegram 04 from Ke Pauk (Pok) to Pol Pot, 2 April 1976, at ENG 00182659 [“The matter of crop production...On rice field dikes, there is now a strong offensive...gathering fertilizer, determined to meet the goals and plans of the Party...victory according to the Party’s plans...”]; **E3/1225** Telegram 16 from Dim to Meas Mut, 6 October 1976 [“Concerning children [employed] to search for bandits, [we] haven’t found any [bandits] yet. Instead, we found their whereabouts (sic), footprints, beds and two AK-54 bullets.”]; **E3/1224** Telegram 15 from Dim to Meas Mut, 6 October 1976 [“Our rice, in general, doesn’t have any serious change. The rain had fallen two times already.”]; **E3/1193** Telegram 03 from Chhan to Comrade Doeun, 15 October 1976 [“I have already received your telegram...We would like to ask for the following kinds of seeds...”]; **E3/1663** Telegram 10 from Chhan “To Beloved and Missed Brother,” 19 October 1976 [“We already received the telegram on the instruction, and only the sector party was informed of the 4-year plans...Rice seedlings this year are more densely transplanted...”]; **E3/1102** Telegram 11 from Chhan to Comrade Dor, 20 October 1976 [“Due to the heavy rain from 18 to 19 October 1976, the cooperatives and the party, therefore, have gone to protect the embankments day and night without breaks.”]; **E3/1118** Telegram 03 from Chhan to Nuon Chea and Telegram 04 from Chhan to Comrade Doeun, 2 and 6 November 1976 [“We would like to request the following... for the water pumps previously given by Angkar...1.We...request grease...2....Angkar to provide us dump trucks...for road construction.”]; **E3/1104** Telegram 05 - 83 from Chhan to Nuon Chea, 13 November 1976 [“Water has been reserved for dry-season rice cultivation. It is estimated that the water can supply 150 to 200 hectares of land...Some people will be tasked with rice threshing....high yields everywhere.”]; **E3/1198** Telegram 33 from Sam-un, Division 801, Political Section to Brother Reuan, 5 April 1977 [“[F]our times to Cooperative M-34 and said to us if, given the shortages the people have, we force them to work hard, then we should be careful they don’t butcher us.”]; **E3/1200** Telegram 98 from the Agriculture Team to Office 870, 7 May 1977 [“to notify Comrade Chheong Chheu Chheang...that we would like to request three 3 plows and 2 harrows for termite soil harrowing... to be imported from Hoengjiang, Hunan province.”]; **E3/501** Telegram 95 from Yi, Sector 505 to Office 870, 11 May 1977 [“Now, people are in the process of sowing; and 531 Thaings of rice seeds have been sowed in Sambo District alone. People in other districts are also in the process of sowing”]; **E3/570** Telegram 38 from Nhim to Ankar 870, 12 August 1977 [“4. About building a dam in Stung Sangker with the assistance of Korea...I decided that it would be alright if they do not do it. But this had to be examined by Angkar as it might have political implication.”]; **E3/1091** Telegram 53 from Se to Com. 870, 23 August 1977, at ENG 00327792 [“I worked for 10 days in five districts...I convened a congress in each district...the Party’s political lines were disseminated as follows...2. The line on the increase of production...”], 00327793 [“The reason that the people of some districts lack food is not due to shortages of water or fertilizer or the people not doing their best...the cadres do not deeply understand the Party line on production.”], 00327794 [“[D]ams have been constructed, but they cannot hold water...built the dams without thoroughly studying the geography and the territory. People wasted their strength...”]; **E3/1036** Telegram 32 from Phim to Office 870, 15 September 1977 [“I have selected 10 cadres from the pillar full-rights members... If comrade Nhim requires more cadres at a later stage, we will provide more...are capable to work at the district and subdistrict levels.”]; **E3/978** Telegram 46 from Thuon to Yi via Office 870, 5 November 1977 [“[T]he drought has continued; the shortfalls continue...Measures...1. Mobilize all masses to solve the water issue as much as possible...5. Prepare the forces to work rice fields on all the land where there is water.”]; **E3/244** Telegram 16 from Chhon to Pâr, 23 January 1978, at 00182756 [“4 - The situation of the harvest,

we organized the mobile units. Sisters and brothers whose children are bigger and who are good elements were asked to launch the offensive of harvest at the front.”]; **E3/1077** Telegram 324 from Se, North Zone Secretary to Committee 870, 10 April 1978, at ENG 00340540 [“Every district in the zone has determined to complete dam building plan in April or in mid May, at the latest...Harvesting, and at the same time continuing plowing (sic) and raking and implanting.”]; 00340542 [“Rice crops at the upper land reached 2 tons to 3 tons per hectare. The lower land got 4 tons to 5 tons, and at some places even 7 tons to 10 tons...green bean...collected, and will be sent to the state...”]; **E3/943** Telegram 09 from Vy to Brother, 25 April 1978 [“[A]fter April 19, and on the evening of April 24, there was a big storm. Generally speaking, the water holds every where; people in the region are storming to pull seedling and potatoes.”]; **E3/1209** Telegram 330 from Se, North Zone Secretary to Committee 870, 6 May 1978 [“2. Development Situation...Therefore, currently all the districts all over the zone have assigned and used workforces to build dams, canals and dyke system, and to make fertilizers.”]; **E3/948, E3/949** Telegram 13 from M-560 to Committee 870, at ENG 00003534 [“[A]ll regions in the zone pay attention...We gather huge forces to storm wherever water is available...in accordance with the decision of permanent [committee] of the Zone”]; **E3/950, E3/951** Telegram 242 from Nhim to Ankar 870, 11 May 1978, at ENG 00185217 [“Planting and building...arranging embankments, digging canals...Water reservoirs in Region 5: Trapeang Thmar...sluice gate has yet to be done...rice to be exported in 1978 and 1979, [I] will report it later.”].

2353 **E3/898** Telegram 236 from Se to 870 Committee, 11 December 1977 [“It is requested that Siem Reap and Banteay Srey districts are merged...Siem Reap...40,000 people...mainly ‘New People’ to be distributed to other districts...Banteay Srey is 20,000, mainly ‘Old People’.”]; **E3/1122** Telegram 69 from Vi to ‘respected brother,’ 11 January 1978 [“Some people will be transferred to M.5-M.6 and Koh Phneou Au Svay. People on the west side of the river in Siem Pang...will be removed gradually to the east side until the sufficient amount is reached.”]; **E3/243** Telegram 15 from Chhon to Brother Pa, 19 January 1978 [“4. Harvest issue: We organized mobile units comprising of good male and female elements to go and harvest at the front. We have bad elements harvest at the rear; they need to be re-educated more.”]; **E3/1113** Telegram 61 from Kan to Brother, 15 March 1978, at ENG 00434864 [“How many people were working in Trapeang Thmar worksite?...Answers: 20,000 people...Answers: When the work is completed, the mobile unit members are transferred to do rice transplanting in the raining season...”].

2354 **E3/948** [same record as as **E3/949**] Telegram 13 from M-560 to Committee 870, 10 May 1978, at ENG 00003534 [“The situation...whole Zone...is the same...two rice meals [a day], some...only one rice meal and one porridge meal...and...two porridge meals [a day]...which faces famine the most, is Region 5”]; **E3/950** [same record as **E3/951**] Telegram 242 from Nhim to Ankar 870, 11 May 1978, at ENG 00185216 [“2. People’s living conditions:... shortage occurred... As for ration, in the long future...one and a half of cans...of rice...but for the immediate future...one can of rice [to be provided to one person].”], at ENG 00185217 [“3. Planting and building in all areas... must be completely done by the end of May or the beginning of June 1978.”]; **E3/1210** Compilation of DK Telegrams entitled “The Khmer Rouge Telegrams: ‘Sent and Copied to Uncle Vann,’” at ENG 00003979 [“The clothes that Angkar has supplied to people are appropriate enough... problem is that we cannot sew clothes...many sewing machines lack thread winders...the enemy has destroyed the thread winders.”]; **E3/555** Telegram 43 from Leu, Division 810, Political Section to Reuan, 23 April 1977 [“4. The situation in Sector 107 is severely complicated, to wit: A. The people have no rice or tubers...B. There is powerful enemy harassment.”].

2355 **E3/952** Telegram 04 from KE Pauk to Pol Pot, 2 April 1976, at ENG 00182658 [“But among the people in the entire Zone there has been much fever and diarrhea... The reason is due to when working and overheating, the brothers and sisters were drinking cold water, not drinking hot water regularly.”], at ENG 0182659 [“Tools and implements, means of production. Cattle and water buffalo are diseased with cholera [sic] and scarlet fever, and are dying in every Sector.”]; **E3/1196** Telegram 33 from Chhan to Office 870, 26 November 1976 [“We have not received report from the hospital regarding the combat of malaria.. I fail to give some Khmer medicine. We have some now...We request two tons of 10-by-2 centimetre (sic) nails. We wish to build a hospital but we do not have enough nails.”]; **E3/1209** Telegram 330 from from Se, North Zone Secretary to Committee 870, 06 May 1978 [“There has been no change in the situation of people...[we] have continuously dealt with it by gradually producing more medicine... As for [people’s] sickness, it is getting better this month.”]; **E3/1210** Compilation of DK Telegrams entitled “The Khmer Rouge Telegrams: ‘Sent and Copied to Uncle Vann,’” at ENG 00003979 [“As for illness, illness has occurred in many cases at grass roots, and dam construction sites because it has been very hot in this dry season We haw had less illness as it gets cool. We keep the dry season for rest.”]; **E3/570** Telegram 38 from Nhim to Ankar 870, 12 August 1977 [“[F]or the ready-made intravenous fluid, patients had reactions: they trembled or hiccuped; but it was not dangerous. We will examine whether the enemy caused damage to the fluid or the fluid became spoiled.”].

- 2356 **E3/948** Telegram 13 from M-560 to Committee 870, 10 May 1978, at ENG 00003534 [“[The situation] in this week is the same as in the previous one. It is stable, but there still have some people escaping from one place to another and men rape women and some of them elope.”]; **E3/1080** Secret Telegram from Moeun to brother Mut, 13 July 1977 [“Comrade Chan...scared the other workers... he said that he was kidding. I have discussed this problem with Comrade Katt, Chhen and Mao, and we are ready to deal with.”]; **E3/1210** Compilation of DK Telegrams entitled “The Khmer Rouge Telegrams: ‘Sent and Copied to Uncle Vann,’” at ENG 00003969 [“[He] didn’t know what he had written... he had wanted to commit suicide...then he thought he should rape somebody’s wife so that her husband would somehow kill him...We asked the women he raped...”].
- 2357 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 11.52.22 to 11.55.36; **E1/122.1** Transcript, 5 September 2012, Norng Sophang, 10.23.59 to 10.25.54 [“He had the right to use my group as the same rights that K-1 had, and in regard to his message...K-1 had the authority to issue or to respond to any kinds of telegram or message.”].
- 2358 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 11.57.13.
- 2359 **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 11.55.36 to 12.01.24 [“Q. Can you tell the Court who was in charge of giving opinions or direction concerning economy? A. [T]he person who...was handling the materials to be distributed to the base level...was Mr. Khieu Samphan.”]; 15.28.34 to 15.32.59 [“Q. [H]ow many outgoing telegrams you would have translated? A...[M]ainly, the telegrams were more about...the goods that Mr. Khieu Samphan would like them to be distributed...once every 10 days”]; **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 13.46.52 to 13.52.27, 15.37.11 to 15.39.29; **E1/122.1** Transcript, 5 September 2012, Norng Sophang, 11.52.34 to 11.54.22 [“Q. [Y]ou referred to open letters... one of the letters by Khieu Samphan... A. By ‘open letter’, I mean that message was not secretive in nature...about the distribution of materials...to the zones.”], 11.56.10 to 11.58.40 [“[F]or the public statement or circular, he would send it to K-1...K-1 would relay the message... On the issue of material distribution...He did not normally send it through K-1. He would send it directly to my unit.”]; **E1/123.1** Transcript, 6 September 2012, Norng Sophang, 09.48.21 to 09.50.03 [“I also noticed that sometimes Angkar distributed clothes and materials to them. Mr. Khieu Samphan was the one who ordered the distribution of materials and equipment.”]; **E3/64** Norng Sophang OCII Statement, at ENG 00334052 [“He [i.e. Khieu Samphan] was the manager who managed and distributed various produced materials to the people.”], 00334059 [“I used to receive Khieu Samphan telegram which regarded to the distribution of salt, rice, and fish paste.”].
- 2360 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 13.50.33; **E3/64** Norng Sophang OCII Statement, at ENG 00334052.
- 2361 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 13.50.33 to 13.52.27; **E1/122.1** Transcript, 5 September 2012, Norng Sophang, 11.42.18 to 11.47.27 [“If it was a letter... he...typed...have that letter sent through a messenger to my unit...to encode...if the letter was short and urgent...communicate with another team of mine who were stationed at K-1.”], 13.34.25 to 13.37.24 [“Khieu Samphan...would send the messages to my team... both through a telephone call or through a messenger...the message would first go through to K-1...other times the message would come to my group.”]; **E3/64** Norng Sophang OCII Statement, at ENG 00334052.
- 2362 **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 13.52.27 to 13.55.57; **E1/121.1** Transcript, 4 September 2012, Norng Sophang, 11.37.23 to 11.39.20; **E1/122.1** Transcript, 5 September 2012, Norng Sophang, 10.23.59 to 10.25.54; **E3/64** Norng Sophang OCII Statement, at ENG 00334053.
- 2363 **E1/130.1** Transcript, 4 October 2012, Meas Voeun, 15.16.07; **E3/420** Prum Sou OCII Statement, at ENG 00422379-80.
- 2364 **E1/130.1** Transcript, 4 October 2012, Meas Voeun, 14.26.30 to 14.28.34; See also 15.11.31 to 15.16.07 [“[T]hey simply told me that this office were under the supervision of Nuon Chea and Khieu Samphan...that was the office attached to Sector 103.”], 15.21.08 to 15.23.12 [“[Pol Pot] told me that comrade, you had to go and inspect that place because that location was the autonomous sector under the direct supervision of the Centre.”].
- 2365 **E1/130.1** Transcript, 4 October 2012, Meas Voeun, 14.11.45 to 14.15.14.
- 2366 **E1/130.1** Transcript, 4 October 2012, Meas Voeun, 14.13.35 [“I reported to him the situations from Siem Reap, particularly people who were imprisoned and those who were later released by Ta Soeung, including his in-law as well.”] 14.23.22 to 14.26.30.
- 2367 **E3/464** [REDACTED] OCII Statement, at ENG 00226113.
- 2368 **E1/73.1** Transcript 17 May 2013, Pean Khean, 10.03.22 to 10.04.51 [“Hem (Khieu Samphan) chaired the meetings of Party branches of K offices. Hem (Khieu Samphan) was superior to Pang’...Yes, it is, through my observation back then.”].

- 2369 **E1/55.1** Transcript, 28 March 2012, Kaing Guek Eav *alias* Duch, 15.05.18 to 15.07.37 [“A. Before the new travel pass, Pang collected the old travel pass...later on gave me the new travel pass bearing the name Khang on that piece of document...Pang said it was Brother Hem.”]; **E1/62.1** Transcript, 10 April 2012, Kaing Guek Eav *alias* Duch, 14.26.06 [“Besides, as for Brother Khieu Samphan, most people knew him by his name Hem. I knew him by “Hem” as well, but when he signed on a pass, he used the name Khang, it was Khang”].
- 2370 **E3/12** CPK Central Committee Minutes entitled “Decision of the Central Committee Regarding a Number of Matters,” 30 March 1976, at ENG 00182809; See also **E1/189.1** Transcript, 6 May 2013, Philip Short, 13.56.56 to 14.00.09 [“Q. Central Committee on the 30th of March 1976...E3/12...? A...I’m quite sure that both Mr. Khieu Samphan and certainly Mr. Nuon Chea were very well aware of what was in this document.”].
- 2371 **E3/3169** Steve Heder, *Pol Pot and Khieu Samphan*, at ENG 00002756.
- 2372 **E3/3169** Steve Heder, *Pol Pot and Khieu Samphan*, at ENG 00002756.
- 2373 **E1/58.1** Transcript, 3 April 2012, Kaing Guek Eav *alias* Duch, 14.29.12 [“A. Mr. President, “surrounding the Centre Office, to be decided by the Central Office Committee,” here, it refers to Khieu Samphan, who made such a decision as set forth in this paragraph.”]; See also **E1/62** Transcript, 10 April 2012, Kaing Guek Eav *alias* Duch, 11.52.07 to 11.56.35; **E3/15** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00251378.
- 2374 **E3/37** Khieu Samphan OCIJ Interview, at ENG 00156754, KHM 00156676, FR 00156681 [“[Office 870] had only two members, Doeun and me. Doeun was the Chairman, assisted by colleagues such as Pang and he was in charge of political affairs.”], ENG 00156756, KHM 00156677, FR 00156683 [“At first this office was not so important, but at a later stage it gained in importance, because it was tasked to monitor suspected members of the party for the standing committee. I learned...when I reached Pailin.”]; **E3/557** Khieu Samphan Adversarial Hearing, at ENG 00153269, KHM 00153232-33, FR 00153299 [“For instance, as to the task of the Chairman of helping the Standing Committee to investigate certain cadres, it was only afterwards that I knew, through my readings when I was living in Pailin.”].
- 2375 **E1/191.1** Transcript, 8 May 2013, Philip Short, 09.47.42 to 09.49.37; **E1/192.1** Transcript 9 May 2013, 14.06.53 to 14.08.23, Philip Short, 14.38.45 to 14.42.32; **E3/3169** Stephen Heder, *Pol Pot and Khieu Samphan*, at ENG 00002760.
- 2376 **E1/192.1** Transcript 9 May 2013, Philip Short, 14.08.23 to 14.11.34, 14.38.45 to 14.42.32.
- 2377 **E1/191.1** Transcript, 8 May 2013, Philip Short, 09.47.42 to 09.49.37; **E1/192.1** Transcript 9 May 2013, Philip Short, 14.38.45 to 14.42.32..
- 2378 **E3/3169** Stephen Heder, *Pol Pot and Khieu Samphan*, at ENG 00002771 [“This was evidently an allusion to the investigation he conducted in the West Zone in August 1977, and Pol Pot’s resulting decision to kill Zone Secretary Chou Chet, but not his deputy, Heng Pal.”]; **E1/55.1** Transcript, 28 March 2012, Kaing Guek Eav *alias* Duch, 15.27.22 to 15.29.05 [“And when Chou Chet was to be arrested, the decision was made in the meeting, and at that time Pol Pot did not ask Vorn Vet to attend the meeting but he invited Brother Hem...instead of Brother Vorn...”]; **E1/62.1** Transcript, 10 April 2012, Kaing Guek Eav *alias* Duch, 09.16.52 to 09.24.31 [“Initially, Pang told me that on that day Vorn was in his office, but Brother Pol, instead, asked him to invite Brother Hem.”], 11.37.45; **E3/453** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00147584 [“Chhim Som Aok *alia* (sic) Pang told me that Khieu Samphan attended a meeting with the Standing Committee of the Central Committee on the issue of arresting Chhou Chet *alias* Si, Chairman of the West Zone”]; **E3/61** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00195578 [“As regards Chou Chet...That is how I learned that Khieu Samphan had participated in the meeting.”].
- 2379 **E3/48** Stephen Heder and Brian Tittmore, *Seven Candidates for Prosecution*, at ENG 00393581; See also **E3/20** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, at 00238128-29 [“The head of Cambodia’s rubber plantation had been... treated to a sumptuous dinner by Khieu Samphan, the head of state, and then immediately taken off to Tuol Sleng.”].
- 2380 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396574 [“Confessions of treason were needed for men like Ieng Sary and Khieu Samphan to read out at closed Party meetings, proving that Angkar had ‘as many eyes as a pineapple’...nothing could escape its vigilance.”]; **E1/191.1** Transcript, 8 May 2013, Philip Short, 09.40.15 to 09.43.48 [“I know of two cases, which is why I said Khieu Samphan and Ieng Sary...It happened.”]; **E1/192.1** Transcript, 9 May 2013, Philip Short, 14.33.23 to 14.35.41 [“The mid level official at the Foreign Ministry, to whom I spoke...did refer to a meeting at which he had attended where Khieu Samphan had read out such a confession.”], 14.42.32 to 14.46.22 [“Long Norit (phonetic) is the name of the middle-level cadre...He was in the Foreign Ministry. Oh, sorry, Long Norin...He was part of the audience at a meeting, which Khieu Samphan chaired for officials.”].

2381 **E3/18** Khieu Samphan, *Cambodia's Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103756; See also **E3/37** Khieu Samphan OCIJ Statement, at ENG 00156754 ["I was in charge of preparing the price list for the cooperatives and the distribution of goods to the zones under direction from the standing committee"]; **E3/557** Khieu Samphan OCIJ Statement, at ENG 00153269.

2382 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156751, FR 00156672, KHM 00156619-20; **E1/71.1** Transcript, 2 May 2012, Pean Khean, 15.49.00 to 15.52.04.

2383 **E3/90** [REDACTED] Statement, at ENG 00184430.

2384 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156751, FR 00156672, KHM 00156619; **E3/108** Khieu Samphan Statement, at ENG 00000929.

2385 **E3/182** CPK Standing Committee Meeting Minutes, 9 October 1975, at ENG 00183393.

2386 **E3/182** CPK Standing Committee Meeting Minutes, 9 October 1975, at ENG 00183393; **E1/71.1** Transcript, 2 May 2012, Pean Khean, 15.49.00 to 15.52.04; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396562-63, FR 00639921-22.

2387 **E3/182** CPK Standing Committee Meeting Minutes, 9 October 1975, at ENG 00183393; **E3/37** Khieu Samphan OCIJ Statement, at ENG 00156753, KHM 00156675, FR 00156680 ["Earlier, you said that Soeu Vasi alias Doeun was the Chairman of Office 870...Answer: He was appointed when Pol Pot established his office on the Tonle Bassac riverfront...around June 1975."].

2388 **E3/37** Khieu Samphan OCIJ Statement, at ENG 00156754, KHM 00156676, FR 00156681; **E3/18** Khieu Samphan, *Cambodia's Recent History And The Reasons Behind The Decisions I Made*, at ENG 00103755, KHM 00103844, FR 00595439.

2389 **E3/2376** Nayan Chanda, *Brother Enemy: The War after the War*, at ENG 00192202 ["[I]n August 1975...Peking was giving a grand welcome to the Cambodian deputy premiers Khieu Samphan and Ieng Sary and promising them \$1 billion of aid...\$20 million of this was to be an outright grant."]; **E3/3725** The Times, Khmer Rouge Leader signs agreement with China, 19 August 1975 ["A Khmer Rouge delegation from Cambodia signed an agreement in Peking today on economic and technical cooperation...The signatories were Mr Teng Hsiao-ping and Mr Khieu Samphan...affairs."]; **E3/3726** New York Times, *Cambodia & China Reportedly Sign Economic & Technical Cooperation Agreement*, 19 August 1975; **E3/490** Analytical Reports By The French Ministry Of Foreign Affairs Entitled "Cambodian Review (January / February / March and April 1976)," 5 December 1976, at ENG 00610830 ["China...had granted Cambodia a multi-million dollar loan last August, during Mr Khieu Samphan's official visit to Peking."]; See also **E1/92.1** Transcript, 19 July 2012, David Chandler, ["[T]hey had a group of people who had certain capacities...Khieu Samphan had to have this commercial portfolio that he performed very well for Sihanouk... had knowledge of that sort of issue."].

2390 **E3/233** CPK Standing Committee Meeting Minutes, 13 March 1976, at ENG 00182649.

2391 **E3/233** CPK Standing Committee Meeting Minutes, 13 March 1976, at ENG 00182650.

2392 **E1/79.1** Transcript, 31 May 2012, Sar Kimlomouth, 09.37.06 to 09.41.28, 09.55.22 to 09.57.40, 13.55.10.

2393 **E3/235** CPK Standing Committee Meeting Minutes entitled "Summary of the Decisions of the Standing Committee in the Meeting of 19-20-21 April 1976," at ENG 00183420.

2394 **E1/71.1** Transcript, 2 May 2012, Pean Khean, 15.49.00 to 15.53.58; **E1/72.1** Transcript, 3 May 2012, Pean Khean, 09.40.44 to 09.44.15.

2395 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396563; **E1/72.1** Transcript, 3 May 2012, Pean Kean, 09:24:31.

2396 **E1/79.1** Transcript, 31 May 2012, Sar Kimlomouth, 09.48.28 to 09.51.18.

2397 **E3/235** CPK Standing Committee Meeting Minutes entitled "Summary of the Decisions of the Standing Committee in the Meeting of 19-20-21 April 1976," at ENG 00183416-17.

2398 **E3/235** CPK Standing Committee Meeting Minutes entitled "Summary of the Decisions of the Standing Committee in the Meeting of 19-20-21 April 1976," at ENG 00183416-17; See also **E3/165** DK People's Assembly Meeting Minutes entitled "Document on Conference I of Legislature I of The People's Representative Assembly of Kampuchea, 11 - 13 April 1976," at ENG 00184069; **E1/206.1** Transcript, 12 June 2013, Sim Hao, 15.37.06 to 15.38.46; **E1/207.2** Transcript, 13 June 2013, Sim Hao, 13.38.58, 13.56.17, 14.00.08; **E1/107.1** Transcripts, 14 August 2012, Suong Sikoeun, 15.35.26 to 15.39.24 ["A. I learned about that because I -- because of a friend of mine...Van Rith. He was the former chairman of the Commerce Committee...the Minister of Foreign Trade, and he told me about that."]; **E3/4624** TCW-696 Statement, at ENG 00699080-81; **E3/5647** [REDACTED] Statement, at ENG 00640145, 00640172, 00640183.

2399 **E3/1905** Commerce Committee Travel Permit, 25 May 1975 [signed by "Rith, State Commerce Committee"].

2400 **E3/220** CPK Standing Committee Meeting Minutes, 7 May 1976, at ENG 00182706; See also **E1/79.1** Transcript, 31 May 2012, Sar Kimlomouth, 10.02.02.

2401 **E3/2036** Report from Commerce Committee to “Dear Respected Brother Doeun,” 21 August 1976, at ENG 00296187; **E3/2037** Report from Commerce Committee to “Dear Respected Brother Doeun,” 28 August 1976, at ENG 00323937; **E3/3568** Report from Commerce Committee to “Respected and Beloved Brother Doeun,” 7 September 1976, at ENG 00709612; **E3/2038** Report from Ministry of Commerce to “Respected and Beloved Brother Doeun,” 30 September 1976, at ENG 00337497. See 23 Ministry of Commerce reports discussed below, starting with **E3/2040** Report from Commerce Committee to “Respected and Beloved Brother Hem,” 29 October 1976.

2402 **E3/1625** S-21 Confession of Sua Vasi *alias* Chhoeur Doeun, 19 February 1977, at ENG 00183208; **E3/342** Revised S-21 Prisoner List, entry number 9,546 [“Soeur Vasy *alias* Doeun, Member of zone 304”].

2403 **E3/165** DK People’s Assembly Meeting Minutes entitled “Document on Conference I of Legislature I of the People’s Representative Assembly of Kampuchea, 11 - 13 April 1976,” at ENG 00184069.

2404 **E1/79.1** Transcript, 31 May 2012, Sar Kimlomouth, 13.33.34 to 13.35.17; **E3/4623** Sim Hao Statement at ENG 00939407, FR 00813944, KHM 00053657; **E3/4624** TCW-696 Statement, at ENG 00699078, 00699085-86, 00699095; See also **E3/2940** Report from Commerce Committee to “Respected and Beloved Brother Hem,” 16 March 1977, at ENG 00548763 [“CC... K 51: one copy”]; **E3/3464** Report from Commerce Committee to “Beloved and Respected Brother Hem,” 7 January 1978, at ENG 00574559, [“CC... K 51 - 1 copy”]; **E3/3454** Report from Commerce Committee to “Dear Bang Hem,” 15 January 1978 [same record as **E3/2941**], 00647730 [“Send to...K51...1 copy”]; **E3/3455** Report from Commerce Committee to “Beloved and Respected Brother Hem,” 24 January 1978, at ENG 00634424 [“Sent to... K51 - 1 copy”]; **E3/3457** Reports from Commerce Committee “To Bang Hem,” 14 February 1978, at ENG 00647732 [“Sent to ... K51 ...1-”]; **E3/3458** Report from Commerce Committee “At the attention of respected and beloved *Brother* Hem,” 19 February 1978, at ENG 00687191-92 [“CC... K51: 1 copy”]; **E3/3461** Report from Commerce Committee to “To Beloved and Respectable Brother Hem,” 28 April 1978, at ENG 00711450 [“Distribution to... K51 - 1 Copy”].

2405 **E1/206.1** Transcript, 12 June 2013, Sim Hao, 11.58.38 to 12.00.12, 14.08.34 to 14.11.06, 14.40.35 to 15.04.25; **E3/472** Sim Hao OCIJ Statement, at ENG 00205031; **E3/4623** Sim Hao Statement, at ENG 00679714; **E3/4624** TCW-696 Statement, at ENG 00699078; **E3/5647** [REDACTED] Statement, at ENG 00640145, 00640171.

2406 **E3/437** TCW-781 OCIJ Statement, at ENG 00375484; **E1/206.1** Transcript, 12 June 2013, Sim Hao, 11.58.38 to 12.00.12, 14.40.35 to 15.04.25; **E3/472** Sim Hao OCIJ Statement, at ENG 00205031; **E3/363** Sim Hao OCIJ Statement, at ENG 00239067; **E3/4623** Sim Hao Statement, at ENG 00679714.

2407 **E1/184.1** Transcript, 25 April 2013, Ruos Suy, 10.02.05 to 10.04.39; **E3/4594** Ruos Suy Statement, at ENG 00710500, 00710559.

2408 **E3/4594** Ruos Suy Statement, at ENG 00710559.

2409 **E1/206.1** Transcript, 12 June 2013, Sim Hao, 14.40.35 to 15.04.25; **E3/4623** Sim Hao Statement, at ENG 00679714; **E3/5647** [REDACTED] Statement, at ENG 00640141-3, 00640155, 00640171.

2410 **E1/79.1** Transcript, 31 May 2012, Sar Kimlomouth, 15.37.14 to 15.39.47; See **E3/2056** FORTRA Invoice No 130/CH/77, 2 January 1978.

2411 **E1/79.1** Transcript, 31 May 2012, Sar Kimlomouth, 14.15.45, 15.44.25 to 15.46.10.

2412 **E1/206.1** Transcript, 12 June 2013, Sim Hao, 13.43.20, 14.40.35 to 15.04.25, 15.43.32 to 15.46.09; **E1/207.2** Transcript, 13 June 2013, Sim Hao, 13.34.17 to 13.41.30, 13.45.57 to 13.50.15; **E3/172** Biography of Suon Ri *alias* Khat Khan, at ENG 00738424, KHM 00087198, FR 00742942.

2413 **E3/4624** Statement, at ENG 00699075-6.

2414 **E1/79.1** Transcript, 31 May 2012, Sar Kimlomouth, 14.17.08, 15.37.14; See also **E3/1619** Letter from FORTRA to Ren Fung, 7 July 1978 [same record as **E3/1620**, **E3/1735**, **E3/2517**].

2415 **E1/79.1** Transcript, 31 May 2012, Sar Kimlomouth, 09.37.06 to 09.41.28, 09.48.28 to 09.51.18, 13.40.35 to 13.44.29.

2416 **E1/90.1** Transcript, 21 June 2012, Khiev Neou, 11.03.56 to 11.05.59, 15.18.40 to 15.22.03; **E1/79.1** Transcript, 31 May 2012, Sar Kimlomouth, 15.26.10 to 15.28.45.

2417 **E1/90.1** Transcript, 21 June 2012, Khiev Neou, 11.01.04 to 11.03.56, 14.28.00; **E3/235** CPK Standing Committee Meeting Minutes entitled “Summary of the Decisions of the Standing Committee in the Meeting of 19 - 20 - 21 April 1976,” at ENG 00183417; See also **E3/1232** Ministry of Commerce Weekly Reports Concerning Rice, 22 June 1977, at ENG 00809208; **E3/1228** Ministry of Commerce Weekly Reports Concerning Rice, 22 July 1977, at ENG 00766711; **E3/1236** Ministry of Commerce Weekly Report Concerning Rice, 31 July 1977, at ENG 00768623.

2418 **E1/184.1** Transcript, 25 April 2013, Ruos Suy, 13.57.19 to 14.00.22.

2419 **E1/206.1** Transcript, 12 June 2013, Sim Hao, 14.40.35 to 15.04.25; **E1/184.1** Transcript, 25 April 2013, Ruos Suy, 14.02.18; **E3/437** TCW-781 OCIJ Statement, at ENG 00375484; **19.192** TCW-696 Statement, at

ENG 00699080-81; See also **E3/2005** S-21 Prisoner List entitled “Names of Persons Arrested from [Ministry of] Commerce,” at entries 9, 14, 28 - 30 [prisoners from the “State Warehouse” listed under the Ministry of Commerce]; **E3/2090** S-21 Prisoner List entitled “Name List of Prisoners of Commerce Section,” at ENG 00701336-40, entries 21, 25-30 [prisoners from the “State Warehouse” listed under the Ministry of Commerce].

2420 See references to K-22 approvals in: **E190.1.6** Weekly Report Concerning Rice, 7 June 1977 at ENG 00766602; **E3/1232** Weekly Report Concerning Rice, 22 June 1977, at ENG 00809206-08; **E3/1228** Weekly Report Concerning Rice, 22 July 1977, at ENG 00766708, 00766710; **E3/1236** Weekly Report Concerning Rice, 31 July 1977, at ENG 00768621-22.

2421 **E1/90.1** Transcript, 21 June 2012, Khiev Neou, 11.01.04, 15.13.02 to 15.14.46 [“A. Sen was my nephew by marriage, who was my - who was the head of K-22. When I asked more, he said he was working with Khieu Samphan.”]; See also **E1/112.1** Transcript, 22 August 2012, Kim Vun, 15.57.29 to 16.02.38 [“I had a nephew who worked either with Khieu Samphan or other leaders...as for Khieu Samphan, whenever there were requests from the zones they would organize in order to accommodate them.”].

2422 **E3/4594** Ruos Suy Statement, at ENG 00710533.

2423 **E3/4594** Ruos Suy Statement, at ENG 00710518-00710521.

2424 **E1/184.1** Transcript, 25 April 2013, Ruos Suy, 13.45.20 to 13.48.30.

2425 **E1/184.1** Transcript, 25 April 2013, Ruos Suy, 13.47.24 to 13.48.30.

2426 **E1/184.1** Transcript, 25 April 2013, Ruos Suy, 10.22.20 to 10.24.59, 10.29.33, 13.48.30 to 13.51.32; See also **E3/1593** Ben Kiernan, *The Pol Pot Regime: Race, Power, and Genocide in Cambodia under the Khmer Rouge, 1975-79*, at ENG 00678560 [“During Samphan’s August [1975] visit to China, the officials added, ‘Mao had expected to receive requests for aid, but instead Khieu Samphan signed a contract to sell rice to China!’”]; **E3/1593** Ben Kiernan, *The Pol Pot Regime: Race, Power, and Genocide in Cambodia under the Khmer Rouge, 1975-79*, at ENG 00678560 [“In the first six months Cambodia exported to China 2,400 tons of rubber, 2,200 tons of logs, 200 tons of black pepper, 113 tons of coconuts, and 39 tons of sleng (Nux vomica) seeds (for the extraction of strychnine).”].

2427 **E3/5688** [REDACTED] Statement, at ENG 00662046-47; **E3/5647** [REDACTED] Statement, at ENG 00640172.

2428 **E3/4594** Ruos Suy Statement, at ENG 00710518-19; **E3/4623** Sim Hao Statement, at ENG 00679706-07;

E3/5688 TCW-781 Statement, at ENG 00662038, 00662040, 00662047; **E3/437** TCW-781 OCIJ Statement, at ENG 00375485; **E1/79.1** Transcript, 31 May 2012, Sar Kimlomouth, 13.46.34 to 13.49.55 .

2429 **E1/79.1** Transcript, 31 May 2012, Sar Kimlomouth, 13.48.08 to 13.52.05, 14.17.08 to 14.19.43.

2430 **E1/90.1** Transcript, 21 June 2012, Khiev Neou, 10.55.18 to 10.57.43, 11.01.04 to 11.09.24, 11.44.42 to 11.50.40 [“[W]hen you met with Mr. Khieu Samphan, you discussed using conventional tools and not using factory tools...A. He was pleased...And the materials were then transported to”], 14.26.25 to 14.28.00, 15.10.50 to 15.14.44, 15.18.40 to 15.22.57; **E1/184.1** Transcript, 25 April 2013, Ruos Suy, 10.13.50 to 10.20.26; **E1/151.1** Transcript, 11 December 2012, Phan Van, 14.06.02 to 14.10.20; **E3/57** TCW-307 OCIJ Statement, at ENG 00290509; **E1/194.1** Transcript, 21 May 2013, Prom Sou, 09.47.38 to 10.02.09; **E3/5144** [REDACTED] OCIJ Statement, at ENG 00204144; **E3/5575** TCW-521 OCIJ Statement, at ENG 00372353-54.

2431 **E1/197.1** Transcript, 27 May 2013, Khieu Samphan, 14.55.22 to 14.58.10 [“And I was in the distribution responsibility...I gathered all those resources for the distribution to the people, in hundreds of thousands of cars. So this is my response to the question of the lack of food.”]; **E1/90.1** Transcript, 21 June 2012, Khiev Neou, 11.48.47 [“Q. And from what you have described so far, do I understand correctly that Mr. Khieu Samphan would authorize certain materials to be used? A. I already indicated that he agreed”]; **E1/83.1** Transcript, 7 June 2012, Sao Sarun, 11.53.08 to 11.59.46 [“We only informed him [Khieu Samphan] about the actual shortages so that we brought that matter up to their attention.”]; **E3/367** Sao Sarun OCIJ Statement, at ENG 00278696 [“I used to give a commerce list requesting for equipment to Khieu Samphan personally.”]; **E1/117.1** Transcript, 29 August 2012, Norng Sophang, 11.55.36 to 12.01.24 [“Q. Can you tell the Court who was in charge of giving opinions or direction concerning economy? A. [T]he person who...was handling the materials to be distributed to the base level...was Mr. Khieu Samphan.”]; 15.28.34 to 15.32.59 [“Q. [H]ow many outgoing telegrams you would have translated? A...[M]ainly, the telegrams were more about...the goods that Mr. Khieu Samphan would like them to be distributed...once every 10 days”]; **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 13.46.52 to 13.52.27, 15.37.11 to 15.39.29; **E1/122.1** Transcript, 5 September 2012, Norng Sophang, 11.52.34 to 11.54.22 [“Q. [Y]ou referred to open letters... one of the letters by Khieu Samphan... A. By ‘open letter’, I mean that message was not secretive in nature...about the distribution of materials...to the zones.”], 11.56.10 to 11.58.40 [“[F]or the public statement or circular, he would send it to K-1...K-1 would relay the message... On the issue of material distribution...He did not normally send it through K-1. He would send it directly to my unit.”]; **E1/123.1** Transcript, 6 September 2012, Norng Sophang,

09.48.21 to 09.50.03 [“I also noticed that sometimes Angkar distributed clothes and materials to them. Mr. Khieu Samphan was the one who ordered the distribution of materials and equipment.”]; **E3/64** Norng Sophang OCIJ Statement, at ENG 00334052 [“He [i.e. Khieu Samphan] was the manager who managed and distributed various produced materials to the people.”], ENG 00334059 [“I used to receive Khieu Samphan telegram which regarded to the distribution of salt, rice, and fish paste.”]; **E3/67** Khieu Samphan OCIJ Statement at ENG 00483967 [“As for Khieu Samphan, he was in charge of...dividing other materials to the various bases and Zones.”]; **E1/151.1** Transcript, 11 December 2012, Phan Van, 15.48.00 to 15.52.18 [Q. “Mr. Khieu Samphan sent telegrams relating to material, equipment, healthcare, and social affairs, etc.? A. Yes...whenever it was related to equipment or so...he would sign it with the initial ‘Hem.’”]; **E1/154.1** Transcript, 14 December 2012, Phan Van, 09.31.32 to 09.34.26 [“What I can recall is that people did send rice to our sector and the person who sent this was Hem.”]; **E3/58**

OCIJ Statement, at ENG 00250089 [“[W]hen he (i.e. Khieu Samphan) made assignment to the Sector level...to receive logistics support at the central level such as petroleum, machinery, medicines and cloth etc.”]; **E1/208.1** Transcript, 17 June 2013, Leng Chhoeung, 11.04.22 to 11.10.28; **E3/385** Leng Chhoeung OCIJ Statement, at ENG 00360130 [“I saw someone bring a letter to Khieu Samphan in K-3, to ask him to sign a materials delivery voucher. I saw that person leave again with the letter to receive the materials at the state warehouse.”]; **E3/18** Khieu Samphan, *Cambodia’s Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103800 [“The only thing that I was able to do was to implement the directives of the ‘Permanent Bureau’ regarding the distribution of products collected in Phnom Penh.”]; **E1/204.1** Transcript, 10 June 2013, So Socheat, 15.36.54 to 15.39.10 [“As people would ring and request for goods to be delivered to the base...I was told that it was kind of a warehouse where goods were stored and goods would be delivered to the base.”].

2432 **E1/79.1** Transcript, 31 May 2012, Sar Kimlomouth, 11.07.45 to 11.11.00, 11.24.00, 11.43.08 to 11.45.36, 14.33.10 [“[D]id you understand why these reports were being prepared for Hem and also sent to Vom? A...[A]s routines Commerce Committee had to report to the superiors...Bong Vorn and Bong Hem.”], 15.13.48 - 15.22.55 [“Is this last document another example of Van Rith reporting to these two people as superiors?...A. Yes, it is correct.”]; **E1/80.1** Transcript, 4 June 2012, Sar Kimlomouth, 09.12.29 to 09.15.41, 09.23.57 to 09.29.29; **E3/439** Sar Kimlomouth OCIJ Statement, at ENG 00425916 [A56]; **E3/105** Sar Kimlomouth OCIJ Statement, at ENG 00425223 [A4, A5]; See also **E3/18** Khieu Samphan, *Cambodia’s Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103794 [“[B]y the end of 1976...I had a certain autonomy to accomplish my task, especially concerning the importation of several products such as medical devices, compresses, antibiotics, etc.”].

2433 **E1/79.1** Transcript, 31 May 2012, Sar Kimlomouth, 09.53.22; See also **E3/9** Philip Short, *Pol Pot: the History of a Nightmare*, at ENG 00396469 [1974: “The banker Sar Kim Lomouth served as the movement’s occult treasurer.”].

2434 **E3/1613** Report from Commerce Committee to “Respected and Beloved Brother Hem,” 12 August 1977, at ENG 00509693 [“Cambodian side: Comrades Rit, Chheng and Lmut ‘interpreter’”]; **E3/1614** Report from Ministry of Commerce to “Respected and beloved Brother Hem,” 9 September 1977, at ENG 00519498 [“Cambodian side: Comrade Rit, Chheng and L’mut as ‘interpreters’”]; **E3/1615** Report from Commerce Committee to “Respected and Beloved Brother Hem,” 28 September 1977, at ENG 00234311 [“On the Kampuchea side: Comrades Rith and Lamuth ‘Translator’”]; **E3/1616** Report from Commerce Committee to “Respected and Beloved Brother Hem,” 18 October 1977, at ENG 00590298 [“Cambodian participants: Comrade Rith, Chheng and Lmuth”]; **E3/1617** Report from Commerce Committee to “Brother Hem,” 22 November 1977, at ENG 00743385 [“Cambodian side: Comrade Rith, Chheng and Lmut, ‘interpreter’”]; **E3/1618** Report from Commerce Committee to “Respected and Beloved Brother Hem,” 19 November 1977 [same record as **E3/3513**], ENG 00680478 [“Cambodian side: Comrade Rith and Comrade Lmot, Ministry of Commerce”]; **E3/3514** Report from Commerce Committee to “Respected and Beloved Brother Hem,” 1 December 1977, at ENG 00634425 [“On Kampuchean side: Comrades Rit, Lmut”]; See also **E3/1642** Report from Ministry of Commerce “At the attention of the beloved Commerce Committee,” 5 October 1978, at ENG 00711446 [“Cambodian side includes Comrades L’mut, Phan and Suon”]; **E1/80.1** Transcript, 4 June 2012, Sar Kimlomouth, 11.35.04 [“[A]t that time, probably, Mr. Van Rith was on mission, and Phorn, Suon, and I, who were in the Ministry of Commerce, and then we met with the third secretary of the Korean counterparts.”].

2435 **E3/1345** Statement of the Congress of the Standing Committee of the Assembly of the Kampuchean People’s Representatives, the Government of Democratic Kampuchea, the Representatives of the Democratic Kampuchea National Army and the Representatives of the Various Government Departments, 18 December 1979, at ENG S 00017988 [“1. Prime Minister, Mr Khieu Samphan...11. Secretary of State for Supply and Transportation, Mr Sar Kim Lomouth.”]; **E3/1436** Kampuchea Democratique Bulletin D’Information, at ENG S 00018470 [“Presidium of the State President, Mr Khieu

Samphan...Prime Minister, Mr Khieu Samphan...Secretary of State for Supply and Transportation, Mr Sar Kim Lomouth”]; See also **E3/1394** Statement by the Founding Committee of the National Unity of Cambodia Party, 30 November 1992, at ENG 00442994 [“The founding committee of the ‘National Unity of Cambodia Party’ is composed of: 1. Mr. Khieu Samphan President, 2. Mr. Son Sen Vice-President...4. Mr. Sar Kim Lomouth Member”], 00442995.

- 2436 **E3/2040** Report from Commerce Committee to “Respected and Beloved Brother Hem,” 29 October 1976; **E3/2041** Report from Commerce Committee to “Respected and Beloved Brother Hem,” 1 November 1976; **E3/2042** Report from Commerce Committee to “Respected and Beloved Brother Hem,” 4 November 1976; **E3/304** Report from Commerce Committee to “Respected and Beloved Brother Hem,” 9 November 1976; **E3/3510** Report from Commerce Committee to “Respected and Beloved Brother Hem,” 22 February 1977; **E3/2054** Report from Commerce Committee to “Esteemed Older Brother Hem,” 1 March 1977; **E3/173** Report from Commerce Committee to “Beloved and Respected Brother Hem,” 14 March 1977; **E3/2940** Report from Commerce Committee to “Respected and Beloved Brother Hem,” 16 March 1977; **E3/1613** Report from Commerce Committee to “Respected and beloved Brother Hem,” 12 August 1977; **E3/1614** Report from Ministry of Commerce to “Respected and beloved Brother Hem,” 9 September 1977; **E3/1615** Report from Commerce Committee to “Respected and Beloved Brother Hem,” 28 September 1977; **E3/1616** Report from Commerce Committee to “Respected and Beloved Brother Hem,” 18 October 1977; **E3/3564** Report from Commerce Committee to “Respected and Beloved Brother Hem,” 1 November 1977; **E3/1617** Report from Commerce Committee to “Brother Hem,” 22 November 1977; **E3/1618** Report from Commerce Committee to “Respected and Beloved Brother Hem,” 19 November 1977 [same record as **E3/3513**]; **E3/3514** Report from Commerce Committee to “Respected and Beloved Brother Hem,” 1 December 1977; **E3/3464** Report from Commerce Committee to “Beloved and Respected Brother Hem,” 7 January 1978; **E3/3454** Report from Commerce Committee to “Dear Bang Hem,” 15 January 1978 [same record as **E3/2941**]; **E3/3455** Report from Commerce Committee to “Beloved and Respected Brother Hem,” 24 January 1978; **E3/3460** Report from Commerce Committee to “The attention of respected and beloved Brother Hem,” 4 February 1978 and 25 February 1978; **E3/3457** Report from Commerce Committee “To Bang Hem,” 14 February 1978; **E3/3458** Report from Commerce Committee “At the attention of respected and beloved *Brother Hem*,” 19 February 1978; and **E3/3461** Report from Commerce Committee to “To Beloved and Respectable Brother Hem,” 28 April 1978.
- 2437 **E3/1618** Report from Commerce Committee to “Respected and Beloved Brother Hem,” 19 November 1977 [same record as **E3/3513**], at ENG 00680478.
- 2438 **E3/304** Report from Commerce Committee to “Respected and Beloved Brother Hem,” 9 November 1976, at ENG 00323003 [“I would like to seek the guidance from Angkar on what to decide”].
- 2439 **E3/3514** Report from Commerce Committee to “Respected and Beloved Brother Hem,” 1 December 1977, at ENG 00634427 [“Please, Brother, be informed and give instruction”]; **E3/3455** Report from Commerce Committee to “Beloved and Respected Brother Hem,” 24 January 1978, at ENG 00634424 [“Please be informed and give instruction.”]; **E3/1615** Report from Commerce Committee to “Respected and Beloved Brother Hem,” 28 September 1977, at ENG 00234312 [“Request Brothers accept this for your information and to provide instructions.”].
- 2440 **E3/3461** Report from Commerce Committee to “To Beloved and Respectable Brother Hem,” 28 April 1978, at ENG 00711450 [“I would like you Brother to be informed and to give guiding comments.”]
- 2441 **E3/1613** Report from Commerce Committee to “Respected and beloved Brother Hem,” 12 August 1977, at ENG 00509699 [“Please, Bang, be informed and provide advice”]; **E3/3464** Report from Commerce Committee to “Beloved and Respected Brother Hem,” 7 January 1978, at ENG 00574558 [“Please, Brother, be informed and advise.”]; **E3/3460** Reports from Commerce Committee to “The attention of respected and beloved Brother Hem,” 4 February 1978 and 25 February 1978, at ENG 00700325, 00700327 [“May, Brother, take due note and advise us accordingly”]; **E3/3458** Report from Commerce Committee “At the attention of respected and beloved *Brother Hem*,” 19 February 1978, at ENG 00687191 [“Please, Brother, take due note of the foregoing and advise us accordingly.”], 00687194 [“Please, Brother, take due note and advise us accordingly.”]; **E3/1617** Report from Commerce Committee to “Brother Hem,” 22 November 1977, at ENG 00743386 [“Please be informed, and let us have your comments.”]; **E3/3457** Reports from Commerce Committee “To Bang Hem,” 14 February 1978, at ENG 00647732 [“Please be informed and let us know what your comments are.”]; **E3/3564** Report from Commerce Committee to “Respected and Beloved Brother Hem,” 1 November 1977, at ENG 00597008 [“Please, Brother, be informed and give suggestions”].
- 2442 **E3/2054** Report from Commerce Committee to “Esteemed Older Brother Hem,” 1 March 1977, at ENG 00234315 [“Send to: Elder brother Hem - 1 copy; Elder brother Vorn - 1 copy”]; **E3/173** Report from Commerce Committee to “Beloved and Respected Brother Hem,” 14 March 1977, at ENG 00548798,

KHM 00091100, FR 00541747 ["CC: Brother Hem: 1 copy, Brother Vorn: 1 copy"] [Note error in English translation; "Brother Vorn" has been erroneously translated as "Brother Van"]; **E3/2940** Report from Commerce Committee to "Respected and Beloved Brother Hem," 16 March 1977, at ENG 00548763 ["CC: Brother Hem: one copy, Brother Vorn: one copy"]; **E3/1613** Report from Commerce Committee to "Respected and beloved Brother Hem," 12 August 1977, at ENG 00509699 ["Sent to: Bang Hem - 1 copy, Bang Vorn - 1 copy"]; **E3/1614** Report from Ministry of Commerce to "Respected and beloved Brother Hem," 9 September 1977, at ENG 00519498 ["Having sent to Brother Hem Vorn via K11, a copy of letter to Yugoslav Ambassador is also attached."]; **E3/1615** Report from Commerce Committee to "Respected and Beloved Brother Hem," 28 September 1977, at ENG 00234312 ["Copies to: Brother Hem - one copy, Brother Vorn - one copy"]; **E3/3564** Report from Commerce Committee to "Respected and Beloved Brother Hem," 1 November 1977, at ENG 005797008, KHM 00002970, FR 00541749 ["CC: Brother Hem - 1 copy, Brother Vorn, 1 copy"] [Note error in English translation; "Brother Vorn" has been erroneously translated as "Brother Van"]; **E3/1617** Report from Commerce Committee to "Brother Hem," 22 November 1977, at ENG 00743385 ["Handwritten: Sent to Bang Hem, Vorn"]; **E3/3514** Report from Commerce Committee to "Respected and Beloved Brother Hem," 1 December 1977, at ENG 00634425, [Handwritten: "Already sent to brothers Hem and Vorn"]; **E3/3464** Report from Commerce Committee to "Beloved and Respected Brother Hem," 7 January 1978, at ENG 00574559, KHM 00188510, FR 00548786 ["CC: Brother Hem - 1 copy, Brother Vorn - 1 copy"] [Note error in English translation; "Brother Vorn" has been erroneously translated as "Brother Van"]; **E3/3454** Report from Commerce Committee to "Dear Bang Hem," 15 January 1978 [same record as **E3/2941**], at ENG 00647730 ["Sent to: Bang Hem - 1 copy, Bang Vorn - 1 copy"]; **E3/3455** Report from Commerce Committee to "Beloved and Respected Brother Hem," 24 January 1978, at ENG 00634424 ["Sent to: Brother Hem - 1 copy, Brother Vorn - 1 copy"]; **E3/3460** Reports from Commerce Committee to "The attention of respected and beloved Brother Hem," 4 February 1978 and 25 February 1978, at ENG 00700325, 00700327 ["Distributed to: Brother Hem: 1 copy, Brother Vorn: 1 copy"]; **E3/3457** Report from Commerce Committee "To Bang Hem," 14 February 1978, at ENG 00647732 ["Sent to: Bang Hem - 1 copy, Bang Vorn - 1"]; **E3/3458** Report from Commerce Committee "At the attention of respected and beloved Brother Hem," 19 February 1978, at ENG 00687191 ["CC: Brother Hem: 1 copy, Brother Vorn: 1 copy"]; **E3/3461** Report from Commerce Committee to "To Beloved and Respectable Brother Hem," 28 April 1978, at ENG 00711450 ["Distribution to: Brother Hem - 1 Copy, Brother Vorn - 1 Copy"]; **E1/121.1** Transcript, 4 September 2012, Norng Sophang, 09.50.05 to 09.52.34.

2443 **E1/56.1** Transcript, Kaing Guek Eav *alias* Duch, 29 March 2012, 10.20.05 to 10.24.47 ["According to my recollection, it was on the 2nd of November...1978."], 10.24.47 to 10.30.25 ["Did Khieu Samphan witness the arrest of Vorn Vet in November 1978?...A. It is -- it is indeed true about the fact that Ke Pauk told me about the meeting."]; See also **E3/356** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00398235 ["[A]fter a Central Committee meeting, POL Pot had asked the participants to stay and watch a film projection...in attendance...I suppose that the sole survivors are Nuon Chea, Ieng Sary and Khieu Samphan"]; **E3/451** Kaing Guek Eav *alias* Duch OCIJ Statement, at ENG 00204342, 00204356; **E3/108** Khieu Samphan Interview, 9 - 11 June 2006, at ENG 00000929 ["He was arrested because he also one of the Vietminh bodies hidden in the Communist Party of Kampuchea."]; **E1/80.1** Transcript, Sar Kimlomouth, 4 June 2012, 09.58.19 to 10.07.34; **E3/439** Sar Kimlomouth OCIJ Statement, at ENG 00425916 [A59 - A61]; **E1/90.1** Transcript, 21 June 2012, Khiev Neou, 11.14.08 to 11.20.00, 13.35.19 to 13.45.50.

2444 **E3/828** Meeting Minutes entitled "Negotiation between Democratic Kampuchea's commercial delegation and People's Republic of China's International Trade Delegation", 3 December 1978 [same record as **E3/829** and **E3/1643**], at ENG 00756522 ["Brother Vann - 1 copy; Brother Hem - 1 copy.. "].

2445 **E1/80.1** Transcript, 4 June 2012, Sar Kimlomouth, 09.41.57 to 09.51.27 [Referring to **E3/1627**, **E3/500**].

2446 **E3/3511** Report on Paddy and Rice Between 1 and 7 March 1977, at ENG 00742408 ["Send a copy to Brother Hem today. Signature. 10/3"]; **E3/2059** Table of Import and Export Statistics from January to September 1978, at ENG 00583647 ["A copy was sent to brother Hem. Signature 4/11"]; **E3/3533** Report from Ministry of Commerce entitled "Statistics of merchandise exported to the Chinese market from January to November 1978," 30 November 1978, at ENG 00770005 ["Already sent to Brother Hem via envelope no. 145 HK78. Signed 11/2."].

2447 **E3/2508** Ledger entitled "Expenditure of 140 Million Yuan Credit as of 15 August 1977," 15 August 1977 [same record as **E3/325**], at ENG 00748389 ["Already sent to Bang Hem Vorn, Ka 51 17/8"]; **E3/2507** Ledger entitled "Using the credit line of 140 million Yuans up to 31 October 1977," 31 October 1977 [same record as **E3/327**], at ENG 00701431 ["Already sent to brothers Hem Vorn. Signed Rit 1/11"]; **E3/2503** Ledger entitled "Credit Expenditure of 140 Million Yuans as of 31 December 1977," 4 January 1978; [same record as **E3/329**], at ENG 00748377 ["Sent to Bang Hem Vorn [handwritten

signature] 6/1/78”]; **E3/2527** Ledger entitled “Using the credit line of 140 million Yuans up to 20 January 1978,” 22 January 1978 [same record as **E3/330** and **E3/331**], at ENG 00701436 [“Already sent to brothers Hem + Vorn. Signed Rit 25/1/78”]; **E3/2505** Ledger entitled “Credit Expenditure of 140 Million Yuans as of 31 January 1978,” 2 February 1978 [same record as **E3/332**, **E3/333**, **E3/1626** and **E3/1627**], at ENG 00699124 [“Sent to Bang Hem, Vorn [signature] 4/2”]; **E3/2529** Ledger entitled “Using the credit line of 140 million Yuans up to 15 February 1978” 17 February 1978 [same record as **E3/335**, **E3/336**, **E3/2504** and **E3/2530**], at ENG 00710301, KHM 00278339 [“Already sent to brothers Hem, Vorn. Signed Rit 19/2”]; **E3/1629** Ledger entitled “Credit Expenditure of 140 Million Yuans as of 28 February 1978,” 3 March 1978 [same record as **E3/337**, **E3/338**, **E3/1630** and **E3/2502**]; at ENG00699141 [“Sent to Bang Hem, Vorn [signature] 4/3”]; **E3/3565** Financial summary entitled “The balance statement of the commercial transaction ‘Kampuchea-China’ up to 15 March 1978,” 16 March 1978 [“Already sent to brothers Hem and Vorn Signed 18/3”]; **E3/2509** Ledger entitled “Credit Expenditure of 140 Million Yuans as of 31 March 1978,” 3 April 1978 [same record as **E3/305**, **E3/306**, **E3/2528**], at ENG 00748395 [“Sent 2 copies to Bang Hem [signature] 4/4”]; **E3/1631** Ledger entitled “Using the credit line of 140 million Yuans up to 15 April 1978,” 21 April 1978 [same record as **E3/307**, **E3/308** and **E3/2383**], at ENG 00742764 [“Already sent to brothers Hem and Vorn. Signed 23/4”]; **E3/2511** Ledger entitled “Credit Expenditure of 140 Million Yuans as of 30 April 1978,” 3 May 1978 [same record as **E3/309**, **E3/310**, **E3/1632** and **E3/2078**], at ENG 00748397, [“Sent to Bang Hem, Vorn [signature] 4/5”]; **E3/2510** Ledger entitled “Using the credit line of 140 million Yuans up to 15 May 1978,” 21 May 1978 [same record as **E3/311** and **E3/312**] [“Already sent to brothers Hem + Vorn. Signed Rit 22/5”]; **E3/2512** Ledger entitled “Using the credit line of 140 million Yuans up to 15 June 1978,” 18 June 1978[same record as **E3/313** and **E3/314**] [“Already sent to brothers Hem + Vorn. Signed Rit 19/6”]; **E3/3566** Financial summary entitled “The balance statement of the commercial transaction ‘Kampuchea-China’ up to 30 June 1978,” 3 July 1978 [“Already sent to brothers Hem and Vorn Signed 4/7”]; **E3/3524** Financial summary entitled “Materials Under Contract with China 1/6/78 to 30/6/78,” at ENG 00640230 [“Sent to Bang Hem, Vorn [handwritten signature] 17/7”]; **E3/3567** Financial summary entitled “The balance statement of the commercial transaction ‘Kampuchea-China’ up to 15 July 1978,” 18 July 1978 [“Already sent to brothers Hem and Vorn Signed 18/7”]; **E3/1633** Ledger entitled “Using the credit line of 140 million Yuans up to 31 July 1978,” 2 August 1978 [same record as **E3/316**] [“Already sent to brothers Hem + Vorn. Signed Rit 3/8”]; **E3/2506** Ledger entitled “Credit Expenditure of 140 Million Yuans as of 31 August 1978,” 2 September 1978 [same record as **E3/317** and **E3/326**], at ENG 00748381 [“Sent to Bang Hem, Vorn [signature] 2/4”]; **E3/2515** Ledger entitled “Credit Expenditure of 140 Million Yuans as of 15 October 1978,” 20 October 1978 [same record as **E3/318**, **E3/500** and **E3/1628**], at ENG 00748403 [“Sent to Bang Vorn + Hem, [signature] 21/10”]; **E3/2514** Ledger entitled “Credit Expenditure of 140 Million Yuans as of 31 October 1978,” 4 November 1978 [same record as **E3/319**, **E3/320**, **E3/1634** and **E3/2513**], at ENG 00748460 [“Sent to two copies Bang Hem [signature] 4/4”].

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E3/3413 List of goods imported from China by Sieng San ship, 20 May 1977; **E3/3517** Cover page of a communication concerning merchandise from China by An Yi Shipment arriving in Kampong Som Port, 21 March 1978, at ENG 00700321 [“Already sent to Brothers Hem and Vorn and Comrade Roeun. Signed, 25/5.”]; **E3/3518** List entitled “Goods from China through Ly Minch Ship Arriving at Kampong SomSom Port on 10 May 1978,” 11 May 1978, at ENG 00687195 [“A copy has been sent to Brothers Hem, Vorn, Comrades Roeun and Hok. Signed 13/5.”]; **E3/3519** List entitled “Merchandise from China by Kien Taing Chieng Shipment Arrived at Kampong Som Port on 20 May 1978,” 20 May 1978, at ENG 00642096 [“Sent to Bang Hem, Vorn, Comrade Roeung [handwritten signature] 23/5”]; **E3/3520** List entitled “Merchandise from China by Nan Kuo Shipment Arrived at Kampong Som Port on 26 May 1978,” 26 May 1978, at ENG 00748407 [“Sent to Bang Hem, Vorn and Comrade Roeung... [handwritten signature] 6/3”]; **E3/3521** List entitled “Merchandise from China - Cheang Yin Shipment Arrived at Kampong Som Port on 13 June 1978,” 13 June 1978, at ENG 00640224 [“Sent to Bang Hem, Vorn, Comrade Roeung, Hok (engine oil) [handwritten signature] 18/6”]; **E3/3522** List entitled “Merchandise from China: Sin Tou Shipment Arrived at Kampong Som Port on 30 June 1978,” 3 July 1978, at ENG 00642100 [“Sent to Bang Hem, Vorn, Comrade Roeung [handwritten signature] 4/7”]; **E3/3523** List entitled “Merchandise from China: Hong Sousan Shipment arrived at Kampong Som Port on 10 July 1978,” 13 July 1978, at ENG 00640305 [“Sent to Bang Hem, Vorn Comrade Roeung... [handwritten signature] 14/7”]; **E3/3525** List entitled “Merchandise from China: Ta Chin Cheang Shipment Arrived at Kampong Som Port on 10 August 1978,” 13 August 1978, at ENG 00640319 [“Sent to Bang Hem + Vorn, Comrade Roeung [handwritten signature] 14/8”]; **E3/3526** List entitled “Merchandise from China by Feng Chin Shipment Arrived at Kampong Som Port on 11/8/1978,” 14 August 1978, at ENG 00632165 [“Sent to Bang Hem, Vorn, Comrade Roeung...[handwritten signature] 15/8”]; **E3/3527** List entitled “Merchandise from China: Yong Khang Shipment Arrived at Kampong Som Port on 18 August

1978,” at ENG 00642103 [“Sent to Bang Hem, Vorn, Comrade Roeung... [handwritten signature] 22/8”]; **E3/3528** List entitled “Merchandise from China: Sin Chhang Shipment Arrived at Kampong Som Port on 25 August 1978,” at ENG 00640332 [“Sent to Bang Hem + Vorn, Comrade Roeung... [handwritten signature] 28/8”]; **E3/3529** List entitled “Merchandise from China by Song Lin shipment Arrived at Kampong Som Port on 11 September 1978,” at ENG 00632178 [“Sent to Bang Vorn, Hem and Comrade Roeung [handwritten signature] 14/9”]; **E190.1.7** Cover page of a communication entitled “Material contracted with Comrade China,” June, August to October 1978 [“Already sent to brothers Hem + Vorn Signed 17/7...Signed 13/9...Signed 17/10...Signed 4/11...Signed 13/9”]; **E3/3530** Cover page of a communication concerning merchandise from China by Le Tou Shipment arriving in Kampong Som Port, 10 November 1978 [“Already sent to Brother Hem And comrade Roeung, Rit, 14/11”]; **E3/3532** List entitled “Merchandise from China: Ta Seu Chheav Shipment Arrived at Kampong Som Port on 21 November 1978,” at ENG 00642105 [“Sent to Bang Hem, Vorn, Comrade Roeung... [handwritten signature] 26/11”]; **E190.1.8** List entitled “Goods shipped from China by Tea Ling Arriving at Kampong Som Port on 23 November 1978,” 26 November 1978, at ENG 00768909 [“Submitted to Brother Hem and Vorn. (1) Comrade Roeung... [Signature] 28 November”]; **E3/3534** List entitled “Merchandise from China: Vou Si Shipment Arrived at Kampong Som Port on 29 December 1978,” at ENG 00642111 [“Sent to Bang Hem, - Comrade Roeung [handwritten signature] 1/1/78”].

2449 **E3/1056** Letter from the Commerce Committee to Comrade Sokh, 22 July 1977 [same record as **E3/323**], at ENG 00574319 [“Send to bang Hem to check before sending it to Hong Kong”]; **E3/324** Letter from the Commerce Committee entitled “To beloved Comrade Sokh - Regarding the arrangement for the payment for Kapok and Frangipani,” 31 July 1977 [“CC: Brother Hem, The Kampuchea Bank ‘for information’”]; **E3/328** Telegram from FORTRA to Ren Fung entitled “To Sok regarding Purchase of Tractor Parts and Sale of Goods,” 28 December 1977 [Handwritten annotation on original Khmer document states “A copy has already been submitted to Bang Hem, [Signature], 29 December” - see KHM 00069090, FR 00769812]; **E3/334** Telegram from the Commerce Committee to Comrade Sokh, 3 February 1978 [same record as **E3/1055**], at ENG 00647721 [“Sent to Bang Hem for comments before sending to Hong Kong”]; **E3/339** Letter from the Commerce Committee to Comrade Sokh, 3 March 1978, at ENG 00647726 [“Sent to Bang Hem at 9:30 p.m., [handwritten signature], 3/3”]; **E3/2525** Letter from FORTRA to Ren Fung, 9 June 1978, at ENG 00709504 [“[A] copy was made to Brother Hem. Signature, 9 June”]; **E3/1619** Letter from FORTRA to Ren Fung, 7 July 1978 [same record as **E3/1620**, **E3/1735** and **E3/2517**], at ENG 00350169 [“Already sent to Brother Hem. An original copy to HK: Copied letter - Sample of two sets of boxes [signature] 7/7”]; **E3/2524** Letter from FORTRA to Ren Fung, 3 August 1978 [“To Brother Hem, Original to Hong Kong, Copy to Brother in person, Signature, 3/8”]; **E3/2522** Letter from FORTRA to Ren Fung, 11 August 1978; **E3/2523** Letter from FORTRA to Ren Fung, 17 August 1978, at ENG 00742286 [“Already sent to Brother Hem. Signature. 11/8”]; **E3/2521** Letter from FORTRA to Ren Fung, 23 November 1978 [“A copy has been made to Brother Hem. Signature. 24/11”]; **E3/1779** Letter from FORTRA to Ren Fung, 1 December 1978 [same record as **E3/1771**] [“Original sent to Brother Hem”]; **E3/2520** Letter from FORTRA to Ren Fung, 7 December 1978 [“One copy was sent to Brother Hem, [Signed], Rit, 8/12”].

2450 **E3/3516** Report entitled “List of purchase requests not yet made by different ministries in 1978,” 24 February 1978,” at ENG 00642055 [“Sent to Bang Hem + Vorn, and then...Yan worked on this issue on 9/3/78 (in the morning)”].

2451 **E190.1.5** Price list sent from Chinese company to Khmer Foreign Trading company (FORTRA), 1 March 1977, at ENG 00766877 [“Already sent to Brother Hem for comments. Signature 6-3.”]; **E3/1640** Letter to the Embassy of the Socialist Federal Republic of Yugoslavia, 15 July 1978 [same record as **E3/3418**], at ENG 00767226 [“Submitted personally to Brother Hem, [Signature], 16 July”]; **E3/1635** Letter from Commerce Committee, 8 November 1978 [same record as **E3/1636**] [“Already sent to Brother Hem, Signature, 8 November”]; **E3/1637** Comment on the request to purchase tractor spare parts from Yugoslavia, 12 November 1978, at ENG 00711512 [“Already sent to Brother Hem”]; **E3/1638** Report on the request for the purchase of spare parts for Yugoslavian Tractors, 26 November 1978 [same record as **E3/2516**], at ENG 00711344 [“Has been sent to Brother Hem through No. 104+116-You/78. Signature. 17 November.”]; **E3/3531** Communication concerning merchandise from China by Pi-Hua Shipment, 26 November 1978, at ENG 00632180 [“Sent to Bang Hem, Vorn, and Comrade Roeung [handwritten signature] 23/11”], 00632181 [“Sent to Bang Hem and Vorn... [handwritten signature] 26/11”]; **E3/828** Meeting Minutes entitled “Negotiation between Democratic Kampuchea’s commercial delegation and People’s Republic of China’s International Trade Delegation”, 3 December 1978 [same record as **E3/829** and **E3/1643**], at ENG 00756522 [“Sent to: Brother Vann - 1 copy, Brother Hem - 1 copy”]; **E3/340** Purchase Order entitled “Equipments: Material that Yugoslavia offered to sell” [same record as **E3/341**] [“Already sent to brothers Vorn + Hem. [Signed] 11/6”].

- 2452 **E3/1056** Letter from the Commerce Committee to Comrade Sokh, 22 July 1977 [same record as **E3/323**], at ENG 00574319 [“Send to bang Hem to check before sending it to Hong Kong”]; **E3/334** Telegram from the Commerce Committee to Comrade Sokh, 3 February 1978 [same record as **E3/1055**], at ENG 00647721 [“Sent to Bang Hem for comments before sending to Hong Kong”]; see also **E190.1.5** Price list sent from Chinese company to Khmer Foreign Trading company (FORTRA), 1 March 1977, at ENG 00766877 [“Already sent to Brother Hem for comments. Signature 6-3.”]; See also **E190.1.5** Price list sent from Chinese company to Khmer Foreign Trading company (FORTRA), 1 March 1977, at ENG 00766877.
- 2453 **E3/1640** Letter to the Embassy of the Socialist Federal Republic of Yugoslavia, 15 July 1978 [same record as **E3/3418**], at ENG 00767226 [“Submitted personally to Brother Hem, [Signature], 16 July”]; **E3/2524** Letter from FORTRA to Ren Fung, 3 August 1978 [“To Brother Hem, Original to Hong Kong, Copy to Brother in person, Signature, 3/8”].
- 2454 **E1/184.1** Transcript, 25 April 2013, Ruos Suy, 10.36.03 to 10.38.18 [“Q. Do you recall a time when Mr. Khieu Samphan came to visit your warehouse? A. Of course I used to see him visit the warehouse.”].
- 2455 **E3/3237** Analytical Report by Henri Locard entitled “Democratic Kampuchea Prison Network in West Region: Pachoem,” May 2007, at ENG 00087336 to [“Pheng Hok pilot at Kg. Som: ‘One day, there was a visit of Pol Pot, Ieng Sary, Khieu Samphan and the Minister of Agriculture...in 1976...on the occasion of the visit of the Chinese Minister of Agriculture.’”].
- 2456 **E1/184.1** Transcript, 25 April 2013, Ruos Suy, 13.53.16 to 13.55.30 [“I can assure you that [Khieu Samphan] came to do the inspection at the warehouses.”]; **E1/206.1** Transcript, 12 June 2013, Sim Hao, 14.29.48 to 14.34.21.
- 2457 **E1/184.1** Transcript, 25 April 2013, Ruos Suy, 10.34.07 - 10.36.03, 11.08.08 - 11.11.45 [“It happened, when subordinates at the warehouses had to be called to attend sessions, when he would chair.”], 11.18.00.
- 2458 **E1/206.1** Transcript, 12 June 2013, Sim Hao, 14.34.21 to 14.36.57, 13.54.18 to 13.56.17; also **E1/184.1** Transcript, 25 April 2013, Ruos Suy, 11.18.00 to 11.20.27, 15.32.08 to 15.36.27.
- 2459 **E1/206.1** Transcript, 12 June 2013, Sim Hao, 14.34.21 to 14.36.57, 15.10.30 to 15.12.39; **E1/207.2** Transcript, 13 June 2013, Sim Hao, 14.10.35 to 14.14.21.
- 2460 **E1/153.1** Transcript, 13 December 2012, Phan Van, 15.49.46 to 15.52.18 [“Q. [D]id Sector 105 send rice to the Party Centre? A...twice per year. Q. Were there problems of malnutrition or famine...within Sector 105? A. Yes. Q. Despite that, rice was sent to Phnom Penh...? A. Yes.”]; **E3/3511** Report on Paddy and Rice Between 1 and 7 March 1977; **E3/2059** Table of Import and Export Statistics from January to September 1978, at ENG 00583647 [“Rice and husked rice - Total: 29,758.145[tons]; Soy beans - 358.210[tons]; Fishery products (fish) - 32.959 (tons)”]; **E3/1640** Letter to the Embassy of the Socialist Federal Republic of Yugoslavia, 15 July 1978 [same record as **E3/3418**], at ENG 00767227 [“Husked ‘white’ rice Number 1 with broken grains of 15 per cent - 5,000 Tonnes, Peanuts - 65 Tonnes, Coffee beans (Robusta variety) Number 1 - 3.240 Tonnes...Black pepper Number 1 - 35.125 Tonnes”], 00767227 [“[I]n 1977, we arranged 5,000 tonnes of husked rice Number 1 with 15 per cent broken grains, 200 tonnes of coffee, 45 tonnes of pepper and 40 tonnes of peanuts and transported them to Kampong Som Port...”]; See also **E3/2043** Ministry of Commerce Table entitled “Report on Export of Produce to Madagascar by Hang Chov ship on 10 May 1977,” 11 June 1977 [“35 percent of produce is rice...Amount - 52500 sacks; Weight - 5250 tons”]; See telegrams referred to in *Khieu Samphan’s Responsibilities Within Political Office* 870 Section.
- 2461 **E1/92.1** Transcript, 19 July 2012, David Chandler, 13.43.00 [“Insofar as the ‘3 ton per hectare’ slogan continued to be used, did it have any effect on the implementation of policies...? A....It frightened the people who...had to produce these - these targets”], 13.44.28 [But there’s quite a lot of evidence that, in order to get even close to the targets, they cut back on the amounts of rice...feeding the population...ironic that several hundred thousand tons of rice were exported...target.”]; **E1/149.1** Transcript, 6 December 2012, Dr Hun Chhunly, 15.46.08 to 15.48.33 [“The villagers and myself saw trucks coming to transport rice...they said that the warehouse was running out...And that is my personal experience...seeing trucks...take away the rice from the commune warehouse.”]; **E3/3351** Hun Chhunly, *The Life of a Physician Under the Khmer Rouge Regime*, at ENG 00369727, KHM 00678822 [“[In] 1976, the Khmer Rouge turned the villages into cooperatives...The Khmer Rouge pretended...rice was going to run out...people saw trucks transporting out regularly (sic) rice from the warehouse.”].
- 2462 **E3/4623** Sim Hao Statement, at ENG 00679709-10, **E3/4594** Ruos Suy Statement, at ENG 00710558, 00710570; **E3/4624** TCW-696 Statement, at ENG 00699089.
- 2463 **E3/2005** S-21 Prisoner List entitled “Names of Persons Arrested from [Ministry of] Commerce;” **E3/2090** S-21 Prisoner List entitled “Name List of Prisoners of Commerce Section;” **E3/835** S-21 Prisoner List entitled “Ministry of Commerce,” 1977; See also **E3/836** S-21 Report entitled “List of

Hidden Forces at State Commerce, Kampong Som,” 24 August 1976, at 00796633-35; **E3/837** S-21 Report entitled “Phnom Penh Commerce Section,” 15 September 1976; **E3/5224** [REDACTED] OCII Statement, at ENG 00239073-75; **E3/5223** [REDACTED] OCII Statement, at ENG 00239008-09.

2464 **E3/5647** [REDACTED] Statement, at ENG 00640147, 00640174; See also **E3/4624** TCW-696 Statement, at ENG 00699099.

2465 **E3/962** Ministry of Commerce Decision Sending Staff for Interrogation, 17 October 1976 at ENG 00333254 [“Committee of the Ministry of Commerce After Asking for Opinions from the Sections in the Ministry Decides To arrest and send the following persons to security to interrogate for information”]; **E3/174** Ministry of Commerce Decision Sending Staff to Re-education, 17 October 1976, at ENG 00548780 [“After consulting with all the sections, Committee of the Ministry of Commerce Decides to: Send the people with the following names to the re-education centre of the security”].

2466 **E3/846** Commerce Committee Ten Day Periodic Report, 24 October 1976, at ENG 00234230 [“Inside the unit: Those formerly close to bad groups...The Ministry has taken the additional measure of withdrawing them to the Reeducation Office as listed in the report to Angkar dated 21-10”], 00234231 [“Shortfalls...Falling into pacifism, into enemy plots, like being liberal, eating and drinking, having fun, taking photos novels, accommodating bad groups.”].

2467 **E3/153** Ministry of Commerce Meeting Minutes entitled “Comments on the Report of the Ministry Meeting of 25-26 July,” at ENG 00640202 [“Comrade Nhem”], 00640204 [“Uncle Hong”], 00640205 [Hong: “The Party line is targeted at eliminating residuals of oppressive class ideology...If they still exist... fulfillment of Party obligations is impossible. But if they were rooted out, we can leap forward.”]; See also **E3/1110** Ministry of Commerce Report entitled “Report on the Meeting of the Commerce Ministry 25 - 26 July 1976,” at ENG 00583829 [“1. Enemy Situation: Some activities of the bad elements have been calmed...2. Our Actions: Actions are taken against indisciplined people who cannot be improved...screening...will be strengthened.”].

2468 **E3/235** CPK Standing Committee Meeting Minutes entitled “Summary of the Decisions of the Standing Committee in the Meeting of 19-20-21 April 1976,” 21 April 1976, at ENG 00183416, KHM 0019142 [same record as **E3/326**]; **E3/153** Ministry of Commerce Meeting Minutes entitled “Comments to the report on the Ministry Conference, 25 - 26 July 1976”, 25 - 26 July 1976, at ENG 00742386’ See also **E3/2041** Report from Commerce Committee to “Respected and Beloved Brother Hem,” 1 November 1976, at ENG 00334994 [“During his visit to Korea, Comrade Nhem promised the Korean Ministry of Economy and Ministry of Foreign Affairs that they will be informed of our decision.”].

2469 **E3/5688** TCW-781 Statement, at ENG 00662041; **E3/5223** [REDACTED] OCII Statement, at ENG 00239008.

2470 **E3/5647** [REDACTED] Statement, at ENG 00640143, 00640173.

2471 **E3/2040** Report from Commerce Committee to “Respected and Beloved Brother Hem,” 29 October 1976, at ENG 00332554 [“Our side: Comrade Hong, Comrade Pol, and Comrade Hun”]; **E3/2042** Report from Commerce Committee to “Respected and Beloved Brother Hem,” 4 November 1976, at ENG 00323940 [“Our side: Comrade Hong, Comrade Sou, Comrade Hun”]; **E3/304** Report from Commerce Committee to “Respected and Beloved Brother Hem,” 9 November 1976, at ENG 00323002 [“Our side included Comrades Hong, Sou, and Hun”]; **E3/173** Report from Commerce Committee to “Beloved and Respected Brother Hem,” 14 March 1977, at ENG 00548797 [“Cambodian side: Comrades Hong and Van”]; **E3/2940** Report from Commerce Committee to “Respected and Beloved Brother Hem,” 16 March 1977, at ENG 00548761 [“Participants on Cambodian side: Comrade Hong and Comrade Vann”].

2472 **E3/4594** Ruos Suy Statement, at ENG 00710558; **E3/5647** [REDACTED] Statement, at ENG 00640146, 00640174; **E3/4624** TCW-696 Statement, at ENG 00699091.

2473 **E1/206.1** Transcript, 12 June 2013, Sim Hao, 13.53.43 to 13.57.42; see also **E3/363** Sim Hao OCII Statement, at ENG 00239067-68.

2474 **E1/184.1** Transcript, 25 April 2013, Ruos Suy, 14.15.50 to 14.18.22, 15.54.55 to 15.57.05; **E3/4594** Ruos Suy Statement, at ENG 00710559, 00710565.

2475 **E3/4594** Ruos Suy Statement, at ENG 00710565; See also **E1/184.1** Transcript, 25 April 2013, Ruos Suy, 14.16.40 to 14.18.22, 15.54.55 to 15.57.05.

2476 **E1/206.1** Transcript, 12 June 2013, Sim Hao, 15.56.19 to 15.58.46; **E3/5647** [REDACTED] Statement, at ENG 00640146; **E3/4623** Sim Hao Statement, at ENG 00679716.

2477 **E1/206.1** Transcript, 12 June 2013, Sim Hao, 14.11.06 to 14.14.25; **E3/472** Sim Hao OCII Statement, at ENG 00205031; **E3/472** Sim Hao OCII Statement, at ENG 00205031; **E3/4624** [REDACTED] Statement, at ENG 00699099-00699100.

2478 **E3/437** TCW-781 OCII Statement, at ENG 00375485; See also **E3/5688** TCW-781 Statement, at ENG 00662046; **E3/5647** [REDACTED] Statement, at ENG 00640146.

2479 **E1/206.1** Transcript, 12 June 2013, Sim Hao, 14.11.06 to 14.14.25; **E1/207.2** Transcript, 13 June 2013, Sim Hao, 13.38.58 to 13.41.30; **E3/472** Sim Hao OCIJ Statement, at ENG 00205031; **E3/5647** [REDACTED] Statement, at ENG 00640160, 00640175.

2480 **E3/4594** Ruos Suy Statement, at ENG 00710518, 00710530, 00710551, 00710558, 00710566-67, 00710569-70, 00710573; Bit Na Statement .

2481 **E3/5647** [REDACTED] Statement, at ENG 00640144, 00640146, 00640149; **E3/472** Sim Hao OCIJ Statement, at ENG 00205031.

2482 **E1/184.1** Transcript, 25 April 2013, Ruos Suy, 15.16.15 to 15.17.55; **E3/4594** Ruos Suy Statement, at ENG 00710558-59, 00710564-65; **E1/206.1** Transcript, 12 June 2013, Sim Hao, 14.06.49 to 14.08.34, 15.54.44 to 15.58.46; **E3/472** Sim Hao OCIJ Statement, at ENG 00205031; **E3/4623** Sim Hao Statement, at ENG 0067914, 00679716; **E3/4624** TCW-696 Statement, at ENG 00699091; See also **E1/80.1** Transcript, Sar Kimlomouth, 4 June 2012, 11.10.40 to 11.14.21.

2483 **E1/206.1** Transcript, 12 June 2013, Sim Hao, 13.57.42 to 14.06.49; **E3/363** Sim Hao OCIJ Statement at ENG 00239068; **E3/472** Sim Hao OCIJ Statement, at ENG 00205031; See also **E3/4624** TCW-696 Statement at ENG 00699089; **E3/5223** [REDACTED] OCIJ Statement, at 00239008.

2484 **E1/206.1** Transcript, 12 June 2013, Sim Hao, 14.08.34 to 14.11.06.

2485 **E3/4594** Ruos Suy Statement, at ENG 00710534.

2486 **E3/342** Revised S-21 Prisoner List, entry number 10,781 [“Tit Son alias Nhem, Deputy Chief of State Commerce Committee”]; **E3/1929** S-21 Prisoner List entitled “State Commerce” [same record as **E3/2086** and **E3/2087**]; **E1/206.1** Transcript, 12 June 2013, Sim Hao, 14.11.06 to 14.13.20; **E3/5223** [REDACTED] OCIJ Statement, at ENG 00239008.

2487 **E3/5647** [REDACTED] Statement, at ENG 00640175; **E3/1833** S-21 Confession of Confession of Tong Hai *alias* Nget You *alias* Hong, State Commerce, 5 April 1978; See also **E3/458** [REDACTED] OCIJ Statement, at ENG 00231698.

2488 **E3/235** CPK Standing Committee Meeting Minutes entitled “Summary of the Decisions of the Standing Committee in the Meeting of 19-20-21 April 1976”, 21 April 1976, at ENG 00183416, KHM 0019142 [same record as **E3/326**]; **E3/1929** S-21 Prisoner List entitled “State Commerce” [same record as **E3/2086** and **E3/2087**].

2489 See also **E3/1929** S-21 Prisoner List entitled “State Commerce” [“1. KoyThuon, 2. Doeun, 3. Nhem, 4. Chhoeun”] [same record as **E3/2086** and **E3/2087**].

2490 **E3/1623** Letter from Commerce Committee to Krin and Nath, 10 December 1978.

2491 **E3/1902** Letter from Krin to Angkar, 9 October 1978 [“After having received a response from lawyers that they cannot assist in transferring the names between Comrade Sokh and myself...As for the invested monies/shares of Comrade Nath...country.”] [same record as **E3/1903**]; **E3/1904** Letter from Krin to Angkar, 18 October 1978 [same record as **E3/2518**]; **E3/1907** Letter from Commerce Committee to Krin and Nat, 27 October 1978 [“We received information from Angkar about the report of comrades with regard to transferring...between comrade Krin and comrade Sok and the transfer of shares from comrade Nat to another comrade.”]; **E1/79.1** Transcript, 31 May 2012, Sar Kimlomouth, 15.42.18 to 15.48.15.

2492 **E3/5223** [REDACTED] OCIJ Statement, at ENG 00239008.

2493 **E3/1532** S-21 Prisoner Sheet of Ing Sok (date of arrest 29 December 1978); **E3/1533** S-21 Prisoner Sheet of Phal Va *alias* Nat (date of arrest 30 December 1978); **E1/79.1** Transcript, 31 May 2012, Sar Kimlomouth, 15.52.04 to 25 15.56.54.

2494 **E3/1635** Letter from Commerce Committee, 8 November 1978 [same record as **E3/1636**] [Annotation: “Already sent to Brother Hem”]; **E3/2521** Letter from FORTRA to Ren Fung, 23 November 1978 [Annotation: “A copy has been made to Brother Hem”]; **E3/1779** Letter from FORTRA to Ren Fung, 1 December 1978 [same record as **E3/1771**] [Annotation: “Original sent to Brother Hem”]; **E3/2520** Letter from FORTRA to Ren Fung, 7 December 1978 [Annotation: “One copy was sent to Brother Hem”].

2495 See, for example, **E3/1106** Telegram from Norodom Sihanouk to Khieu Samphan, 17 May 1975 [“His Excellency Khieu Samphan, Vice Prime Minister And Minister Of National Defence Of Grunk Commander In Chief Of FAPNLK [Peoples' Army For The National Liberation Of Kampuchea]”]; **E3/118** FBIS *Khieu Samphan 21 April Victory Message on Phnom Penh Radio*, at ENG 00166994, KHM 00846160, FR 00845854 [“22 April congratulatory statement by RGNUG Deputy Prime Minister and CPNLAF Commader-in-Chief Khieu Samphan to CPNLAF units and Cambodian people - live or recorded.”]; **E3/118** FBIS, *Special National Congress Retains Sihanouk, Penn Nouth*, 25-27 April 1975, at 00167012 [“A special national congress met from 25 through 27 April 1975 under the chairmanship of Khieu Samphan, RGNUG deputy prime minister, minister of the national defense and CPNLAF commander-in-chief.”]; **E3/1364** FBIS *Sihanouk Keeps Information On Cambodian Situation From Press*, 6 May 1975, at ENG 00167043 [“His office today distributed a message from the Khmer Rouge leader Khieu Samphan, dated May 4, in which Mr Khieu Samphan, deputy premier of...(GRUNC) gave a

'detailed report on the situation in Cambodia.'"], 00167092 *Khieu Samphan Addresses Vietnam Victory Rally in Phnom Penh*; **E3/1365** FBIS *Sihanouk, Penn Nouth Greet Tho, Phat On PRG Anniversary*, 9 June 197, at ENG 00167191-92 ["We, in the name of the Cambodian people...[NUFC, RGNUC], the National Liberation People's Armed Forces of Cambodia with His Excellency Khieu Samphan as its general commander"]; **E3/1366** FBIS *Sihanouk Sends Messages Recognizing New Governments*, 21 July 1975, at ENG 00167316 ["The [RGNUC] with His Excellency Penn Nouth as its prime minister and with His Excellency Khieu Samphan as its deputy prime minister has the pleasure to recognize the Government of..."], 00167317 *Comoro Islands, Sao Tome Principe*; **E3/119** FBIS *Khieu Samphan Wishes Sihanouk Good Health, Success*, 3 August 1975, at 00167354 ["Pyongyang August 3...Sihanouk...letter from Khieu Samphan, commander-in-chief of the [NLPAFC] who is deputy prime minister of the [RGNUC] and minister of national defence"], *Deputy Premier Khieu Samphan Grants Interview to AKI*, 13 August 1975, at ENG 00167385 ["[Text of interview with Khieu Samphan, RGNUC deputy prime minister and CPNLAF commander-in-chief, granted on 12 August to the CAMBODIAN INFORMATION AGENCY--read by announcer]"].

2496 **E3/182** CPK Standing Committee Minutes entitled "Meeting of the Standing Committee," 9 October 1975, at ERN 00183393 ["4. Comrade Hem: Responsible for the Front and the Royal Government, and Commerce for accounting and pricing"]; **E3/18** Khieu Samphan, *Cambodia's Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103755-56, 00103800 ["My other responsibilities were to maintain contact with their Highnesses, Prince Norodom Sihanouk and Princess Norodom Monineath Sihanouk, who lived in the Royal Palace."].

2497 **E3/3169** Stephen Heder, Working Papers on Pol Pot and Khieu Samphan, at ERN 00002755 ["Khieu Samphan's responsibility for GRUNK and FUNK turned out to mean that he helped to preside over their destruction... implicate him in the eventual execution of many...members of them."], see also 00002757-59; **E3/227** CPK Standing Committee Minutes, 2 November 1975, at ENG 00183409, KHM 00019127, FR 00290861 ["I. Those in attendance:...8. Comrade Hem"] and ENG 00183412, KHM 00019132, FR - ["I. Those in attendance: 8. Comrade Hem...Miscellaneous: 2. Phourissara and a number of other elements cannot be guaranteed. We must be really vigilant."].

2498 **E1/92.1** Transcript, 19 July 2012, David Chandler, 14.11.51 ["It was a continuing facade...Khieu Samphan...liaised with him...played the role that he was supposed to play as being liaison...But it's pretty clear, by then, the game was up...the way they wanted to do it."].

2499 **E3/119** FBIS *Khieu Samphan Delegation Leaves for PRC*, 15 August 1975, at ENG 00167400; **E3/3724** International Media Report entitled "Premier Chou Meets Khieu Samphan and Le Thanh Nghi," 16 August 1975; **E3/619** US State Department Telegram entitled "Khieu Samphan Visit to People's Republic of China," 16 August 1975, at ENG 00413733-34, KHM 00635938-40, FR 00644745-46 ["The Cambodian delegation led by Khieu Samphan and Ieng Sary arrived Peking (sic) on August 15, receiving the standard Chinese head of state treatment...Chinese support.]; **E3/3723** International Media Report entitled "Chinese Press Agency Hsinhua reports delegation of Senior Cambodian Communists" (New York Times Abstracts), 16 August 1975.

2500 **E3/119** FBIS *Sihanouk, Samphan, Kim-Il-Song Meeting Described*, 20 August 1975, at ENG 00167402.

2501 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396537-38 ["Mao had asked Khieu Samphan a year earlier, half in jest: 'Do you intend to overthrow these two princes, Sihanouk and Penn Nouth?' On being assured that he did not...not to make manual labour either."]; **E3/88** William Shawcross, *Sideshow Nixon, Kissinger and the Destruction of Cambodia*, at ENG 00430081 ["However, Chou En-lai apparently insisted on it, and Sihanouk agreed, with some trepidation, after Khieu Samphan came to Pyong Yang and promised that he could remain head of state for life."]; **E3/2376** Nayan Chanda, *Brother Enemy: The War after the War*, at ENG 00192227-28 ["[Mao Tse Tung]...told Khieu Samphan and Ieng Thirith, 'Please do not send Prince Sihanouk and his wife to the cooperative.' For Sihanouk, those words were to prove lifesavers."]; **E3/119** FBIS *Sihanouk, Khieu Samphan Agree on Prince's Return*, 20 August 1975, at ENG 00167400; See also **E3/119** FBIS *AFP: Sihanouk Releases Message from Khieu Samphan*, 10 August 1975, at ENG 00167375.

2502 **E3/271** FBIS *Sihanouk Arrives in Phnom Penh*, 9 September 1975, at ENG 00167433-34, *Banquet Held for Sihanouk, Penn Nouth*, 9 September 1975, at ENG 00167438; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396537-38; **E3/88** William Shawcross, *Sideshow*, at ENG 00429926, ERN 00430081; **E3/3023R** Video entitled "Return of Norodom Sihanouk to Phnom Penh after the Khmer Rouge victory in 1975," at 00.02.24 - 00.03.23, 00.04.40 - 00.06.41; See also **E3/271** FBIS *Sihanouk Meets Cabinet, Attends Reception*, 11 September 1975, at ENG 00167446-49; **E3/271** FBIS *Welcome Rally Marks Sihanouk's Return*, 12 September 1975, 00167451-54.

- 2503 **E3/118** FBIS *Kyodo Reports Sihanouk's Remarks to Visitor*, 18 April 1975, at ENG 00166981 ["Khieu Samphan, his deputy premier, will soon issue a statement in Phnom Penh...Sihanouk said he would leave state affairs of the new government to Khieu Samphan and he...international activities."]; **E3/619** US State Department Telegram entitled "Khieu Samphan Visit to People's Republic of China," 16 August 1975, at ENG 00413733-34, KHM 00635938-40, FR 00644745-46 ["At this point, Sihanouk seems to have been squeezed even further out of the picture than he was on Khieu Samphan's previous visit in april 1974...Samphan mentioned him in his speech only... final toast."]; **E1/92.1** Transcript, 19 July 2012, David Chandler, 14.10.28 to 14.12.52 ["As far as your research takes you, Professor...were those bodies active as at post-April 1975?...A. I would say almost none. It was a continuing facade...it's pretty clear, by then, the game was up."]; See also **E3/197** CPK Standing Committee Minutes on The Front, 11 March 1976, at ENG 00182638, KHM 0000745, FR 00334961["II. Opinions of Angkar...reasons which led Sihanouk to resign...The long term reason: Fundamental class conflict between him and his family and the revolution. He cannot live with us. In the past...as a tactic."], ENG 00182639-40, KHM 0000746-47, FR 00334962-63 [Outside the country, he could join with us. But inside the country, he saw that everything was gone, that there was no future at all...He had no work to do, he was lonely...could not tolerate it."].
- 2504 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396538; **E3/272** FBIS *Sihanouk's UN Arrival, National Day Discussed*, 4 October 1975, at ENG 00167489-90.
- 2505 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396539 ["Shortly after his UN speech...Khieu Samphan had responded by sending Sihanouk what the Prince later called a letter 'of rare insolence,' warning...you have nothing to gain and everything to lose."]; See also **E3/272** FBIS *Sihanouk Aide Interviewed on Prince's Prospects*, 17 October 1975, at ENG 00167514-15.
- 2506 **E3/1683** David Chandler, *The Tragedy of Cambodian History*, at ENG 00193344 ["At the end of 1975, he returned to Phnom Penh, accompanied by his wife, Monique...greeted at the airport by Khieu Samphan, Son Sen, and...Penn Nouth."]; **E3/273** FBIS *Sihanouk Completes 3-Day Tour of North*, 21 January 1976, at EG 00167844; See also **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396541 ["Sihanouk was brought face to face with the awfulness of life...during two provincial tours he made that winter in the company of Khieu Samphan...[It] bowled me over,' he wrote later...else had imagined."]; **E3/2376** Nayan Chanda, *Brother Enemy: The War after the War* [same record as **E3/2377**], at ENG 00192413 ["The tour of the provinces with Khieu Samphan ...[Sihanouk] saw gigantic work sites with thousands of men and women...digging... canals...Samphan...bolted out and told the prince, 'Please...go back to the car.'"].
- 2507 **E3/272** FBIS, *Khieu Samphan Report*, 14 December 1975, at ENG 00167811 ["In July 1973...the first national congress was held...constituted the guideline of our constitution."], and ENG 00167811 ["The second national congress was then held in February and stressed our...policies...1) attacking and driving out the U.S. imperialist aggressors...2) condemning and punishing the seven traitors..."].
- 2508 **E3/272** FBIS, *Khieu Samphan Report*, 14 December 1975, at ENG 00167811 ["This resolution of the special national congress...set up a constitutional commission...For your information, the Samdech...also agreed...also fully approved this constitution."]; See also **E3/274** FBIS *Editorial Views 20 March Assembly Elections*, 9 March 1976, at 00167958 ["[T]he propagation of the regulations regarding the election of the [PRA] members...which the constitution commission adopted on 1 July 1975"]; **E3/274** FBIS *Results of National Assembly Elections Announced*, 21 March 1976, at ENG 00167985-89 ["[P]rocedures of the elections [of the PRA] established on 1 July 1975 by the standing committee of the constitution commission of the special national congress."].
- 2509 **E1/92.1** Transcript, 19 July 2012, David Chandler, 14.11.51 to 14.12.52, 14.18.59 to 14.19.57; **E3/231** CPK Standing Committee Minutes on Propaganda," 8 March 1976, at 00528385, KHM 00017124-25, FR 00323930 ["We have already promulgated our constitution...if we didn't make the information public, we would be seen as a dictatorship...We will not broadcast the laws...We will make a few comments on the constitution."];
- 2510 See **E3/118** FBIS, *Special National Congress Retains Sihanouk, Penn Nouth*, 25-27 April 1975, at 00167012-13.
- 2511 **E3/259** Democratic Kampuchea Constitution at ENG 00184834 ["Whereas the entire Kampuchean people...a society in which all...join forces to do manual labour together and increase production for the construction and defence of the country..."].
- 2512 **E3/259** Democratic Kampuchea Constitution at ENG 00184837 ["Article 12...There is absolutely no unemployment in Democratic Kampuchea."].
- 2513 **E3/259** Democratic Kampuchea Constitution at ENG 00184835 ["Article 2: All important general means of production are the collective property of the people's State and the common property of the people's collectives. Property for everyday use remains in private hands."].

- 2514 **E3/259** Democratic Kampuchea Constitution at ENG 00184838, KHM 00089850-51, FR 00012658
[“Article 20...Reactionary religions which are detrimental to Democratic Kampuchea and Kampuchean
2515 people are absolutely forbidden.”].
- E3/99** CPK Publication entitled “Follow-up of implementation of the political line in mobilizing the
National Democratic Front Forces of the Party (Document No. 6),” 22 September 1975, at ENG
00244275 [“In addition, most of the monks, from 90 to 95 percent of them, abandoned their monkhood.
Pagodas...were abandoned...[religious] practice has disappeared...will no longer cause any worry.”];
E3/2818 Ian Harris, *Buddhism Under Pol Pot*, at ENG 00703985-90, 00703994, 00704021-25; **E3/1822**
Ysa Osman, *Oukoubah: Justice for the Cham Muslims under the Democratic Kampuchea Regime*, at
ERN 00078543; **E3/5593** TCW-92 and TCW-223 Statement, at ERN 00419371-72, 00419407;
E1/149.1 Transcript, 6 December 2012, Dr Hun Chhunly, 11.50.20 to 11.55.17.
- 2516 **E3/259** Democratic Kampuchea Constitution at ENG 00184835, KHM 00089845-46, FR S 00012653
[“Article 3: The culture of Democratic Kampuchea...absolutely opposed to the corrupt, reactionary
culture of the various oppressive classes and that of colonialism and imperialism in Kampuchea.”].
- 2517 **E3/259** Democratic Kampuchea Constitution at ENG 00184836, KHM 00089847, FR S 00012654-55
[“Article 10 Actions violating the laws of the people's State are as follows: Dangerous activities in
opposition to the people's State must be condemned to the highest degree.”].
- 2518 **E3/273** FBIS, *Khieu Samphan Report*, 14 December 1975, at ENG 00167813, KHM 00657443, FR
00725798.
- 2519 **E3/273** FBIS, *Khieu Samphan Report*, 14 December 1975, at ENG 00167813, KHM 00657443-44, FR
00725799.
- 2520 **E3/273** FBIS, *Khieu Samphan Report*, 14 December 1975, at ENG 00167815, KHM 00657445, FR
00725780.
- 2521 **E3/273** FBIS, *Khieu Samphan Report*, 14 December 1975, at ENG 00167815, KHM 00657446, FR
00725781 [“[A]ll of us are equal...no rich nor poor classes. Everybody works either in the fields or in the
factories. It is thus evident that total equality exists in our equal, equitable and democratic Cambodian
society.”].
- 2522 **E3/273** FBIS, *Khieu Samphan Report*, 14 December 1975, at ENG 00167817, KHM 00657450, FR
007257802 [“This has been possible because our peasants have become the masters of their own destiny
am the masters of their own land. They work for their own interests as well as for the interests of the
entire country.”].
- 2523 **E3/273** FBIS, *Khieu Samphan Report*, 14 December 1975, at ENG 00167813, KHM 00657443, FR
00725798.
- 2524 **E3/273** FBIS, *Khieu Samphan Report*, 14 December 1975, at ENG 00167816, KHM 00657450, FR
00725802.
- 2525 **E3/273** FBIS, *Khieu Samphan Report*, 14 December 1975, at ENG 00167813, KHM 00657443-44, FR
00725798-99.
- 2526 **E3/273** FBIS, *Khieu Samphan Report*, 14 December 1975, at ENG 00167814, KHM 00657445, FR
00725799.
- 2527 **E3/259** Democratic Kampuchea Constitution at ENG 00184836, KHM 00089847, FR S 00012655.
- 2528 **E1/34.1** Transcript, 26 January 2012, Prak Yut, at 14.09.40 - 14.11.35 [“I was not aware of what the
People's Representatives were...Ta Noy, who told me that I was about to become a people representative,
but I did not, at that time, even know what it meant...I never worked as a representative of the people.”],
at 14.14.15 - 14.15.51 [“Were you ever, at any time, invited to attend a meeting of the People's
Representative Assembly? A. No, I was not.”]; **E3/390** [REDACTED] Statement, at ENG 00436873 [“They
called me to the meeting...they instructed that the Assembly belonged to the Party...So what did we
discuss in that meeting? Nothing. They just read it out and we raised our hands.”], 00436874 [“[I]t was
like when we voted, we just raised our hands in acceptance...Assembly meeting last just two hours...they
announced on the radio that the Assembly had for three days busily discussed...laws...ministers”];
E1/222.1 Transcript, 11 July 2013, Stephen Heder, 15.15.05 to 15.19.55.
- 2529 **E3/232** CPK Standing Committee Minutes of Meeting on Base Work, 8 March 1976, at ENG 00182628,
KHM 0017116, FR 00323932 [“Comrade Hem reported to the base regarding: principles of the election
of 20 March 76...objectives of the election...The method of election...The methods of education and
propaganda, etc.”]; **E1/192.1** Transcript, 9 May 2013, Philip Short, 16.30.56 to 16.34.50 [“We do know
that Khieu Samphan was responsible for elections...know that the elections took place...The elections
themselves were part of ...a facade of respectability which the DK regime created.”]; See also **E3/274**
FBIS *Results of National Assembly Elections Announced*, 22 March 1976, at ENG 00167985 - 89 [“For
the election commission: [signed] Khieu Samphan ...]; See also **E3/231** CPK Standing Committee
Minutes entitled “Minutes of the 8 March 1976 meeting on propaganda,” 8 March 1976, at 00528385

["Participants...Super Comrade Hem...Agenda: Radio broadcast of 20 March 1976 elections;"]; See also **E3/275** FBIS *First People Representative Assembly Convenes*, 13 April 1976, at ENG 00167640 ["Khieu Samphan...inaugural speech...‘Today is a very victorious day...delegates have appeared without exception...from all bases and units regions and sectors...to attend the first session ...of our CPRA in Phnom Penh.’"]].

2530 **E1/34.1** Transcript, 26 January 2012, Prak Yut, at 14.11.35 - 14.14.15 ["I do not know about election. Q. Did you ever observe any people voting in Kampot district, in March 1976 or any time in 1976? A. No, I do not know about that...on the 20th of March 1976...No, I did not vote."]; See **E3/274** FBIS Results of National Assembly Elections Announced, 22 March 1976, at ENG 00167987 ["Representatives of southwestern region peasants: 1) Seng Yut, female;"]; **E3/390** [REDACTED] Statement, at ENG 00436873 ["But the method of my election...they called in the people to vote...it just said Mat Ly...they had the people vote...No one dared strike out my name."]; **E1/222.1** Transcript, 11 July 2013, Stephen Heder, 15.09.27 to 15.15.05; **E3/232** CPK Standing Committee Minutes of Meeting on Base Work, 8 March 1976, ENG 00182629, KHM 00017118, FR 00323933 ["B. The method of carrying out the election...We want to show that we have won, but we are not wild and disorderly, that we act appropriately, both inside and outside the country"]; **E1/92.1** Transcript, 19 July 2012, David Chandler, 14.22.35 ["that's 90 per cent of the eligible voters, and the New People were not allowed to vote...98 per cent of the presumably Base People...it's inconceivable that this number of people could have voted...very inaccurate."], 14.23.28 ["[E]lectorate politics were then abandoned...But the elections themselves, I think you can't give any real credence to them, in my mind."].

2531 **E3/232** CPK Standing Committee Minutes of Meeting on Base Work, 8 March 1976, at ENG 00182630, KHM 00017118, FR 00323933 ["[D]o not let it be seen that we want to suppress...do not speak playfully about the Assembly in front of the people to let them see that we are deceptive, and our Assembly is worthless...remains the task of the Party."]; **E1/92.1** Transcript, 19 July 2012, David Chandler, 14.30.35 ["I mean this is a tremendous DK document...‘don't speak playfully about’...in other words, don't tell the people this whole thing is of a facade and a joke...that makes it, I think, a very typical document from the top."]; **E3/17** David Chandler, *Brother Number One*, at ENG 00393022 ["The party, concealed by the facade of the Revolutionary Organization...Party members who had been assigned new responsibilities took up their work in secret...The complex charade...patronage and control."]; See also **E3/27** Khieu Samphan OCIJ Statement at ENG 00156750, KHM 00156619, FR 00156671-72 ["We can compare this to the parliament and the government in a parliamentary regime...Both the political line and decision making process were all established at the standing committee."].

2532 **E3/12** Decision of the Central Committee Regarding a Number of Matters, at ENG 00182813 ["The true nature of our state organizations at this time is different from before. Previously, the true nature was a Front. Not now. They are the state organizations totally of our Party.], 00182813-14 ["The actual organisation...Assembly...Chairman: Comrade Nuon...The Presidium of the State: Chairman: Comrade Hem...The Government...Must be totally an organization of the Party...Comrade Pol: First Minister"]; See also **E1/92.1** Transcript, 19 July 2012, David Chandler, 14.25.44 ["No, I think that's absolutely in line with what they were doing. This is a - this is a document by the insiders about what they were doing... this is a truth telling document."].

2533 **E3/165** PRA Conference entitled "Document on Conference I of Legislature I of the People's Representative Assembly of Kampuchea," 11-13 April 1976, at ENG 00184066-69, KHM 00053631- 35, FR 00301353-55; **E1/92.1** Transcript, 19 July 2012, David Chandler, 14.40.13 to 14.41.48 ["Professor, what, if any, conclusions can be drawn...A. I would say, clearly, that the appointments were not made as a result of discussions inside the assembly...That's the significance of your two - your two dates"].

2534 **E3/272** FBIS, *Khieu Samphan Report*, 14 December 1975, at ENG 00167814, KHM 00657445, FR 00725800 ["As you can see under chapter VII on justice, the tribunal belongs to the people, working to defend the people's liberties and justice and punishing all activities which run counter to the state and people."].

2535 **E3/1684** David Chandler, *Voices from S-21*, at ENG 00192813 ["[T]he judicial system in Cambodia disappeared. There were no courts, judges, laws, or trials in DK. The 'people's courts' stipulated in Article 9 of the DK Constitution were never established."]; **E3/1822** Ysa Osman, *Oukoubah: Justice for the Cham Muslims under the Democratic Kampuchea Regime*, at ERN 00078543 ["[I]n arresting and punishing people, the Khmer Rouge did not go through the process of obtaining a court decision...[U]nit or base chiefs made arrests...[a]ll policies...Central Committee...Kampuchea"];

2536 **E3/12** Decision of the Central Committee Regarding a Number of Matters, at ENG 00182813; See also **E1/92.1** Transcript, 19 July 2012, David Chandler, 15.36.32 to 15.43.32; **E1/93.1** Transcript, 20 July 2012, David Chandler, 09.20.47 to 09.26.11.

- 2537 **E3/273** FBIS, *Press Communiqué Proclaims New Cambodian Constitution*, 5 January 1976, at ENG 00167802-06.
- 2538 **E3/197** CPK Standing Committee Minutes on The Front, 11 March 1976, at ENG 00182640, KHM 0000746, FR 00334962; **E1/92.1** Transcript, 19 July 2012, David Chandler, 15.23.19 to 15.24.46 ["But having him in the picture was not helpful to them. It looks as if Sihanouk, in his request, there, at the beginning...reported by Khieu Samphan, was terrified of being killed...I guess with justice...him."].
- 2539 **E3/197** CPK Standing Committee Minutes on The Front, 11 March 1976, at ENG 00182641, KHM 0000748, FR 00334962 ["We keep him as a dignitary. We do not kill him."].
- 2540 **E3/197** CPK Standing Committee Minutes on The Front, 11 March 1976, at ENG 00182640, KHM 0000747, FR 00334963 ["If he quits, do not let him leave. If we allowed him to leave, that will mean complications for China...I - Do not let Sihanouk leave [the country]. This is the first measure."]; **E1/92.1** Transcript, 19 July 2012, David Chandler, 15.21.47 ["Well, they simply wanted to get him out of the way...they felt that it was perfectly safe to remove him from any positions of power and lock him up."].
- 2541 **E3/197** CPK Standing Committee Minutes on The Front, 11 March 1976, at ENG 00182641, KHM 0000747, FR 00334963 ["Send a wire for his children to come immediately, explaining that they are coming for the New Year's and the independence celebrations. We want to resolve this problem cleanly...to the benefit of the revolution."].
- 2542 **E3/197** CPK Standing Committee Minutes on The Front, 11 March 1976, at ENG 00182641, KHM 0000748, FR 00334963 ["If he keeps on struggling to free himself, we must end it...The chess game has gotten to that point. The entire feudal regime has been permanently smashed...The kings...be clean."].
- 2543 **E3/2343R** Video entitled "Cambodge 1ère Partie," at 00.43.03 - 00.44.20.
- 2544 **E3/12** Decision of the Central Committee Regarding a Number of Matters, at ENG 00182813; See also **E1/123.1** Transcript, 6 September 2012, Norng Sophang, 09.16.32 to 09.21.08 ["I listened to the Democratic Kampuchea radio broadcast...in 1976...the Assembly...first legislature...and they announced... for the State Presidium, it was Mr. Khieu Samphan who was the president."]; **E3/165** PRA Conference entitled "Document on Conference I of Legislature I of the People's Representative Assembly of Kampuchea," 11 - 13 April 1976, at ENG 00184068, KHM 00053634, FR 00301354.
- 2545 **E3/275** FBIS *Sihanouk's Statement Requesting Retirement*, 4 April 1976, at ENG 00167603-04 ["[F]or 35 years I have served Cambodia as chief of state...I am convinced that our people and revolutionary organization have fraternal understanding toward me and...request them to allow me to retire as of today."]; **E1/149.1** Transcript, 6 December 2012, Dr Hun Chhunly, 11.48.23 to 11.52.16 ["[T]he Khmer Rouge tuned into the radio station...and people were convened to listen...Sihanouk said...he would be resigning...Khieu Samphan was heard appointed as the Head of the State Presidium"].
- 2546 **E3/275** FBIS *Khieu Samphan Reads Government Reply*, 4 April 1976, at ENG 00167605; See also **E1/92.1**, Transcript, 19 July 2012, David Chandler, 15.25.58 to 15.31.09 ["These broadcasts were targeted...that this is a rational regime...almost honouring this figure...and he's been an enemy of the state for basically 35...years]; **E3/818** Presentation of the Comrade Party Secretary at the First Meeting of the Council of Ministers, 22 April 1976, at ENG 00143462 ["If we operate with Sihanouk we cannot move forward speedily. They would seize opportunities to attack us again...But by a little each day they disappeared until there came the day Sihanouk had to resign."]; See also **E1/149.1** Transcript, 6 December 2012, Dr Hun Chhunly, 11.48.23 to 11.52.16 ["Prince Norodom Sihanouk said...that he would be resigning from his position as the Head of State...Then Khieu Samphan was heard appointed as the Head of the State Presidium...I still remember vividly."]; **E1/150.1** Transcript, 7 December 2012, Dr Hun Chhunly, 16.13.31 to 16.15.30, ["Prince Norodom Sihanouk talked about his resignation...Then I heard about the appointment of Mr. Khieu Samphan as the President of the State Presidium...it was after Khmer New Year in 1976."]; See also **E3/3169** Stephen Heder, *Pol Pot and Khieu Samphan*, at ENG 00002578 ["On 5 April, Khieu Samphan accepted Sihanouk's resignation as head of state."]; **E3/1683** David Chandler, *The Tragedy of Cambodian History*, at ENG 00193347 ["In mid-April [1976], Khieu Samphan announced that Sihanouk would be given annual pension of US \$8,000 and that a monument would be erected in his honor. Neither promise was kept."].
- 2547 **E3/275** FBIS Cabinet Announces Resignation Following Elections, 6 April 1976, at ENG 00167614; See also **E3/3169** Stephen Heder, *Pol Pot and Khieu Samphan*, at ENG 00002578 ["The next day, Penn Nouth announced the resignation of the GRUNK cabinet."].
- 2548 **E3/165** PRA Conference entitled "Document on Conference I of Legislature I of the People's Representative Assembly of Kampuchea," 11 - 13 April 1976, at ENG 00184068, KHM 00053634, FR 00301354; See also **E1/111.1** Transcript, 21 August 2012, Kim Vun, 16.08.19 to 16.10.14 ["But I have never seen this document in Khmer before. I believe that the documents I noted that I saw back then was

in French or English.”]; **E1/112.1** Transcript, 22 August 2012, Kim Vun, 15.10.16 to 15.12.15 [“But how did you know Mr. Khieu Samphan was the successor of then Prince Norodom Sihanouk in the State Presidium...? A...when I worked in office S-27. I learned from the foreign language printed materials...”].

2549 **E3/235** Summary of the Decisions of the Standing Committee in the Meeting of 19-20-21 April 1976, at ENG 00183416-17 [“After three days of discussions of matters recorded in the agenda, the Standing Committee has made the following decisions: I. Preparations to organize various committees surrounding Office 870.”]

2550 **E1/77.1** Transcript, 29 May 2012, Ny Kan, 10.55.44 [“Did you know Pol Pot, Nuon Chea and Khieu Samphan?...I naturally knew the leadership of the structure and I also met them during the banquet or conferences or high level meetings.”]; **E1/78.1** Transcript, 30 May 2012, Ny Kan, 13.56.26; **E1/102.1** Transcript, 6 August 2012, Suong Sikoeun, 14.09.41 [“So, in his capacity as the president of the State Presidium, he received credential of foreign diplomats who have their mission in Cambodia during the Democratic Kampuchea period.”], 14.13.16 [“From 1975 through 1979, I used to accompany Khieu Samphan to attend the Non-Aligned Summit in Sri Lanka in 1976.”].

2551 **E3/3292** U.S. Embassy *Cambodian Situation Report*, 1 October 1970, at ENG 00418909 [“FUNK continues to publicize...Latest effort is FUNK radio broadcast of statement by Khieu Samphan...warning Cambodian elites to break with GOC.”]; **E3/3294** U.S. Embassy *Khmer Report*, 8 November 1971, at ENG 00418938 [In the past week...The Khieu Samphan statement...calls on rise up and harass communications systems...and hamper the GKR’s pacification efforts.”].

2552 **E3/116** Statement of Khieu Samphan, Hou Youn and Hu Nim, 9 September 1972, at ERN 00485282.

2553 **E3/116** Statement of Khieu Samphan, Hou Youn and Hu Nim, 9 September 1972, at ERN 00485283.

2554 **E3/637** Statement of Khieu Samphan, Hu Youn and Hu Nim, at ENG 00740938 [“[U]p to mid-January 1973, the Kampuchean people’s liberation armed forces...have smashed a total of 10,245 heads of the enemies...They have run out of strength...This situation enables us to storm attack the enemies...”].

2555 **E3/637** Statement of Khieu Samphan, Hu Youn and Hu Nim, at ENG 00740933.

2556 **E3/637** Statement of Khieu Samphan, Hu Youn and Hu Nim, at ENG 00740933

2557 **E3/637** Statement of Khieu Samphan, Hu Youn and Hu Nim, at ENG 00740934 [“According to the interim statistics, we have smashed, injured, killed, deserted and made prisoners of war 1,050 enemies...along national road No.5...Additionally, our militia squads...jointly smashed 120 enemies.”]

2558 **E3/637** Statement of Khieu Samphan, Hu Youn and Hu Nim, at ENG 00740937-38.

2559 **E3/637** Statement of Khieu Samphan, Hu Youn and Hu Nim, at ENG 00740935-36.

2560 **E3/637** Statement of Khieu Samphan, Hu Youn and Hu Nim, at ENG 00740934-35.

2561 **E3/637** Statement of Khieu Samphan, Hu Youn and Hu Nim, at ENG 00740934.

2562 **E3/637** Statement of Khieu Samphan, Hu Youn and Hu Nim, at ENG 00740936-37.

2563 **E1/129.1** Transcript, 3 October 2012, Meas Voeun, 15.29.28 to 15.38.35, 15.43.59 to 15.46.43.

2564 **E1/129.1** Transcript, 3 October 2012, Meas Voeun, 15.48.10 to 15.51.47.

2565 **E1/130.1** Transcript, 4 October 2012, Meas Voeun, 09.05.30 [“And to the extent that you recall, are these accurate descriptions of...some of the advances that were being made? A. Yes, that is correct.”], 09.10.40 [“Do you know how that information was communicated from the battlefield...to people...Mr. Khieu Samphan? A. Regarding the transmission...I relayed the information via radio...up to the division.”].

2566 **E1/111.1** Transcript, 21 August 2012, Kim Vun, 11.32.04 to 11.39.43 [“Q. Document E3/637...Do you still recall these statements? A. In fact, at that time, we broadcast this common statement in both the radio and also printed it in magazines.”].

2567 **E1/111.1** Transcript, 21 August 2012, Kim Vun, 11.32.04 to 11.39.43 [“Q. Document E3/637...Do you still recall these statements? A. In fact, at that time, we broadcast this common statement in both the radio and also printed it in magazines.”].

2568 **E3/30** FBIS *Khieu Samphan Addresses 26 December Meeting for Phat Delegation*, at ENG 00166698 [“In your visit to our country, you can see that the liberated zone accounts for more than 90 percent...The enemy’s situation is so serious...the army is in disarray.”]; See also **E3/3141R** Video entitled “Vietnamese Disc 4.”

2569 **E3/30** FBIS *Khieu Samphan Addresses 26 December Meeting for Phat Delegation*, at ENG 00166699.

2570 **E3/30** FBIS, *Cambodian’s urged to unit in New Year’s Offensive*, 2 January 1975, at ENG 00166659 [“The area under [the enemy’s] temporary control has been shrinking...Phnom Penh is reduced to a 10 square kilometer enclave under constant siege...The enemy attempted to expand...was completely defeated.”], 00166660 [“The enemy cannot use the Tonle Sap River...has no...finance or rice... Our CPNLAF is now launching heavy attacks...causing worst difficulties to the transportation of US imperialist aid to Phnom Penh.”]

- 2571 **E3/30** FBIS, *Cambodian's urged to unit in New Year's Offensive*, 2 January 1975, at ENG 00166660 ["The few cities remaining under temporary enemy control have also been reduced to small 3 or 4 square kilometre enclaves and are being attacked and surrounded by our CPNLF from all sides."].
- 2572 **E3/30** FBIS, *Cambodian's urged to unit in New Year's Offensive*, 2 January 1975, at ENG 00166661.
- 2573 **E3/30** FBIS, *Phnom Penh Armed Forces Placed on State of Alert*, 2 January 1975, at ENG 00166658 ["All armed forces in Phnom Penh were placed in a state of alert today as a result of the Red Khmers' new year's day offensive around the city, a military source said here."]; **E3/30** FBIS, *Khmer Rouge Launch New Year's Offensive, Heavy Fighting Reported*, 1 January 1975, at ENG 00166658 ["Signs of guerrilla activity ringed the Cambodian capital. The most spectacular was a blazing oil storage ... Two rockets slammed into the city center this morning."]; **E3/30** FBIS, *Heavy Fighting Continues around Phnom Penh, More Rocket Attacks*, 2 January 1975, at ENG 00166662 ["Three government positions close to the Mekong River port of Neak Luong have been seized by the Red Khmers ... About 10, ... have been committed to attacks around Phnom Penh which began on New Year's Day."]; **E3/30** FBIS, *Leaders Send Messages to Khieu Samphan on Dry-Season Offensive*, 23 January 1975, at ENG 00166718 ["NUFC members on missions, outside Cambodia... have enthusiastically received your noble message announcing the launching of the new offensive by the heroic, glorious CPNLF."]; 00166719 *Penn Nouth Message* ["It was with profound joy... that I received your important confidential message, dated 8 January 1975, announcing the opening of the current dry season offensive campaign... not less important."]; **E111.1**, Transcript, 21 August 2012, Kim Vun, 13.44.06 to 13.45.48 ["The last news was the offensive attack on the 1st of January... part of the ultimate goal for the offensive attack by the FUNK... It was concerning the battlefields surrounding Phnom Penh."].
- 2574 **E3/30** FBIS *Khieu Samphan 14 Jan Message to CPNLF Fighters*, at ENG 00166709 ["At the beginning of 1975... Within just 1 week, you swept almost all of the enemy troops... On the west bank, you razed or liberated all enemy positions... We annihilated close to 20 battalions... (Neak Luong)"]; **E3/120** FBIS *Khieu Samphan Appeals for Intensified Struggle*, 15 March 1975, at ENG 00166827 ["In terms of manpower... We have levelled one remaining enemy position after another... The marine force... has been virtually annihilated... The enemy has no hope... will suffer an even more serious collapse."]; **E3/120** FBIS *Khieu Samphan Hails Fighters on Neak Luong, Mekong Fronts*, 22 March 1975, at ENG 00166863 ["You have reaped brilliant... results, greatly altering the direction of... war... destroying the enemy... You have virtually annihilated and wiped out the enemy... liberated the enemy naval base at Neak Luong."], 00166864 ["We are continuing to launch powerful attacks on the enemy to capture control... we continue to attack and sweep the enemy on Routes 4 and 38... we are close to Takhmau city... Kien Svay."]; **E3/118** FBIS *Khieu Samphan Congratulates CPNLF on Neak Luong Victories*, 3 April 1975, at ENG 00166923-25.
- 2575 **E3/30** FBIS *Khieu Samphan 14 Jan Message to CPNLF Fighters*, at ENG 00166710 ["This clique cannot escape complete annihilation... I warmly congratulate all of our cadres... cutting of the most important vital artery of the enemy and plunging him into the death throes... verge of collapse"]; **E3/488** FBIS *Khieu Samphan Chairs NUFC Congress Session: Communique Issued*, 26 February 1975, at ENG 00166775 ["8. On behalf of the Cambodian nation... the national congress appeals to... the three CPNLF categories to... attack the enemy more vigorously... both at the forefront and in the rear... people."].
- 2576 **E3/30** FBIS *Khieu Samphan 14 Jan Message to CPNLF Fighters*, at ENG 00166709 ["Thus, the Mekong--the sole route for the transportation of rice and other food... is completely blocked... This clique is at present in serious need of food... materials."], 00166710 ["The Mekong is the transportation route... The fact that the CPNLF... control the Mekong will have a very nefarious consequence on... a situation that has already become extremely disastrous."]; **E3/30** FBIS *Kheiu (sic) Samphan Issues Appeal to Compatriots, Monks* [note correction to source line at ENG 00166730 - "Voice of NUFC of Phnom Penh (Clandestine) in Cambodian to Cambodia."], 22 January 1975, at ENG 00166721 ["Worse still, the Mekong route... the sole vital transportation route... [for] supplies to Phnom Penh, is now completely cut... the shortage of rice... will become even more acute... the rice shortage for you"]; **E3/120** FBIS *Khieu Samphan Appeals for Intensified Struggle*, 15 March 1975, at ENG 00166828 ["Without the Mekong, money, troops, rice and outside assistance, and with only a trickle of aid, the traitors are being drained... their fate has come to its end... The enemy's situation is thus entirely desperate."]; **E3/120** FBIS *Khieu Samphan Hails Fighters on Neak Luong, Mekong Fronts*, 22 March 1975, at ENG 00166863 ["Beloved comrades... you have also successfully carried out attacks against enemy ships... The Mekong River is the only hope of the seven traitors... for the transportation of... aid materials... routed."], 00155865 ["The enemy is plagued with a shortage of men and food... We have blocked almost all of the transportation routes... The Mekong is blocked... overland routes are cut; and Pochentong is subject to our constant shelling attacks."]; **E3/118** FBIS *Khieu Samphan Congratulates CPNLF on Neak Luong Victories*, 3 April 1975, at ENG 00166924-25 ["U.S. imperialism and all its lackeys were interested in

strengthening...the Neak Luong base because it was vital...lifeline for the Phnom Penh...From now on, our CPNLAF is the complete master...Phnom Penh and Tan Chau.”].

2577 **E3/30** FBIS *Kheiu (sic) Samphan Issues Appeal to Compatriots, Monks* [note correction to source line at ENG 00166730 - “Voice of NUFC of Phnom Penh (Clandestine) in Cambodian to Cambodia.”], 22 January 1975, at ENG 00166721 [“On the Phnom Penh front and vicinity, we are constantly closing in...Phnom Penh is subjected to our forces’ most active artillery attacks.”].

2578 **E3/30** FBIS RGNUC Statement Denounces U.S. Aid to Phnom Penh, 21 January 1975, at ENG 00166714 [“[T]he U.S. imperialists have used their planes to carry out criminal activities...bring material, food supplies...In addition [they] have continued to give all kinds of assistance...400,000 tons of rice per year.”], 00166715 [“The Cambodian people...Mr Khieu Samphan as deputy prime minister--are determined to fight the enemy until complete victory...Cambodia’s liberated zone, 20 January 1975.”].

2579 **E3/30** FBIS *Kheiu (sic) Samphan Issues Appeal to Compatriots, Monks* [note correction to source line at ENG 00166730 “Voice of NUFC of Phnom Penh (Clandestine) in Cambodian to Cambodia.”], 22 January 1975, at ENG 00166722 [“As for foreign diplomatic personnel and representatives...they should make plans to evacuate themselves and their families from Phnom Penh...the RGNUC will not bear responsibility for any injuries they may suffer.”]; See also **E3/488** FBIS *Diplomats, Foreigners Urged to Leave Phnom Penh*, 3 February 1975, at ENG 00166734-35, *More Foreign Residents Leaving Phnom Penh* 00166755-56 [“The wives of the foreign residents and embassy personnel also said they knew about the...appeal by Deputy Prime Minister Khieu Samphan...urging foreign embassy personnel and their families to evacuate.”]; **E3/488** FBIS *Commentary Hails CPNLAF Victories Around Phnom Penh*, at ENG 00166762 [“[F]oreign embassies have withdrawn their personnel one after another...in a hurry because it is common knowledge that to remain is to die.”]; **E3/488** FBIS *Khieu Samphan Chairs NUFC Congress Session: Communique Issued*, 26 February 1975, at ENG 00166774 [“6. On behalf of the Cambodian nation...the national congress once again appeals to all foreign embassies and foreign organizations...to urgently evacuate...RGUNC refuse to bear responsibility for any accidents.”].

2580 **E3/488** FBIS *Khieu Samphan Chairs NUFC Congress Session: Communique Issued*, 26 February 1975, at ENG 00166773 [“2. Regarding the U.S. imperialists...the Cambodian nation...are waging a struggle led by...RGUNC to make the U.S. imperialists...withdraw all their...pacification advisers and aid agencies...clique.”]; **E3/118** FBIS *Khieu Samphan Issues Statement on Current Situation*, 1 April 1975, at ENG 00166898, KHM 00700267, FR 00700256 [“3. Even after they fled abroad...to hold so-called negotiations...RGUNC are firmly determined to destroy all these maneuvers...reject these tricks in advance.”]; **E3/118** FBIS *Khieu Samphan Congratulates CPNLAF on Neak Luong Victories*, 3 April 1975, at ENG 00166925 [“However, the U.S. imperialists remain stubborn...cooking up the scheme of negotiation and changing horses. Our people...deem it necessary to carry on the struggle...will continue to launch offensives...liberated.”]; **E3/118** FBIS *Khieu Samphan Denial*, 8 April 1975, at ENG 00166927 [“As they have previously done, the NUFC and RGUNC would like to make it clear again...they have absolutely never negotiated with nor will they ever accept negotiations with the traitorous clique.”]; See also **E3/118** FBIS *Long Boret on Plans to Return Home, Renewed Talks Offer*, 3 April 1975, at ENG 00166909-10 [“The prime minister emphasised that his government was prepared to meet any representative mandated by the other side...no response...he would renew once again the peace offer.”]; **E3/118** FBIS *Long Boret Stops in Bangkok en route to Phnom Penh*, 7 April 1975, at ENG 00166921 [“He said there will be no military victories, only negotiations, and stressed that if the other side does not agree to negotiate, it will be held responsible for any consequences...also called for democratic elections...leaders.”]; **E3/118** FBIS *Long Boret Addresses Nation After Saukam Khoy Flight*, 12 April 1975, at ENG 00166940 [“Our foreign policy also remains unchanged, and the primary goal of this Supreme Commission...terminating the bloodshed among Cambodians and proposing a peaceful solution to the Cambodian problem.”]; **E3/118** FBIS *Suk Sutsakhan Announces Supreme Committee Leadership Appointments*, 13 April 1975, at ENG 00166943 [“3...To mobilize more manpower to pursue the struggle to strengthen the position of the Khmer Republic in its efforts to end the war through negotiations among Cambodians.”]; **E3/118** FBIS *Leaders Prepare Proposal to Sihanouk*, 16 April 1975, at ENG 00166960-61; **E3/118** FBIS *Phnom Penh Leaders Request Cease-Fire, Transfer of Power*, 16 April 1975, at ENG 00166970.

2581 **E3/118** FBIS *Khieu Samphan Issues Statement on Current Situation*, 1 April 1975, at ENG 00166897-98, KHM 00700267, FR 00700256; See also **E3/118** FBIS *NUFC Radio Asks Khieu Samphan Appeal Disseminated to Phnom Penh Troops*, 2 April 1975, at ENG 00166900; **E3/118** FBIS *Khieu Samphan Appeals to Phnom Penh Citizens to Join NUFC*, 13 April 1975, at ENG 00166948, KHM 00700276, FR 00700260 [“1. All brother officers and troops in the traitorous army are requested to immediately lay down your weapons and join the NUFC”].

- 2582 **E3/118** FBIS *Khieu Samphan Appeals to Phnom Penh Citizens to Join NUFC*, 13 April 1975, at ENG 00166949 [Now you must think the matter over again in order to see what the future holds for you. The U.S. imperialists have all deserted you...There is no more aid...no fuel and no rice...The only thing in view is destruction."].
- 2583 **E3/30** FBIS *Kheiu (sic) Samphan Issues Appeal to Compatriots, Monks* [note correction to source line at ENG 00166730 - "Voice of NUFC of Phnom Penh (Clandestine) in Cambodian to Cambodia."], 22 January 1975, at ENG 00166722 ["1. You are asked to unite, rise up and ransack the enemy's rice depots to solve your rice problem."]; **E3/488** FBIS *RGUNC's Khieu Samphan Greets PLAF Anniversary*, 19 February 1975, at ENG 00166761 ["You should rise up and raid the traitors' rice depots, revolt and destroy the Lon Nol-Sirik Matak...clique and its regime."]; **E3/488** FBIS *Khieu Samphan Chairs NUFC Congress Session: Communique Issued*, 26 February 1975, at ENG 00166773 ["[T]he national congress appeals to army officers...and all other persons...struggle against the traitors...destroy their administrative apparatuses...food and fuel depots...turning your guns against them...liberation."], 0166774 ["You are asked to rise up, unite and fight the traitors from inside in all imaginable forms...raiding rice stores and supply warehouses...attacking provincial administrative seats...of the enemy."]; **E3/120** FBIS *Khieu Samphan Appeals for Intensified Struggle*, 15 March 1975, at ENG 00166828 ["With this...I would like to make the following appeal...You are asked to intensify your struggle...attack the traitorous clique more forcibly...raid rice depots...The time has come...You must raise up."].
- 2584 **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 09.15.21 to 09.21.08 ["In that passage...Were you able to ascertain...who it was that fired on these convoys? A. All of the people who reported about it or interviewed...said it was the Khmer Rouge...no reason to doubt...telling me."], 09.22.36 to 09.26.12 ["And the situation at that point was getting very grim and eventually the Mekong was so blocked that...no merchant marine or anybody would get on a boat to try to reach Phnom Penh."]; 09.26.12 ["[The Khmer Rouge]...had no instincts about bringing in food for people who weren't part of their machine...that's what I found when I went out into the areas where they would appear...and at other times."]; **E243.2** Sydney Schanberg et al, *The Killing Fields: The Facts Behind the Film*, at ENG 00862586; **E3/488** FBIS *NUFC Radio Continues to Urge Civil Revolt*, at ENG 00166750-51; **E3/488** FBIS *Commentary Hails CPNLF Victories Around Phnom Penh*, at ENG 00166762 ["Since the beginning of February no enemy river convoy has been able to sail...the Mekong River...will be cut forever...It has become impossible to live in Phnom Penh."]; **E3/120** FBIS *Pochentong Closed to Commercial Traffic; U.S. Airlift Continues*, 5 March 1975, at ENG 00166785; **E3/120** FBIS *NUFC Radio Praises Recent CPNLF Military Gains*, 5 March 1975 at ENG 00166794 ["During the last two months, our artillery units have constantly shelled ...affecting...enemy transport activities...The enemy is now in agony...Mekong has been cut for two months... very near future. "], 00166794 ["In brief, the defense perimeter of Phnom Penh has now been disrupted...Pochentong will be closed and the enemy will die under the CPNLF's powerful assaults...throughout the country."]; **E3/30** FBIS *Phnom Penh Armed Forces Placed on State of Alert*, 2 January 1975, at ENG 00166658; **E3/30** FBIS *Khmer Rouge Launch New Year's Offensive, Heavy Fighting Reported*, 1 January 1975, at ENG 00166658; **E3/30** FBIS *Heavy Fighting Continues Around Phnom Penh, More Rocket Attacks*, at ENG 00166662; **E3/30** FBIS *CPNLF Gains Near Phnom Penh*, at ENG 00166665; **E3/30** FBIS *CPNLF Appeal Urges Defections from Lon Nol Side*, 4 January 1975, at ENG 00166666 ["Since 0100 of 1 January our CPNLF has opened the most powerful offensive on Phnom Penh from all sides"]; **E3/30** FBIS *PRGRSV-NPLSV Delegation Visits 25-29 Dec*, 4 January 1975, at ENG 00166668-70; **E3/30** FBIS *Liberated Zone Tour Reported*, 1 January 1975, at ENG 00166670; **E3/30** FBIS *Khmer Rouge Rockets Hit Phnom Penh*, 10 January 1975, at ENG 00166683; **E3/30** FBIS *Speeches at 28 December Welcome Meeting in Liberated Zone*, 7 January 1975, at ENG 00166684-88; **E3/30** FBIS *AKI Commentary on CPNLF Resolve to Crush Enemy*, 12 January 1975, at ENG 00166694-95; **E3/30** FBIS *Rockets Land near Phnom Penh Royal Palace*, 13 January 1975, at ENG 00166696 ["In the last three days, 14 rockets have hit the capital killing seven people and injuring 24...Pochentong Airport west of the city has been hit by about 10 rockets per day for the last four days"]; **E3/30** FBIS *RGNUC Foreign Ministry 8 Jan Statement on Claimed DRV-VC Presence*, 10 January 1975 at ENG 001667699-700; **E3/30** FBIS *AKI Attacks U.S Involvement in Cambodia*, 14 January 1975, at ENG 00166704-05; **E3/30** FBIS *Major Attack Ordered to Stop Red Khmer Rockets*, 16 January 1975, at ENG 00166711 ["[R]ocket attacks on Pochentong Airport...where 22 civilians were wounded in firing last night"], ["Neak Leung...scene of bitter fighting for the past week, was hit by 50 mortar shells last night"]; **E3/30** FBIS *AFP Reports Battle Situation for 19, 20 January*, 20 January 1975, at ENG 00166712 ["Thirty people were killed and 75 wounded by heavy attacks on this besieged capital and its airport last night and early today."]; **E3/30** FBIS *Neak Leung Battle*, 20 January 1975 at ENG 00166712; **E3/30** FBIS *AFP Reports Rockets Hit Phnom Penh*

Pochentong Airport, 21 January 1975, at ENG 00166715; **E3/30** FBIS *NUFC Radio Urges People to Rise to Overthrow Lon Nol Group*, 23 January 1975, at ENG 00166716; **E3/30** FBIS *RGNUC Interior Minister Issues Appeal to Soldiers, Intellectuals*, 25 January 1975, at ENG 00166723-25; **E3/30** FBIS *NUFC Radio Airs AKI Statements of Bombings, Statement Against RVN*, 25 January 1975, at ENG 00166725; **E3/30** FBIS *RGNUC Information Minister Appeals to Buddhist Monks in Phnom Penh*, 28 January 1975, at ENG 00166727 [“The traitorous Lon Nol clique and its consorts are running short of military personnel, rice, food supplies and ammunition”]; **E3/30** FBIS *Kampot Fort Under Siege, Phnom Penh Airport Shelled*, 29 January 1975, at ENG 00166731; **E3/30** FBIS *Communique Announces River Convoy’s Arrival*, 30 January 1975, at ENG 00166732; **E3/30** FBIS *Communist Rockets Destroy One T-28, Damage Three Airlines*, 31 January 1975, at ENG 00166732; **E3/488** FBIS *NUFC Committee Chairman Appeals to Phnom Penh Citizens*, 31 January 1975, at ENG 00166733-34; **E3/488** FBIS *Diplomats, Foreigners Urged to Leave Phnom Penh*, 3 February 1975, at ENG 00166734-35; **E3/488** FBIS *NUFC Radio Appeals for People’s Uprising, Assassinations*, 4 February 1975, at ENG 00166737; **E3/488** FBIS *NUFC Radio Cites Domestic U.S. Opposition to Aid Request*, 4 February 1975, at ENG 00166737-38; **E3/488** FBIS *NUFC Radio Carries Appeal for Military Desertions*, 5 February 1975, at ENG 00166739; **E3/488** FBIS *Moslem Leaders Appeal to Islamic World for Help*, 9 February 1975, at ENG 00166745; **E3/488** FBIS *NUFC Radio Continues to Urge Civil Revolt*, 10 February 1975, at ENG 00166750-51; **E3/488** FBIS *Phnom Penh Papers on U.S. Aid, Superpower Collusion*, 16 February 1975, at ENG 00166755; **E3/488** FBIS *NUFC Radio Links Gayler Trip, Intensified U.S. Interference*, 16 February 1975, at ENG 00166756-57; **E3/488** FBIS *NUFC Radio Boasts of Expanding Population in Liberated Zone*, 18 February 1975, at ENG 00166760; **E3/488** FBIS *AKI Notes CPNLAF’s Increased Control of Mekong River*, 20 February 1975, at ENG 00166763; **E3/488** FBIS *NUFC Radio Hails Destruction of Muang Township*, 20 February 1975, at ENG 00166763; *NUFC Radio Urges Americans to Force End to U.S. Aid*, 23 February 1975, at ENG 00166764 [“Phnom Penh is entirely isolated ...has shrunk to a 4-square-kilometer area which is being attacked from all sides by the CPNLAF.”]; **E3/488** FBIS *NUFC Radio Appeals to Foreigners to Evacuate Phnom Penh*, 24 February 1975, at ENG 00166765; **E3/488** FBIS *NUFC Radio Stresses Urgency of Appeals for Mutiny, Defection*, 24 February 1975, at ENG 00166766-67 [“[O]ur CPNLAF has launched the most vigorous artillery and infantry attacks on the Neak Leung base...Phnom Penh...will suffer shortages of rice, fuel and other supplies...”]; **E3/488** FBIS *AFP Interviews Gen Sosthene Fernandez*, 25 February 1975, at ENG 00166768-69; **E3/488** FBIS *NUFC Radio Hails 25 Feb Fall of Oudong*, 27 February 1975, at ENG 00166775; **E3/120** FBIS *Airport Shelling Welcomes Arrivals U.S. Congressmen*, 1 March 1975, at ENG 00166779; **E3/120** FBIS *Pochentong Closed to Commercial Traffic: U.S. Airlift Continues*, 5 March 1975, at ENG 00166785; **E3/120** FBIS *Government Troops Begin Drive to Retake Tuol Leap*, 6 March 1975, at ENG 00166787; **E3/120** FBIS *NUFC Radio Sees Dominant End for Phnom Penh Rulers*, 5 March 1975, at ENG 00166788; **E3/120** FBIS *Information Minister Denounces Communist Shelling*, 7 March 1975, at ENG 00166791; **E3/120** FBIS *NUFC Radio Praises Recent CPNLAF Military Gains*, 5 March 1975, at ENG 00166794 [“CPNLAF launched the most powerful assaults against the enemy on Phnom Penh front and in the surrounding areas...at the end of February.”]; **E3/120** FBIS *CPNLAF Pochentong Shelling Destroys, Damages Planes*, 8 March 1975, at ENG 00166798; **E3/120** FBIS *AFP Reports More Embassies Evacuating Personnel*, 9 March 1975, at ENG 00166803; **E3/120** FBIS *AFP Reports Appeals by Government Officials*, 10 March 1975, at ENG 00166803-04; **E3/120** FBIS *Paris Radio Interviews Sihanouk on Cambodian Situation*, 12 March 1975, at ENG 00166810-11; **E3/120** FBIS *NUFC Radio on ‘Imminent Collapse’ of Phnom Penh, Sosthene Fernandez*, 12 March 1975, at ENG 00166812-13 [“[T]he Mekong River has been blocked...Pochentong Airport...is also closed and has been exposed to our CPNLAF’s daily shelling...the rice stock will be completely exhausted very soon...”]; **E3/120** FBIS *Secondary Explosions Reported at Pochentong Airport*, 13 March 1975, at ENG 00166813-14; **E3/120** FBIS *Chau Send: U.S. Intervention Can Not Save Lon Nol Regimes*, 10 March 1975, at ENG 00166819-21; **E3/120** FBIS *AKI Reports Evacuation of Foreign Residents From Phnom Penh*, 13 March 1975, at ENG 00166822; **E3/120** FBIS *NUFC Radio on RGNUC Territorial, Population Claims*, 13 March 1975, at ENG 00166823-24; **E3/120** FBIS *Situation Worsens at Neak Leung*, 16 March 1975, at ENG 00166829-30; **E3/120** FBIS *Northeastern, Eastern Lines Breached*, 17 March 1975, at ENG 00166830; **E3/120** FBIS *Reuter: Khmer Rouge Capture Neak Luong Airstrip*, 17 March 1975, at ENG 00166835; **E3/120** FBIS *FANK Reoccupies Svay Rieng Province Villages*, 17 March 1975, at ENG 00166835-36; **E3/120** FBIS *NUFC Radio Hails CPNLAF Successes, U.S. Domestic Protests*, 7 March 1975, at ENG 00166837-38; **E3/120** FBIS *Civil Disturbance Urged*, 14 March 1975, at ENG 00166838-40; **E3/120** FBIS *Appeal to Phnom Penh Citizens*, 16 March 1975, at ENG 00166841; **E3/120** FBIS *Pochentong Gunners Praised*, 17 March 1975, at ENG 00166842; **E3/120** FBIS *17 Mar ‘Urgent Appeal*, 17 March 1975, at ENG 00166842-43; **E3/120** FBIS *AFP Reports Battle Action Near Phnom Penh, Neak Luong*, 18

March 1975, at ENG 00166845; **E3/120** FBIS *NUFC Radio Details 12-16 March Battle Action*, 18 March 1975, at ENG 00166845-47; **E3/120** FBIS *AFP: Red Khmer Forces Occupy Half of Neak Luong*, 20 March 1975, at ENG 00166849; **E3/120** FBIS *Rockets Hit Long Boret's Home, Just Miss U.S. Embassy*, 20 March 1975, at ENG 00166851; **E3/120** FBIS *Communists Advance Closer to Pochentong Airport*, 24 March 1975, at ENG 00166867; **E3/120** FBIS *RGNUC's Hou Nim Issues Appeal to Monks on Current Situation*, 22 March 1975, at ENG 00166869-72; **E3/120** FBIS *NUFC Radio Commentary Hails BUFC-CPNLAF Anniversary*, 23 March 1975, at ENG 00166872-73 ["CPNLAF has completely liberated the Mekong River, controlled the situation at the Neak Luong base...surrounded and attacked Phnom Penh and Pochentong from all sides..."]; **E3/120** FBIS *RGNUC's Hou Youn Issues Appeal to 'Enemy-Controlled Areas*, 29 March 1975, at ENG 00166885-87 ["Phnom Penh...is tightly encircled and completely isolated...it no longer has a viable economy nor the food, fuel oil, money or rice to distribute"]; **E3/118** FBIS *AFP Reports Capture of Neak Luong by Khmer Rouge*, 2 April 1975, at ENG 00166898; **E3/118** FBIS *NUFC Radio Announces 'Complete Liberation' of Neak Luong*, 3 April 1975, at ENG 00166901 ["On 1 April 1975, in the afternoon, our CPNLAF completely liberated Neak Luong base."]; **E3/118** FBIS *NUFC Radio Hails CPNLAF Neak Luon, Lower Mekong Victories*, 4 April 1975, at ENG 00166913; **E3/118** FBIS *Saukam Kroy Holds Emergency Cabinet Meeting 10 April*, 10 April 1975, at ENG 00166932; **E3/118** FBIS *AKI: CPNLAF Continuing Offensive 'Without Compromise'*, 10 April 1975, at ENG 00166937; **E3/118** FBIS *AKI Calls on People to Cross Over to NUFC-RGNUM Side 12 Apr*, 12 April 1975, at ENG 00166947-48; **E3/118** FBIS *NUFC Radio Reports Pochentong Airport 'Completely Liberated'*, 15 April 1975, at ENG 00166950; **E3/118** FBIS *Khmer Rouge Begins Attacks of Phnom Penh's Southern Suburbs*, 15 April 1975, at ENG 00166950; **E3/118** FBIS *Phnom Penh TV Station Hit by Rockets*, 15 April 1975, at ENG 00166950; **E3/118** FBIS *Information Minister Assails Attack on Refugee Camp*, 14 April 1975, at ENG 00166954; **E3/118** FBIS *Pren Nouth Greets Compatriots on Cambodian New Year*, 13 April 1975 at ENG 00166955-56; **E3/118** FBIS *AFP Reports Deteriorating Military Situation 15, 16 APR*, 15 April 1975, at ENG 00166958; **E3/118** FBIS *Fighting Around Phnom Penh*, 15 April 1975, at ENG 00166958-59; **E3/118** FBIS *Khmer Rouge Occupy Pochentong Airport*, 16 April 1975, at ENG 00166959; **E3/118** FBIS *Fighting Continues 16 Apr*, 16 April 1975, at ENG 00166959-60; **E3/118** FBIS *KYODO: Liberation Forces Enter Southern Phnom Penh*, 16 April 1975, at ENG 00166961; **E3/118** FBIS *Rockets Hit Center of City*, 16 April 1975, at ENG 00166962; **E3/118** FBIS *NUFC Radio Reports 15 April Capture of Takhnau*, 16 April 1975, at ENG 00166962; **E3/118** FBIS *Two CPNLAF Columns Link Up at Kbal Thnal 15 Apr*, 16 April 1975, at ENG 00166962; **E3/118** FBIS *NUFC Radio on Attacks Around Capital, Rebel Pilot's Landing*, 16 April 1975 at ENG 00166963; **E3/118** FBIS *CPNLAF Issues Appeal to People to Liberate Phnom Penh*, 16 April 1975, at ENG 00166963-64; **E3/118** FBIS *NUFC Radio Cites Attacks 'In Direction Of' Capital's Center*, 17 April 1975, at ENG 00166972; **E3/118** FBIS *NUFC Radio: CNLAF in Central Phnom Penh*, 17 April 1975, at ENG 00166972.

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E1/201.1 Transcript, 5 June 2013, Sydney Schanberg, 09.30.11 to 09.38.51 ["Well if they were getting closer and using more...advanced weaponry...begin to put a cloud over the use of the airport. And that was a place where sometimes some supplies came in...they were now prisoners."], 09.46.08 ["And it made sense that over several days...they were shooting closer and closer into these...supply delivery planes...the slaughter that takes place and that I witnessed."], 09.49.15 ["It reduced the amount of supplies and...the Khmer Rouge assault continued, less and less food and other needs, fuel, was getting in. And that's all it was, it was like a noose tightening around the city."]; **E3/30** FBIS *APF Reports Huge Exodus of Refugees on Highway 5*, 6 January 1975, at ENG 00166678-79; **E3/30** FBIS *NUFC-RGNUM Statement Condemns U.S. Aid to Phnom Penh*, 11 January 1975, at ENG 00166695-96; **E3/30** FBIS *Neak Leung Battle*, 20 January 1975 at ENG 00166712 ["No boat convoy has reached Phnom Penh via the Tonle Sap River to the northeast since January 4."]; **E3/30** FBIS *RGNUM Statement Denounces U.S. Aid to Phnom Penh*, 21 January 1975, at ENG 00166714-15; **E3/488** FBIS *NUFC Radio Cites Domestic U.S. Opposition to Aid Request*, 4 February 1975, at ENG 00166737-38 ["[O]ur CPNLAF...is attacking near Phnom Penh and has cut all the traitors' supply routes..."]; **E3/488** FBIS *Phnom Penh Gasoline Price Rises 70 Percent Due to Blockade*, 11 February 1975, at ENG 00166749; **E3/488** FBIS *AKI: More Foreign Residents Leaving Phnom Penh*, 14 February 1975, at ENG 00166755-56 ["[E]verything is in short supply - security, fuel, rice, fish, meat, vegetables and so on - and where the remnants of these goods are sold at prohibitive prices on the black market."]; **E3/488** FBIS *Commentary Hails CPNLAF Victories Around Phnom Penh*, 19 February 1975, at ENG 00166762 ["Mekong River, blocked...will be cut forever...rice, fuel, drinking water and electricity are running short...it has become impossible to live in Phnom Penh...to remain is to die."]; **E3/120** FBIS *Cambodian, International Agencies to Oversee Rice Distribution*, 15 March 1975, at ENG 00166830-31; **E3/118** FBIS *Kbuky Lin: Cambodia Can Hold Out*

- 2586 *With Essential Aid*, 5 April 1975, at ENG 00166915-16 [“We have at least two million refugees in Phnom Penh area and they have to be fed.”].
- E3/488** FBIS, *Minister Long Boret Appeals to Kurt Waldheim*, 8 February 1975, at ENG 00166744-45 [“[On] 6 February...[a] Chinese-made 107mm rocket exploded inside a primary school, killing about 20 children and wounding many others.”]; **E236/1/4/3.1** Sydney Schanberg, *Cambodia Diary 1975: A journalist's day-by-day notes on the fall of Cambodia to the Khmer Rouge*, at ENG 00898221 [“February 6: Just before 10 a.m., a rocket screams down loudly in the center of Phnompenh...another of the capital's continuing horror stories...At least ten children are killed immediately and another 25 or 30 are wounded.”]; **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 09.28.45 [“Yes, these were Chinese made rockets. The Khmer Rouge used them...they couldn't be directed...became a morale killer...fell down here, there and everywhere...And it never stopped, it never stopped...evacuated.”]; **E3/120** FBIS *Information Minister Denounces Communist Shelling*, 7 March 1975 at ENG 00166791; **E1/190.1** Transcript, 7 May 2013, Philip Short, 11.57.10 to 12.00.24 [“The shelling attacks were basically psychological warfare...the shelling was indiscriminate...that was acceptable because those people had chosen to be with Lon Nol rather than staying with the revolutionaries.”].
- 2587 **E1/222.1** Transcript, 11 July 2013, Stephen Heder, 13.39.38 to 13.43.04 [“I was in Cambodia on the 1st of April. We didn't in those days, have access to...FBIS daily report, but the embassy did make available a teletyped version of those broadcasts...this particular piece.”]. 13.43.04 to 13.45.44 [“The U.S. Government personnel who did the monitoring of these broadcasts were based in Thailand and they sat and listened to these broadcasts, recorded them...a number of libraries around the world.”], 14.18.40 to 14.21.35 [“I listened...increasingly to the Khmer broadcasts...a lot of this was battlefield reporting...occasionally...there were policy broadcasts...what the policies were in the liberated zones...were going to be.”], 14.21.35 [“Occasionally, there were broadcasts that were presented as being in the voice of Khieu Samphan or somebody else with a name...anonymous announcer.”], 14.22.28 to 14.24.53 [“Q. In respect of the broadcasts by Khieu Samphan or on behalf Khieu Samphan...What was the sort of number, just roughly, that you remember of such broadcasts? A. Maybe a dozen.”].
- 2588 **E1/92.1** Transcript, 19 July 2012, David Chandler, 14.12.52 [“Professor Chandler, have you, in your research, come across Foreign Broadcast Information Service transcripts...A. Oh, I certainly have...major sources of internal knowledge of...this country to up to '78.”], 15.29.16 [“It's important to know that these FBIS broadcasts, the translations are - people have seen some of the original Khmer - they're very good.”]
- 2589 **E1/96.1** Transcript, 25 July 2012, Rocheom Ton, 15.41.07 [“I observed he did a lot of writing...He just kept writing and writing...he had a group National United Front, and he wrote everything for that Front movement.”], 15.43.10 [“The content was broadcast on radio, and I listened to it. And later on there were also documents...sometimes he also gave lectures in study sessions regarding the forces of the National Liberated Front...country.”]; **E1/98.1** Transcript, 30 July 2012, Rocheom Ton, 15.12.07 to 15.15.14 [“Prior to liberation of 1975 on the 17th of April, who appealed to the Lon Nol soldiers and people at that time?...A. There was a public appeal, and Om Khieu Samphan was the one who appealed.”]; See also **E1/100.1** Transcript, 1 August 2012, Rocheom Ton, 15.38.28 [“On other occasions, as I said, he had a small hut, a small bed, and a small table and he wrote at that table. He was writing in Khmer in large volume. He also translated from that Khmer text into French.”].
- 2590 **E1/97.1** Transcript, 26 July 2012, Rocheom Ton, 11.24.28 to 11.26.24 [“The 1974 meeting was held...near Phum Meak - Phum Meak village near the - Dei Kraham...”].
- 2591 **E1/97.1** Transcript, 26 July 2012, Rocheom Ton, 11.37.50 to 11.39.12 [“I agree that [the meeting] was in June...”]; **E3/11** *Revolutionary Flag*, September 1977, at ENG 00486247, KHM 00063162, FR 00492836 [“[O]ur Party's Central Committee, in the course of its June 1974 conference, resolved to mount the decisive offensive to liberate Phnom Penh and the entire country.”]; See also **E3/747** *Revolutionary Flag*, August 1978, at ENG 00499785 [“In June 1974, our Party determined to open the decisive strategic attack to liberate Phnom Penh and liberate the entire country.”].
- 2592 **E1/97.1** Transcript, 26 July 2012, Rocheom Ton, 11.37.50 to 11.39.12 [“They were focussing on the attack to liberate Phnom Penh...It was already after Udong was liberated...the meeting was convened to prepare for liberating Phnom Penh.”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396456-65, [“In September [1974], Pol Pot summoned the Central Committee...the outcome was a unanimous decision that Phnom Penh and all other Cambodian towns should be evacuated...Sent off...in the villages.”]; **E1/190.1** Transcript, 7 May 2013, Philip Short, 13.38.54 to 13.44.41 [“Q. He described a meeting for the Court of the Central Committee in Meak...in June or July...whether we're dealing with the same events. A. This is certainly the same event...Certainly it's June 1974.”]; **E1/192.1** Transcript, 9 May 2013, Philip Short, 13.34.57 to 13.39.06.
- 2593 **E1/209.1** Transcript 19 June 2013, Nou Mao, 09.50.32.

- 2594 **E1/209.1** Transcript 19 June 2013, Nou Mao, 10.02.40 to 10.13.29, 10.16.55 to 10.22.33.
- 2595 **E1/209.1** Transcript 19 June 2013, Nou Mao, 10.16.55 [“Chou Chet, he said that people should not be evacuated...his objection was challenged by Mok.”], 10.20.37 [“And [Ta Mok], at times, also warned the local cadres, in particular those who challenged such evacuation...these people...expressing such opposing ideas...would then be reprimanded by Ta Mok.”], 10.31.29 to 10.34.40 [“Q: You said earlier that Chou Chet was against the evacuation...A: He talked in the training session when he provided political training session.”] See also **E3/1593** Ben Kiernan, *The Pol Pot Regime: Race, Power, and Genocide in Cambodia under the Khmer Rouge, 1975-79*, at ENG 00678535 [“On Mok’s orders, [Oudong] was immediately evacuated...Chou Chet...dissented from the proposal to evacuate Phnom Penh...Mok and Khieu Samphan had already declared themselves for evacuation.”].
- 2596 **E1/209.1** Transcript 19 June 2013, Nou Mao, 10.22.33 [“When Ta Mok was speaking...whether this plan was just...the Southwest Zone...? A: He said the plan involved the whole country...Southwest, the North, the East...evacuated from the city.”], 10.31.29.
- 2597 **E1/209.1** Transcript 19 June 2013, Nou Mao, 11.20.40 to 11.23.28; **E1/97.1** Transcript, 26 July 2012, Rocheom Ton, 11.49.44 to 11.52.45 [“Uncle Youn was heard to...have disagreed with the evacuation plan.”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396202 [“[H]e told Nuon Chea...[i]t’s not normal, it’s not reasonable, to evacuate everyone like that. What the Standing Committee has done is wrong.”], 00396512, 00396466 [“He told Pol and Nuon Chea...‘If you go on like this, I give your regime three years. Then it will collapse.’”]; See also **E2/37** Khieu Samphan OCIJ Statement, ENG 00156757, KHM 00156677, FR 00156684 [“I would not have survived if I dared to reveal any disagreement or objection to anything. The obvious example of that was the case of Hou Nim and Hou Yun.”].
- 2598 **E1/209.1** Transcript 19 June 2013, Nou Mao, 11.20.40 to 11.23.28, 11.25.30 [“Mr Khieu Samphan...he was in favour of evacuating the people. Hu Youn did not agree with the idea...these people died at Tuol Sleng prison...”], 11.25.30 [“Q:[Y]our understanding was that Hou Youn was against the evacuation, and Khieu Samphan was in favour? A: Yes, it is correct.”], 11.28.19 [“Now, how had you found out or discovered that Khieu Samphan was in favour of the evacuation? A: I learned about this during the assembly held at Wat Taing Pho (phonetic).”]; **E3/4625** Nou Mao (Mouk) Statement at ENG 00419548 [“Mok and Khieu Samphan were in favour of the evacuation, 1974”].
- 2599 **E3/4201R** Video Entitled “Facing Genocide: Khieu Samphan and Pol Pot,” 00.08.45 - 00.09.56 [Footage of the visit to Hanoi, 1974], 00.21.07 - 00.21.55 [Footage of speech in Beijing: “The United Cambodian Government has just come from one of the hottest battles of our time. Our victory is the strategy for Cambodia and the Cambodian people.”]; **E3/1238** FUNK Publication entitled “Nouvelles du Cambodge No.691,” 1 April 1974, at ENG 00278740, KHM 00702019 [“Talks were held on 29 and 30 March in the President Palace of the DRVN between the FUNK and GRUNC delegation...The Cambodian representatives present were: Mr Khieu Samphan.”], ENG 00278741 KHM 00702021 [“On 30 March, the FUNK and GRUNC delegation led by Deputy Prime Minister Khieu Samphan currently visiting DRVN, attended an artistic performance organized in his honour.”]; **E3/1242** FUNK Publication entitled “Nouvelles du Cambodge No.692,” 2 April 1974, at ENG 00322962, KHM 00607955 [“The FUNK and GRUNC delegation, headed by Khieu Samphan...hosted a big farewell reception in Hanoi, on 31 March, at the end of the official friendship visit to the Democratic Republic of Vietnam.”], See also ENG 00322964, KHM 00607959; **E3/113** FUNK Publication entitled “Nouvelles du Cambodge No.693,” 3 April 1974, at ENG 00280540, KHM 00704558 [“The FUNK and GRUNC delegation - under the leadership of Chief Khieu Samphan...arrived in Peking on 1 April by special flight from Hanoi on a formal friendship visit in China...”]; **E3/1254** FUNK Publication entitled “Nouvelles du Cambodge No.695,” 5 April 1974, ENG 00280547, KHM 00633740 [“On 4 April, on a visit in China, the FUNK and GRUNC delegation, led by...Khieu Samphan as head of the delegation and... Ieng Sary as deputy head, continued their talks...”]; **E3/114** FUNK Publication entitled “Nouvelles du Cambodge No.696,” 7 April 1974 at ENG 00280552, KHM 00662251 [“The FUNK and GRUNC delegation arrived in Pyongyang...on 5 April for a friendly visit...The delegation is led by Mr. Khieu Samphan... assisted by Mr. Ieng Sary...”]; **E3/1255** FUNK Publication entitled “Nouvelles du Cambodge No.697,” 9 April 1974; **E3/167** FUNK Publication entitled “Nouvelles du Cambodge No.698,” 11 April 1974, at ENG 00280572, KHM 00596118 [“[T]he Cambodian delegation, headed by Deputy Prime Minister Khieu Samphan...conducted an official visit of friendship to the Democratic People’s Republic of Korea from 5 to 8 April 1974.”], ENG 00280590 KHM 00596148 [“[T]he FUNK and GRUNC delegation, headed by deputy prime minister Khieu Samphan and...Ieng Sary, left Pyongyang on 8 April to travel to Beijing by chartered aircraft.”], ENG 00280591 KHM 00596149 [“At the end of its visit of friendship to the Democratic People’s Republic of Korea, the FUNK and GRUNC delegation arrived in Beijing on 8 April in a chartered aircraft from Pyongyang.”] **E3/115** FUNK Publication entitled “Nouvelles du Cambodge

No.708,” 22 April 1974, at ENG 00280594, KHM 00597966 [“The FUNK and GRUNK delegation, under the leadership of Mr Khieu Samphan...and Deputy Chief Mr Ieng Sary...left Peking on 19 April by special flight to visit European and African countries.”], ENG 00280595, KHM 00597968 [“The FUNK and GRUNK Delegation arrived on 20 April in Tirana by special flight for an official and friendly visit...The delegation was under the leadership of Khieu Samphan...assisted by Ieng Sary...”]; **E3/792** FUNK Publication entitled “Nouvelles du Cambodge No.709,” 23 April 1974, at ENG 00290857, KHM 00596153 [“In the evening of 20 April 1974, [the Albanian government] held a grand banquet in honour of members of the FUNK and GRUNK delegation on an official visit of friendship to Albania.”], ENG 00290858, KHM 00596155 [“On 22 April 1974, discussions were held...between the delegation of the FUNK and GRUNK, headed by...Khieu Samphan, and...the Government of the People’s Republic of Albania...”]; **E1/101.1** Transcript, 2 August 2012, Suong Sikoeun, 14.32.15 to 14.34.05 [“[T]n 1974, I also accompanied for a trip to Africa, Albania, Yugoslavia, Romania with Khieu Samphan.”], 15.20.29 to 15.24.48, 15.26.19 to 15.30.39 [“1 Q. When you were in Vietnam, did you see Ieng Sary and Khieu Samphan there? A. In 1974, when I went to Vietnam, I was traveling with both of them.”]; **E1/126.1** Transcript, 25 September 2012, Noem Sem, 09.47.37 to 09.52.22 [“In 1974, I had been traveling to foreign countries with Mr. Ieng Sary, Khieu Samphan.”], 09.53.50 to 10.00.02; ...”]; **E1/195.1** Transcript, 22 July 2013, Chau Soc Kon, 14.01.53 [...Samphan paid a visit to “Roumanie”].; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396469 [“By 1974...Khieu Samphan went to China to meet Mao...”].

2600 **E3/167** FUNK Publication entitled “Nouvelles du Cambodge No.698,” 11 April 1974, at ENG 00280576, KHM 00596125 [“At present the Cambodian People’s National Liberation Armed Forces have confined the enemies within Phnom Penh and a few local towns in order to launch violent attacks on them continuously...”], ENG 00280586, KHM 00596141 [“[T]he Cambodian People’s National Liberation Armed Forces attacked the enemy forcefully and are now solidly implanted at the very gates of Phnom Penh.”], ENG 00280586, KHM 00596142 [“We have now liberated over 90% of the national territory and 5,500,000 inhabitants.”] The **E3/792** FUNK Publication entitled “Nouvelles du Cambodge No.709,” 23 April 1974, at ENG 00290859, KHM 00596157 [“He [i.e. Khieu Samphan] highlighted the superiority of the people and the army (PAFNL) over the enemy at all levels.”] See also **E1/126.1** Transcript, 25 September 2012, Noem Sem, 14.57.40 to 14.59.29 [“Q. And did Mr. Khieu Samphan also make speeches in each country, or in certain countries? A. Yes, he did make a speech.”].

2601 **E3/792** FUNK Publication entitled “Nouvelles du Cambodge No.709,” 23 April 1974, at ENG 00290859, KHM 00596157 [“Khieu Samphan stated the position of the FUNK, the GRUNK and the army (PAFNL)...it was the uncompromising struggle towards achieving the FUNK’s five points...in the 23 March 1970 Declaration.”].

2602 **E3/167** Broadcast by the Information Bureau of the United National Front of Kampuchea, 11 April 1974, “Speech Given by Deputy Prime Minister Khieu Samphan” at ENG 00280586, KHM 00596141, FR S 00000122 [“And Phnom Penh itself, the last hideout of the traitors, has become a burning battlefield...On 18 March, our...Forces liberated ...Udong, by annihilating...over 5,000 enemies...1,500 of whom were captured.”]; **E3/194** Telegram from US State Department entitled “July 10 EA Press Summary,” at ENG 00412834 [“GKR announces capture of Oudong...city devastated...Oudong’s 30,000 civilians were marched away when rebels overran town...1,300 rebels and 100 GKR soldiers KIA.”].

2603 **E1/97.1** Transcript, 26 July 2012, Rocheom Ton, 11.04.31 to 11.05.36 [“I learned it...each study session. Either Nuon Chea, Pol Pot, or Khieu Samphan presented this idea...that was the experience they learned...and we should draw...in order to finally liberate Phnom Penh.”]; **E1/99.1** Transcript, 31 July 2012, Rocheom Ton, 09.34.10 to 09.38.02 [“So can you confirm, first, that these three...presented to you...the positive experience...of evacuation? A. I already confirmed...these three people remained permanently at the office...Phnom Penh.”].

2604 **E1/101.1** Transcript, 2 August 2012, Suong Sikoeun, 15.26.19 to 15.32.00 [“In May 1974, after the visit by the delegation headed by Ieng Sary and Khieu Samphan...Ieng Sary and Khieu Samphan, the two returned to -- back to the country, to the Liberated Zone.”]; **E1/126.1** Transcript, 25 September 2012, Noem Sem, 09.47.37 to 09.52.22 [“In 1974, I had been traveling to foreign countries with Mr. Ieng Sary, Khieu Samphan... to 13 countries, including Vietnam, China, Korea...single trip...perhaps it was in April.”]; 10.02.36 to 10.09.09 [“Q. Can you tell us...the...date of your returning from China...to Vietnam? A... April...1974... Q. Did you know about...Ieng Sary and Khieu Samphan after they left Vietnam? A. They went to Kampong Thom.”].

2605 **E1/97.1** Transcript, 26 July 2012, Rocheom Ton, 11.39.12 to 11.44.36 to [“Q: Were Pol Pot, Nuon Chea, and Khieu Samphan at the 1974 meeting? A: Yes. They were; all of them.”].

2606 **E1/204.1** Transcript, 10 June 2013, So Socheat, 14.20.14 to 14.23.00 [“[Khieu Samphan] helped during the time when I gave birth to our first child. And upon returning from China, he [spent] about a month...”].

to take good care of our first child and he remained with us all along.”] 14.23.00 to 14.26.05 [“Q. On what date was your first child born? A. The first child was born on the 4th of May 1974.”]; 15.14.50 to 15.16.23 [“Q. At the time when you had your first baby, was Mr. Khieu Samphan with you...? A. During that time when I gave birth to my first child, he was in China and about a month later, he returned.”]; E1/205.1 Transcript, 11 June 2013, So Socheat *alias* Rin, 09.10.38 to 09.12.25; 12.00.28 to 12.06.01 [“As for the exact date, he was born on the 4th May 1974.”], 15.18.46 [My husband returned from China and when he arrived, my child was almost a month old and then he stayed with me at and then B-20 and then we moved to Meak.”], 15.20.33 to 15.22.38 [“Q. Madam So Socheat, is it right that the first time you saw your husband after the birth of the child was one month after the birth in June 1974? A. Yes, that is correct.”], 15.22.38 [“When he returned, he came to see me then we stayed in K-17 and he stayed there until we left for B-20 and then Meak.”].

2607 E1/204.1 Transcript, 10 June 2013, So Socheat, 14.20.14 [He...has helped me greatly during the difficult time; in particular...he helped...when I gave birth to our first child...returning from China, he had to spend about a month being close to me...remained with us all along.”]

2608 E1/204.1 Transcript, 10 June 2013, So Socheat, 15.14.50 to 15.16.23 [“Since the time he returned from China, he remained with me for...four to five months... he stayed with me in Office 17 and B-20; we remained together...by the time we were in Meak, Phnom Penh was close to be liberated.”]; E1/205.1 Transcript, 11 June 2013, So Socheat *alias* Rin, 15.18.46 to 15.20.33 [“We stayed together for approximately three months; almost up until the liberation day of Phnom Penh.”].

2609 E1/204.1 Transcript, 10 June 2013, So Socheat, 15.16.23 to 15.18.05.

2610 E1/205.1 Transcript, 11 June 2013, So Socheat, 15.22.38 to 15.24.16 [“Madam So Socheat, you cannot categorically state to this Court, can you, where your husband was every single day of June 1974? A. No, I cannot. But, at that time, he did not go anywhere. He stayed with me.”].

2611 E1/205.1 Transcript, 11 June 2013, So Socheat, 15.05.50 [International Prosecutor quoting draft transcript of 10 June 2013: “And upon returning from China, he,” - that’s Khieu Samphan, ‘had to spend about a month being close to me to help take good care of our first child and he remained with us all along.’”], 15.09.33 [Kong Sam Onn’s objection: “At that time, this witness testified to the effect that this was the time when their child was a month old; it was not the time period that Mr. Khieu Samphan went to stay with his family for the entire month period.”].

2612 E1/205.1 Transcript, 11 June 2013, So Socheat, 15.10.38 [National Prosecutor reads the Khmer transcript of 10 June 2013: “Quote: ‘And delivered the baby and nobody assisted me. I was all on my own. Later, he apparently returned from China. He stayed there to assist my child for approximately a month.’ End quote.”].

2613 E1/205.1 Transcript, 11 June 2013, So Socheat, 15.13.04, [Kong Sam Onn: “[T]his transcript may pose a question...When Mr. Khieu Samphan came to assist her, she really meant that at that time her child was nearly a month old. That is not something difficult to understand...carefully.”].

2614 E1/205.1 Transcript, 11 June 2013, So Socheat, 15.14.38 [International Prosecutor: “Mr. President, can you please immediately give a warning to Khieu Samphan’s National counsel not to try and say what somebody meant when they were giving evidence...what he’s just done is totally unethical...outrageous.”]; E1/206.1 Transcript, 12 June 2013, So Socheat, 10.39.14 to 10.45.36 [Co-Prosecutors’ application].

2615 E1/204.1 Transcript, 10 June 2013, So Socheat, 15.18.05 [“When at K-3, I saw my husband living in a wooden house. There was no door. Even the steps for him to climb to the house were broken...too poor condition for human beings.”], 15.22.02 [“It was difficult. The food was not sufficient so we had some water, but we did not have enough rice. I remember we sometimes had to eat bread...very modest Khmer soup.”], 15.23.16 [“We had to sleep on the floor...we made a request for a bed...it was too warm in the house to sleep on the floor directly...we were given this bamboo bed...my daughter felt that the room was too warm for her.”].

2616 E1/204.1 Transcript, 10 June 2013, So Socheat, 15.25.54 [“Sometimes...we had to make our daughter go to bed first and the life was very difficult. Life was not better in Phnom Penh than what we experienced in the jungle.”], 15.54.05 [“And of course I understand...victims who were evacuated, who had to work hard at the work sites, who were starved, who were deprived of food and water. I went through the same difficulty.”].

2617 E1/205.1 Transcript, 11 June 2013, So Socheat, 10.04.37 to 10.08.57 [“To me that kind of shortage was not a big problem...Yes, the same food for everybody...At that time, in general, the food was not that shortage.”].

2618 E1/204.1 Transcript, 10 June 2013, So Socheat, 15.28.06 [“In about four or five months that we stayed, Nuon Chea, Pol 4 Pot...Jeng Sary and his wife, Son Sen and his wife, Vorn Vet...had left K-3 and nobody else came.”], 15.33.06 [“They stayed at K-3 for four or five months, the most, and then...All of

them had left. Only my husband remained...They went to their respective places...Nuon Chea and Pol Pot went to K-1...I learned later on.”], 15.41.14 [“After the leaders left K-3, were there still a good number of people working there?...A. At K-3, it was quiet...As for the guards, there were guards outside, but I did not know how many guards...inside...only a few.”]. See Collective Work and Decision Making Section.

2619 **E1/206.1** Transcript, 12 June 2013, So Socheat, 09.38.04 [“Q. Did there come a time when you discussed with your husband that Doeun wasn’t coming to eat and wasn’t there? A. No, nobody told me.”].

2620 **E1/206.1** Transcript, 12 June 2013, So Socheat, 09.42.40 to [So you did discuss Doeun with Khieu Samphan...that he was no longer at K-3...A...I asked why Doeun did not come for his meal...my husband told me that just left there, he might come...about Doeun.”].

2621 **E1/204.1** Transcript, 10 June 2013, So Socheat, 15.36.54 [“And I asked her what she was talking about because...she would pretend to speak about something...So I was asking the people who worked there about the nature of the work and I was told...he worked with.”].

2622 **E1/205.1** Transcript, 11 June 2013, So Socheat, 09.23.35 [“I heard my daughter, while she was playing by herself, saying some words...And then my husband told me he asked the staff to prepare goods for the people at the base...my husband, and he told me.”].

2623 **E1/205.1** Transcript, 11 June 2013, So Socheat, 09.35.55 to 09.40.41.

2624 **E1/205.1** Transcript, 11 June 2013, So Socheat, 09.44.14 [When did you learn that your husband fulfilled important positions - vice-prime minister of the GRUNK, commander-in-chief...? A. Never. Never had I known such positions that he held...never told me about it.”].

2625 **E1/205.1** Transcript, 11 June 2013, So Socheat, 10.20.27 to 10.24.45.

2626 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton, 10.02.49 to 10.04.23 [“B-5 was the command location for the front battlefields and there were various other offices which were on mobile.”]; **E1/101.1** Transcript, 2 August 2012, Rochoem Ton, 09.15.55 [“The reason for the creation of B 5 was that, it was established to issue commands for the attack on Phnom Penh.”]; **E1/66.1** Transcript, 23 April 2012, Saloth Ban, 11.08.45 to 11.10.46; **E1/68.1** Transcript, 25 April 2012, Saloth Ban, 11.23.53 [“When you went to Peam to the west of Udong and you were with Pol Pot, did you see Khieu Samphan come...? A. Yes...The meeting was not of a large scale. I saw him assist in making the list...ammunition.”]; **E3/91** Saloth Ban *alias* Loth Nitya *alias* So Hong OCIJ Statement, at ENG 00223591 [“Office of the Center...early 1975 when it relocated to Kampong Chhnang Province near Udong...Taing Khmao Village, Peam Subdistrict, Udong District to facilitate command of the attack on Phnom Penh.”].

2627 **E1/21.1** Transcript, 13 December 2011, 13 December 2011, Khieu Samphan, 16.02.21 to 16.05.20 [“Pol Pot who called upon me to go there in order to participate...[T]he military cadre from...various battlefields...came to report to him and to listen to him how he gave directions back...”]; **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156743, KHM 00156614, FR 00156666 [“I think that there were just the two of us; Nuon Chea may have been there, too...There were also some commanders...who can on a regular basis: Ta Mok...Koy Thuon...Sao Phim...occasionally.”]; **E1/97.1** Transcript, 26 July 2012, Rochoem Ton, 09.35.59 to 09.40.28 [“The regular meetings at B 5 were chaired by Om Pol Pot...Sometime Om Nuon Chea, Om Khieu Samphan also came there...also they meet [with] people from zones...they would meet every five days or a fortnight.”], 09.40.28 [“[T]here were routine, regular daily meetings”], 09.53.16 to 09.56.01 [“B-5 was located in Tang Poun village...in Kampong Tralach district, Kampong Chhang province.”]; **E1/68.1** Transcript, 25 April 2012, Saloth Ban, 11.23.53 to 11.28.03 [“When you went to Peam to the west of Udong and you were with Pol Pot, did you see Khieu Samphan come...and attend the meetings? A. Yes, I saw Khieu Samphan there...I saw him assist in making the list.”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396470 [“Pol made final dispositions for the dry-season offensive against Phnom Penh at a meeting in early December at B-5, a new forward base near Taing Poun village in Kompong Tralach... north of Oudong.”]; **E3/3** Nuon Chea Interview, May 1998, at ENG 00184658-59 [“In the countryside, there remained only two Branches which maintained a Party life...and another...in Peam my Subdistrict of Kampong Chhnang...in Kampong Tralach District, Kampong Chhnang Province.”].

2628 **E1/97.1** Transcript, 26 July 2012, Rochoem Ton, 10.02.49 to 10.09.04 [“Q. How much time did Pol Pot spend at the B-5 Office in the 1974 and early 1975 time period? A. He stayed there permanently during the dry season. However, during the rainy season, he would move to S-71.”]

2629 **E3/18** Khieu Samphan, *Cambodia’s Recent History & the Reasons Behind the Decisions I Made*, at ENG 00103750 [“March 1975, I was invited to the general headquarters...west of Oudong, to follow the last offensive against the capital...Every day, with a few army officers, I followed the battle’s progression on the radio.”]; **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156743 [“[As at 17 April 1975] For about 10 days I had been at the headquarters of Pol Pot to the West of Udong...[I] observed the events upon which Pol Pot briefed me once in a while.”]; **E1/21.1**, Transcript, 13 December 2011, Khieu Samphan,

16.02.21 to ["It was Pol Pot who called upon me to go there in order to participate and to listen to what he did with the military cadre from various battles...who came to report to him and to listen to him."]; **E1/97.1** Transcript, 26 July 2012, Rocheom Ton, 13.46.12 to 13.49.18 ["Also, there was a big radio at our location...listen to any communications throughout all the battlefields...report...was regular...throughout...the vicinity around Phnom Penh...communications."]; **E1/100.1** Transcript, 1 August 2012, Rocheom Ton, 11.09.07 ["A. Regarding the B-5 Office and Sdok Taol, I would ferry the letters between these two offices to the battlefield."]; **E1/101.1** Transcript, 2 August 2012, Rocheom Ton 09.12.04 to 09.15.55 ["Q. So...when you were at B 5, were you still acting as a messenger...? A. At that office, I still continued the task as a messenger carrying the message between Hem and the battlefields..."]; **E1/204.1** Transcript, 10 June 2013, So Socheat *alias* Rin, 14.28.10 to 14.31.15 ["[B]efore the liberation, he had left me...He left me about 10 to 15 days because he told me the liberation was closing..."]; **E1/205.1** Transcript, 11 June 2013, So Socheat *alias* Rin, 09.53.12 to 09.56.39.

2630 **E1/97.1** Transcript, 26 July 2012, Rocheom Ton, 09.40.28 to 09.42.47 ["[A]s early as April 1975, uncles met to discuss about the evacuation of the population...Pol Pot raised this...Om Nuon Chea, Om Khieu Samphan...were there in the meeting."]; 09.42.47 to 09.45.02 ["[A]s the principal indicated in the meeting, when we conquered the city of Phnom Penh the people had to be evacuated...people had to be evacuated for a period of one week."]; 09.53.16 ["Q: Just to clarify, was this a meeting that took place at the B-5 Office...A: Yes..."]; 10.09.04 to 10.11.01, 10.14.37 to ["I heard the battlefield committees reported about the situation...then Om Number...would propose...the evacuation measure...they decided that it would be better and effective if all people were to be evacuated."]; **E1/101.1** Transcript, 2 August 2012, Rocheom Ton, 10.04.31 ["As far as I recall the meeting took place at B-5...in April...then there was a move from B-5 to Sdok Taol...the meeting that I mentioned...was held in April...prior our move to Sdok Taol."]; **E3/24** Phy Phuon OCIJ Statement, at ENG 00223581 ["[E]arly 1975, there had been a meeting of the Battlefield Committees throughout the country, with Pol Pot...Khieu Samphan...at the Office of Pol Pot, Office B5"]; **E3/63** Phy Phuon OCIJ Statement, at ENG 00231409-10 ["The meeting focused only on the plan to evacuate the people from Phnom Penh, and the explanation was made so the members of the meeting would understand and carry out that plan."]; **E3/63.1** Phy Phuon OCIJ Statement Transcript, at ENG 00826384 ["The members of the meeting provided their personal impressions and opinions on the evacuation plan and agreed...they told all the commanders to set up meetings...plans to evacuate the people from the cities."]; **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156743, KHM 00156614, FR 00156666 ["For about 10 days I had been at the headquarters of Pol Pot to the West of Udong... and observed the events upon which Pol Pot briefed me once in a while...Nuon Chea may have been there... some commanders"]; **E3/18** Khieu Samphan, *Cambodia's Recent History & the Reasons Behind the Decisions I Made*, at ENG 00103750 ["By the end of March 1975, I was invited to the general headquarters of the Communist Party of Kampuchea in Phoum Dong, west of Oudong, to follow the last offensive against the capital more closely."]; **E1/130.1** Transcript, 4 October 2012, Meas Voeun, 09.33.57 to 09.36.03 ["[Y]ou also describe how the army was tasked to open attacks into Phnom Penh...by the Upper Echelon...Who is 'the Upper Echelon'? A...I only knew Ta Mok, Son Sen, and Khieu Samphan."]; **E3/424** Meas Voeun OCIJ Statement, at ENG 00421070 ["Before attacking into Phnom Penh, commanders... attended the meeting with the General Staff...who conducted the meeting with the division commanders from all zones..."]; **E3/1568, E3/5593 TCW-223** Statement, at ENG 00419396-97 ["Before the liberation there was a plan / meeting of the Center...The plan was announced at the meeting to attack and liberate Phnom Penh and after...to evacuate the people out of Phnom Penh temporarily."].

2631 **E1/97.1** Transcript, 26 July 2012, Rocheom Ton, 09.51.32 to 09.52.25 ["Khieu Samphan also agreed with the plan and the whole meeting applauded and approved the idea."]; 10.16.11 ["So everyone - all the participants agreed to the measure and applauded it."]; **E3/63** Phy Phuon OCIJ Statement, at ENG 00231410 ["Mr Khieu Samphan gave his opinions and impressions and agreed to the plan to evacuate the people...Khieu Samphan...individually recorded the content of the meeting."]; **E3/63.1** Phy Phuon OCIJ Statement Transcript, at ENG 00826385.

2632 **E1/97.1** Transcript, 26 July 2012, Rocheom Ton, 09.45.02 ["We learned from experience."]; 09.45.02 to 09.48.52 ["[I]n 1974 Udong was liberated, and the experience was obtained from this liberation."]; 10.16.11 to 10.18.18 ["There were liberations in various towns and cities and in the presentation he explained to us about our experiments in liberating those towns and cities. Om Nuon Chea also made that presentation...forces."].

2633 **E1/97.1** Transcript, 26 July 2012, Rocheom Ton, 09.45.02 ["Before...we had liberated some other provincial towns...if people remained in the cities the Party would find it difficult to control them...to survive as the resistance, we had to remove them all...plausible."]; 10.16.11 ["I just stated that he raised

or proposed the measures and Om Nuon Chea also stood out and agreed to the measure. So everyone...all the participants agreed to the measure and applauded it.”].

2634 **E1/97.1** Transcript, 26 July 2012, Rocheom Ton, 10.18.18 to 10.20.22 [“I saw them drawing sketches on the board, the targets that everyone were to be in charge of. So the drawing was made by, first, Pol Pot...spearhead targets need to be responsible for that.”]; See also **E1/99.1** Transcript, 31 July 2012, Rocheom Ton, 09.46.20 to 09.51.03.

2635 **E1/97.1** Transcript, 26 July 2012, Rocheom Ton, 10.20.22 to 10.22.08 [“Q: did you hear anyone at the meeting express any concerns...A: It seems that there was no-one made such comment during the meeting.”]; **E152.1.52.1** Khieu Samphan Interview, at ENG 00788872 [“[I]f there had been a single voice against the evacuations, there could have been no evacuations.”].

2636 **E3/9** Philip Short, *The History of a Nightmare*, at ENG 00396198-99 [“On April 17 1975, Saloth Sar was at the CPK Central Committee’s Headquarters...Sdok Toel...A second hut...was occupied by Khieu Samphan...Samphan recalled...‘We avoided showing our feelings...was all.’”]; See also **E1/86.1** Transcript, 13 June 2012, Oeun Tan, 10.54.22 [“A. During the liberation of Phnom Penh, Khieu Samphan and Nuon Chea went to Phnom Penh first...do you mean before Pol Pot?A. The three people went there together.”].

2637 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156748-49, KHM 00156618, FR 00156670 [“Q. When you entered Phnom Penn...I entered Phnom Penh during the day. Pol Pot took me to Phnom Penh in a jeep which was confiscated from the Lol Nol soldiers.”]; **E1/189.1** Transcript, 6 May 2013, Philip Short, 10.13.14 to 10.14.59 [“Mr. Khieu Samphan, did also tell me that he was at the - Pol Pot’s headquarters west of Phnom Penh...he did not go into Phnom Penh on the 17th, he went later, the following day, or a day later.”]; **E1/192.1** Transcript, 9 May 2013, Philip Short, 13.50.16 to 14.01.10 [“In my judgement, it was very probably on the 20th, but I would repeat again, dates are the weak link in any historical work based on oral history.”]; **E3/9** Philip Short, *The History of a Nightmare*, at ENG 00396494 [“[O]n the morning of April 20, Pol returned to the city...surrounded by a phalanx of jeeps carrying the leaders of the three zones which had co-ordinated the offensive...[and] Nuon Chea, Khieu Samphan...”]; **E1/97.1** Transcript, 26 July 2012, Rocheom Ton, 14.04.18 to 14.06.57 [“Q. At what time did Pol Pot, Nuon Chea, and Khieu Samphan arrive...? A. Nuon Chea came later, perhaps on the 21st of April...A. At that time, Om Nuon Chea and Khieu Samphan...they came at a later date.”]; **E3/118** FBIS *Khieu Samphan 21 Apr Victory Message on Phnom Penh Radio*, at ENG 00166994, KHM, 00846160, FR 00845845.

2638 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156742; See also **E1/204.1** Transcript, 10 June 2013, So Socheat *alias* Rin, 14.28.10 to 14.31.15 [“[O]ne week after Phnom Penh was liberated, I left 17 for Sdok Taol...I met with him and we spent overnight there. The next morning, he left me.”], 14.33.05 to 14.35.18 [“He left for Phnom Penh in the early morning.”]; **E1/205.1** Transcript, 11 June 2013, So Socheat *alias* Rin, 09.56.39 to 09.58.14 [“A week [after the fall of Phnom Penh], I went to meet him in Sdok Taol village. We stayed overnight over there...”].

2639 **E3/118** FBIS *Khieu Samphan 21 Apr Victory Message on Phnom Penh Radio*, at ENG 00166994, KHM, 00846160, FR 00845845 [“Phnom Penh Domestic Service in Cambodian 2215 GMT 21 Apr 75 BK...congratulatory statement by RGNUG Deputy Prime Minister...Khieu Samphan...live or recorded”]; See also **E1/97.1** Transcript, 26 July 2012, Rocheom Ton, 14.04.18; **E3/118** FBIS RGNUG Spokesman Describes Plans After Victory, 15 April 1975, at ENG 00166967-68 [“As soon as our capital is liberated, the RGNUG...will move to Phnom Penh immediately to assume all national responsibilities. Mr Khieu Samphan...will preside over the Council of Ministers...Peking.”].

2640 **E3/118** FBIS *Special National Congress Retains Sihanouk, Penn Nouth*, 28 April 1975, at ENG 00167013; see also **E236/1/ 4/3.1**, Sydney Schanberg, *Cambodia Diary 1975: A journalist’s day-by-day notes on the fall of Cambodia to the Khmer Rouge*, 00898306, 00898312; **E1/99.1** Transcript, 31 July 2012, Rocheom Ton, 09.26.29 [“Did you hear about a Special National Congress...on the 24th, 25th, and 27th of April 1975 and presided over by Mr. Khieu Samphan. A. I heard of that announcement on the radio; that is, his announcement, yes.”].

2641 **E1/97.1** Transcript, 26 July 2012, Rocheom Ton, 14.04.18 [“Nuon Chea came later, perhaps on the 21st of April...Om Nuon Chea and Khieu Samphan, their trip was arranged by Pang and they came at a later date.”]; See also **E1/192.1** Transcript, 9 May 2013, Philip Short, 13.43.58 to 13.50.16 [“Nuon Chea and Khieu Samphan were sent to inspect the Northern Zone checkpoints of Preaek Kdam...’What is your source? A. My source was Phy Phuon...I found his account credible.”].

2642 **E1/192.1** Transcript, 9 May 2013, Philip Short, 13.43.58 [“This was a particular case where I had no doubt that Mr. Khieu Samphan’s account was untruthful...there were one or two other points where my judgement was that he was not being truthful...”], 13.48.30 [“Khieu Samphan, himself, has changed his

version, no longer claims that he basically came into Phnom Penh a month...In his interview with me, that is what he said...book by In Sopheap...discussions with...Samphan.”].

2643 **E3/9** Philip Short, *The History of a Nightmare*, at ENG 00396494-95; **E1/192.1** Transcript, 9 May 2013, Philip Short, , 13.43.58 to 13.50.16 [“‘Nuon Chea and Khieu Samphan were sent to inspect the Northern Zone checkpoints of Preaek Kdam...’What is your source? A. My source was Phy Phuon...I found his account credible.”].

2644 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156746 [“[Th]e soldiers talked about that issue. They said they could not advance because there was a big mass of people being evacuated...they told me there was an order to evacuate Phnom Penh.”], 00156747 [“I learnt the information on the evacuations from a group of soldiers. [They] did not tell me directly, but they were talking among themselves and I overheard.”], 00156749; **E3/18** Khieu Samphan, *Cambodia’s Recent History and the Reasons behind the decisions I made*, at ENG 00103750 [“Why such a measure? When had it been decided?”].

2645 **E3/210** Khieu Samphan OCIJ Statement, at ENG 00156949 [“Pertaining to the evacuation of Phnom Penh, I clearly realised that the population might have fallen along the way. That is why after the fall of the movement, I asked myself the reasons why...principles.”].

2646 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156746-47, KHM 00156615-16, FR 00156668-69 [“I was at the railway station with Pol Pot, Nuon Chea...I tried to hide my unhappiness. We could not criticise the political line other than during meetings...first I expressed my disagreement with him.”].

2647 **E3/24** Phy Phuon OCIJ Statement, at ENG 00223581 [“I knew that they would evacuate all the people in order to ensure security throughout the country and would keep only revolutionary forces in Phnom Penh.”]; See also **E1/209.1** Transcript 19 June 2013, Nou Mao, 10.02.40 to 10.13.29, 10.16.55, 10.22.33, 11.20.40 to 11.23.28, 11.25.30.

2648 **E1/97.1** Transcript, 26 July 2012, Rocheom Ton, 10.22.08 to 10.24.48; **E1/189.1** Transcript, 6 May 2013, Philip Short, 10.10.47 to 10.14.59 [“Q. Khieu Samphan... says that he was unaware of the decision to evacuate Phnom Penh. A...As to his surprise, well, I would be surprised that he was surprised.”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396465 [“[T]he outcome was a unanimous decision that Phnom Penh and all other Cambodian towns should be evacuated as soon as they were ‘liberated’ and the population sent off...villages.”].

2649 **E3/687** New York Times, *3 Unlikely Cambodian Allies Map War on Vietnam*, 9 July 1982, at ENG 00122280, KHM 00651187, FR 006225450.

2650 **E3/118** Khieu Samphan Speech, 21 April 1975, at ENG 00166994 [“[T]he...people and the CNPLAF...successfully smashing...attacking, and draining the enemy of its military, political, economic and financial strength, food and rice...until...it could not recover...the enemy died in agony.”].

2651 **E3/118** Khieu Samphan Speech, 21 April 1975, at ENG 00166994, at para. 2.

2652 **E3/118** Khieu Samphan Speech, 21 April 1975, at ENG 001669945, at para. 2.

2653 **E3/119** Khieu Samphan Interview, 12 August 1975, at ENG 00167385-00167386.

2654 **E3/275** Khieu Samphan Speech, 15 April 1976, at ENG 00167631, at para. 6.

2655 **E3/275** FBIS, *Khieu Samphan Address*, 15 April 1976, at ENG 00167631 [“[T]he dark era...ended...under the oppression of imperialists, colonialists and all stripes of reactionaries...Our people, workers, peasants...put an end to the dark era...and liberated themselves...”].

2656 **E1/190.1** Transcript, 7 May 2013, Philip Short, 09.27.20 to 09.28.36, 09.48.07 to 09.54.20, **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396523-25; **E3/1593** Ben Kiernan, *The Pol Pot Regime: Race, Power, and Genocide in Cambodia under the Khmer Rouge, 1975-79*, at ENG 00678569 [“[I]f people had stayed in Phnom Penh they would have died because there was no rice.”].

2657 **E3/27** Khieu Samphan OCIJ Statement, at ENG 00156748.

2658 **E3/4054** Khieu Samphan Interview, at ENG 00792448 [“Both Vietnam and Kampuchea were liberated in April 1975. In 1976 Vietnam gave an ultimatum...The evidence to prove that the Vietnamese were waiting to crush [DK] was the ultimatum...liberated.”].

2659 **E3/16** Khieu Samphan, *Considerations on the History of Cambodia From the Early Stage to the Period of Democratic Kampuchea*, at 0049828.

2660 **E1/190.1** Transcript, 7 May 2013, Philip Short, 10.15.21 to 10.19.04 [“Q. [A] principle with respect to those outside being viewed as enemies...Do I take it correctly...that this is another development? A. It’s another increment...there is a very clear thread...always in the same sense.”], 10.25.57 to 10.52.33 [“Whether it’s a development...the Khmer Rouge or the CPK increasingly took the view, ‘All who are not with are against us’...It’s all of a package...”], 10.52.33 to 10.54.03 [“The beginning, I think, was in Ratanakiri when, after the Samlaut uprising, fighting started in other parts of the country...there was a ‘take no prisoners’ policy from the beginning...where it started.”], 10.54.03 to 10.55.19 [“There was no written instruction. It was just what you did, what you knew you had to do, what you knew the Party would want you to do...it was clearly understood to be the case.”], 11.14.15 to 11.17.47 [“There was an

intensification...the growth in Khmer forces had reached a point where it was no longer quite so necessary to win over the peasantry, to win over support by gentle means.”], 11.17.47 to 11.19.00 [“Q. [Y]ou quote the words ‘...the various oppressive classes’...What is the meaning of that particular phrase? A...merchants, wealthier families, people in authority...associated with the Lon Nol system...”], 11.42.52 to 11.46.58 [“Q. Can I ask you to expand on...executions becoming more systematic from 1973? A. I was told by rank-and-file soldiers...at that time...it’s a statement of fact...ties in with this tightening of discipline...system.”], 11.53.23 to 11.57.10 [“[T]he guiding principle behind all of them was: Executing people is right when they are counter-revolutionary...”], 13.34.38 to 13.38.54 [“Q. [Y]ou indicate that officials and uniformed soldiers were... killed. Is that...consistent with policies and lines...before? A. That is consistent with what had been happening before...and...afterwards.”]; **E1/191.1** Transcript, 8 May 2013, Philip Short, 14.30.17 to 14.31.36 [“My discussion with Phy Phuon began with 1968...it was put in terms of drawing a clear line of demarcation between ourselves and the enemy. Udong was a particular instance...”]; **E1/192.1** Transcript, 9 May 2013, Philip Short, 09.04.26 to 09.07.33 [“[Y]ou have testified that there is a policy...before 1975, of executing Lon Nol officials and soldiers...A...there is evidence from Khmer Rouge or Khmer Rouge soldiers...as well.”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396364 [“Policy...was therefore modified...in practice the movement behaved more and more as though ‘all those who are not with us are against us’.”], 00396410 [“[T]wenty-six Western journalists had ‘gone missing’...With three exception, all...were killed. Once again it was a matter of ‘drawing a clear line of demarcation between the enemy and ourselves.’”], 00396430 [“Opposing the revolution...meant death. In...1970, a village...inhabitants had rebelled...twenty-four people...were publicly beaten to death...After the Central Committee meeting in May 1972... began to change.”], 00396449 [“CPK forces...killed and disembowelled prisoners and executed suspected collaborators. On the communist side, however, it was only after 1973 that such exactions became systematic...deserters...were killed.”], 00396455 [“Oudong was attacked at 3 a.m. on Sunday, March 3 1974... Officials and uniformed soldiers were separated from the rest, led away and killed.”].

2661 **E3/785** *Revolutionary Flag* July 1973, at ENG 00713999, KHM 00442048, FR 00741969 [“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.”].

2662 **E1/92.1** Transcript, 19 July 2012, David Chandler, 11.28.28 to 11.35.09 [“I think the idea of going after strings -- or ‘khsae’ -- is first evidenced here...These people did not resurface in Cambodia.”]; **E3/1684** David Chandler, *Voices from S-21: Terror and History in Pol Pot’s Secret Prison*, at ENG 00192700; **E1/190.1** Transcript, 7 May 2013, Philip Short, 11.48.27 to 11.51.17 [“Q. [S]tarting in late 1973...You describe the establishment of security centres...does it reflect the establishment of this more systematic enforcement of policy...? A...These are the beginnings of...an administration.”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396454 [“New prisons were built...Long afterwards local people still shivered at the names of these places - Sdok Srat, Phnom Prateat and K’mab - ‘to which men were taken, but none came back’.”].

2663 **E3/117** FBIS *Khieu Samphan Chairs NUFC Congress Session: Communique Issued*, 26 February 1975, at ENG 00166772, KHM 00242309, FR 00281432; **E3/3334** US Embassy *Khmer Report*, 4 March 1975, at ENG 00413053 [“On February 24 - 25 Khieu Samphan chaired the second Cambodian National Congress...They declared that ‘it is absolutely necessary to kill’...the seven ‘traitors’ Lon Nol... Fernandez.”] **E3/3718** Ta Kung Pao, *7 Top Cambodian Traitors Named*, 6 March 1975; **E3/3716** New York Times, *US State Dept Officials Say That Despite Apparent Willingness of Cambodian...* 3 March 1975; **E3/3169** Stephen Heder, *Pol Pot and Khieu Samphan*, at ENG 00002752 [“On 24-25 February, Khieu Samphan chaired the Second National Congress...The Congress declared that the seven traitors must die, but that other high-ranking...personalities could join the Sihanouk side.”]; **E1/56.1** Transcript, Kaing Guek Eav *alias* Duch, 29 March 2012, 09.20.11 to 09.21.32 [“In February 1975, there was a broadcast to the world that the five super traitors had to be held accountable or held accountable and that other people other than the five super traitors could be pardoned...”], 15.22.52 to 15.41.52; **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 10.38.54 to 10.46.33 [“A. [T]he Khmer Rouge occasionally issued statements...the ‘Seven Traitors’...were to be...killed...Q. [T]ranscript...E3/117...is it consistent? A. [W]e saw these reports with those quotations more than once.”].

2664 **E3/117** FBIS *Khieu Samphan Chairs NUFC Congress Session: Communique Issued*, 26 February 1975, at ENG 00166772, KHM 00242309, FR 00281432; See also **E3/3169** Stephen Heder, *Pol Pot and Khieu Samphan*, at ENG 00002752 [“[O]n 1 April...Khieu Samphan spoke in a live broadcast...attacked the seven traitors by name, but appealed to the...Khmer Republic armed forces to lay down their arms and join the Sihanouk side.”].

- 2665 **E3/117** FBIS *Khieu Samphan Chairs NUFC Congress Session: Communique Issued*, 26 February 1975, at ENG 00166773, KHM 00242309, FR 00281432-33.
- 2666 **E1/192.1** Transcript, 9 May 2013, Philip Short, 09.07.33 to 09.11.56 [“It said...the seven super traitors will be killed, and then invited others to join the Revolution...the implication is if you don’t join the Revolution immediately, you will be in the same category as the super traitors.”].
- 2667 **E1/190.1** Transcript, 7 May 2013, Philip Short, 15.05.53 to 15.09.17 [“[H]ave you come across any evidence of him distancing himself from this decision...? A. Absolutely not, and I’m sure he did not distance himself; I’m sure he was in agreement with it and with the policies... with it”], 15.14.41 to 15.16.09 [“Although the decision...‘only the seven traitors’...would be read as a reassurance...it does say that others will be welcomed, provided they immediately cease...if they didn’t...guarantee is no longer good.”].
- 2668 **E3/30** FBIS *AKI Commentary on CPNLAF Resolve to Crush Enemy*, 12 January 1975, at ENG 00166694; **E3/30** FBIS *AKI Condemns Ford’s Aid Policy, Senators’ Visit*, 10 January 1975, at ENG 00166695-96; **E3/120** FBIS *NUFC Radio Emphasizes 26 Feb Congress Appeal*, 3 March 1975, at ENG 00166791-92; **E3/120** FBIS *NUFC Editorial Hails Decisions of 2D National Congress*, 4 March 1975, at ENG 00166792-93; **E3/120** FBIS *Further Appeal Urges People to Join CPNLAF Struggle*, 7 March 1975, at ENG 00166795-96; **E3/120** FBIS *NUFC Radio Reiterates RGNUG-NUFC Policies on Major Issues*, 11 March 1975, at ENG 00166807-08; **E3/120** FBIS *Penn Nouth Greets Khieu Samphan on Congress, Victories*, 9 March 1975, at ENG 00166815-15 [“Traitors...will in no way be able to escape just punishment for their abominable, monstrous crimes committed against our nation and people.”]; **E3/120** FBIS *Cambodians In Peking Laud Second NUFC Congress*, 11 March 1975, at ENG 00168816 [“The decision to put an end to the existence of the seven fascist and corrupt traitors...for their unprecedented, monstrous crimes.”]; **E3/120** FBIS *Chau Seng: U.S. Intervention Can Not Save Lon Nol Regime*, 10 March 1975, at ENG 00166819-21 [“Apart from the seven traitors who organized the coup...all other Cambodians...can join with the NUFC...”]; **E3/120** FBIS *NUFC Radio Hails CPNLAF Successes, U.S. Domestic Protests*, 7 March 1975, at ENG 00166837; **E3/120** FBIS *Sosthene Fernandez Resignation ‘Deception’*, 14 March 1975, at ENG 00166837-38; **E3/120** FBIS *Civil Disturbances Urged*, 14 March 1975, at ENG 00166838-40; **E3/120** FBIS *17 March ‘Urgent Appeal’*, 17 March 1975, at ENG 00166842-43; **E3/120** FBIS *RGNUG’s Hou Nim Issues Appeal to Monks on Current Situation*, 22 March 1975, at ENG 00166869-72 [“There are only seven traitors...the second national congress most justly decided that the existence of the traitors should be ended.”]; **E3/120** FBIS *Long Boret: Ready For ‘Any Sacrifice’ For Negotiated Peace*, 24 March 1975, at ENG 00166867; **E3/120** FBIS *RGNUG 22 March Statement of NUFC-CPNLAF Anniversary*, 25 March 1975, at ENG 00166874-76; **E3/120** FBIS *RGNUG Cabinet Issues 25 March Communique-Appeal*, 26 March 1975, at ENG 00166874; **E3/120** FBIS *RGNUG’s Hou Youn Issues Appeal to ‘Enemy-Controlled’ Areas*, 29 March 1975, at ENG 00166885-87; **E3/120** FBIS *Former Leader Cheng Heng In Bangkok Enroute to Paris*, 30 March 1975, at ENG 00166883-84; **E3/118** FBIS *AKI: CPNLAF Continuing Offensive ‘Without Compromise’*, 10 April 1975, at ENG 00166937; **E3/118** FBIS *Chau Seng: No Bloodbath to Take Place in Phnom Penh*, 12 April 1975, at ENG 00166946 [“We shall punish the traitors...the super-traitors who are condemned to death, as the Nazis were by the allies.”]; **E3/118** FBIS *Pren Nouth Greets Compatriots on Cambodian New Year*, 13 April 1975 at ENG 00166955-56; **E1/201.1** Transcript, 5 June 2013, Sydney Schanberg, 10.40.39 to 10.46.33.
- 2669 **E3/1173** Instructions from 870, at ENG 00525781, KHM 00072484, FR 00807140-41 [“When our Second National Congress...condemned just the seven traitors...they continued to maintain their forces...But, after we were victorious, we removed the people from Phnom Penh and the cities...scattered.”].
- 2670 **E3/189** Telegram from the Minister for Foreign Affairs of the Royal Government of National Union of Cambodia addressed to the Secretary-General of the United Nations, 18 March 1975, at ENG 00894298
- 2671 **E3/120** FBIS *RGNUG Cabinet Issues 25 March Communique - Appeal*, 25 March 1975, at ENG 00166874 [“[O]n 25 March 1975 the RGNUG cabinet...chaired by Khieu Samphan...passed the following resolutions reaffirming...second national congress: 1...the existence of the fascist, rotten traitors must be ended...”]; **E3/272** FBIS, *Khieu Samphan Report*, 14 December 1975, at ENG 00167811 [“The second national congress was then held in February and stressed our...policies...1) attacking and driving out the U.S. imperialist aggressors...2) condemning and punishing the seven traitors...”].
- 2672 **E3/30** FBIS *RGNUG Prime Minister Transfers Cabinet Portfolios to Interior*, 14 January 1975, at ENG 00166703-04; **E3/30** FBIS *Sihanouk’s 15 Nov 74 Decree Relieving RGNUG Ministers*, 15 January 1975, at ENG 00166706; **E3/30** FBIS *Sihanouk Names New RGNUG Ministers*, 15 January 1975, at ENG 00166707-09.

- 2673 **E3/120** FBIS RGNUG Cabinet Issues 25 March Communique - Appeal, 25 March 1975, at ENG 00166874.
- 2674 **E3/120** FBIS Khieu Samphan speaks at NUFC-CPNLAF Anniversary Ceremony, 23 March 1975, at ENG 00166867-68.
- 2675 **E3/118** FBIS, *Khieu Samphan 21 April Victory Message on Phnom Penh Radio*, 21 April 1975, at ENG 00166994 [“[P]eople have totally smashed the most ferocious war of aggression of the U.S. imperialists and completely crushed the most traitorous, fascist and corrupt regime of traitors Lon Nol, Sirik Matak...Sosthene Fernandez.”]
- 2676 **E3/118** FBIS, *Khieu Samphan 21 April Victory Message on Phnom Penh Radio*, 21 April 1975, at ENG 00166994.
- 2677 **E3/118** Khieu Samphan Speech, 21 April 1975, at ENG 00166995 [“Therefore, we must unite and continue to struggle...by constantly increasing revolutionary vigilance”]
- 2678 **E3/275** Khieu Samphan Speech, 15 April 1976, at ENG 00167636 [“[W]e still have so much to do...the task of always maintaining the spirit of revolutionary vigilance to protect and preserve our country.”]; **D108/28.123** [no E3 number] Khieu Samphan Statement, 30 December 1977, at ENG 00166069, KHM 00229024, FR 00345470 [“9. The CPK Central Committee...appeal to the entire party and the Cambodian Revolutionary Army as well as all the Cambodian people to further raise their revolutionary vigilance”]; **E3/169** Khieu Samphan Statement, 17 April 1978, at ENG 00280398, KHM S 00704526, FR S 00004808 [“We must defend tooth and nail the country...All units throughout the country must continue to increase their revolutionary vigilance”]; **E3/562**, Khieu Samphan Speech, [broadcast of excerpts] 15 April 1978, at ENG S 00010562, KHM...FR...[“[O]ur people’s vigilance and patriotism have soared high and their national indignation and class hatred have become seething”], ENG S 00010563, KHM 00249989, FR 00280379 [“Our tasks are: (1)...All units throughout the country must continue constantly to raise high the sense of revolutionary vigilance”], ENG S 00010563, KHM 00249990, FR 00280380 [“(iii)...(10)To hold extremely high and keep extremely seething the national spirit of revolutionary vigilance in order to be ready beforehand to deal with all poisonous manoeuvres of the enemy”]; **E3/566**, Khieu Samphan Statement [Letter], 24 November 1978, at ENG S 00013316, [“[I]n the situation which prevails at present, the people and the revolutionary army of Kampuchea constantly heighten their vigilance to resist Vietnam”].
- 2679 **E3/549** Khieu Samphan Speech, 16 - 19 August 1976, at ENG 00644939, KHM 00065901 [“[W]e constantly have to strengthen our revolutionary vigilance, for our innumerable experiences have taught us that the enemy would never give up their dark schemes to destroy our revolution”];
- 2680 **E3/549** Khieu Samphan Speech, 16 - 19 August 1976, at ENG 00644939 [“[T]he enemy still carried on ...affair of Mayaguez in May 1975 and the bombing of the city Siem Riep in February 1976...would never give up their dark schemes to destroy our revolution”]; See also **E1.205.1** Transcript, 11 June 2013, So Socheat, 11.20.32 [“In the office they spoke about being vigilant and not to reveal secrecy because there were enemies who were attempting to destroy us and for that reason we had to be vigilant...at the time.”].
- 2681 **E3/201**, Khieu Samphan Speech, 15 April 1977, at ENG 00419513, KHM 00292804-05, FR 00612166 [“However, we must...by resolutely suppressing all categories of enemies...We must wipe out the enemy...following the lines of...our revolutionary organization”]; **E3/562**, Khieu Samphan Speech, [broadcast of excerpts] 15 April 1978, at at ENG S 00010563, KHM 00249989-90, FR 00280379-80 [“(1)...Only by implementing the Party’s lines can we defend our country against *both internal and external enemies*. All units...must continue constantly to raise high the sense of revolutionary vigilance”]; See also See also **E1/191.1** Transcript, 8 May 2013, Philip Short, 09.50.59 to 09.57.29 [“E3/201...transcript of that speech... English, 00419512[-]3...Does that relate to...the regime’s treatment of its perceived enemies? A...a coded warning to Vietnam...we are vigilant, we are aware.”]
- 2682 **E3/201**, Khieu Samphan Speech, 15 April 1977, at ENG 00419517, KHM 00292813-14, FR 00612172 [“We must uphold our spirit of revolutionary vigilance at all times against the enemies from all quarters, both at home and abroad”].
- 2683 **E3/201**, Khieu Samphan Speech, 15 April 1977, at ENG 00419513, KHM 00292804-05, FR 00612166.
- 2684 **E1/93.1** Transcript, 20 July 2012, David Chandler, 10.03.29 to 10.07.44.
- 2685 **D108/28.123** FBIS, *Khieu Samphan Statement*, 30 December 1977, at ENG 00166067, KHM 00229020, FR 00345468 [“In 1975 and 1976 Vietnam continuously...carried out criminal activities in an attempt to stage a coup d’etat overturning Democratic Cambodia through a handful of traitorous forces which were Vietnam’s agents”], ENG 00166069, KHM 00229024, FR 00345470 [“This KPC...are sure to carry on their lofty revolutionary tradition...in expelling...annexationist Vietnamese enemy [and] will never be gobbled...by aggressive, expansionist or annexationist enemy”], 00166070 [“The aggressive, expansionist Vietnamese enemy has a great ambition...to annex all our territory and enslave all our people

and turn all of us into Vietnamese within the next few decades”]; **E3/169** Khieu Samphan Speech, 15 April 1978, at ENG 00280392, KHM S 00704519, FR S 00004804 [“We are all determined...by mobilizing all our efforts to accomplish all the tasks entrusted to each of us by the Party...to radically eliminate forever...all enemy...*especially* Vietnam the aggressor”]; See also **E1/120.1** Transcript, 3 September 2012, Norng Sophang, 15.06.26 [“A. Yes, I do. I used to listen to the statement made by Mr. Khieu Samphan. It was done on the 31st of December 1977 through the National Radio of Democratic Kampuchea broadcast.”]; **E3/562**, Khieu Samphan Speech, [broadcast of excerpts] 15 April 1978, at ENG S 00010559-60 [“And all of us...to strive wholeheartedly to fulfil all the tasks the Party has assigned...to completely eliminate and forever eliminate the aggressive *enemies of all stripes*, particularly the...Vietnamese aggressors”], ENG S 00010563, KH 00249989, FR 00280379 [“(4) To expel resolutely from Cambodian territory and destroy forever all the expansionist, annexationist Vietnamese aggressors”].

2686 **E3/562** Khieu Samphan Speech, [broadcast of excerpts] 15 April 1978; See also **E3/201**, Khieu Samphan Speech, 15 April 1977, at ENG 00419512, KHM 00292804, FR 00612165-66 [“[O]ur army...and various bases, had allowed no enemy to infiltrate our territory and territorial waters or to sabotage our Cambodian revolution, whether from outside or from within”].

2687 **E3/562** Khieu Samphan Speech, [broadcast of excerpts] 15 April 1978, at ENG S 00010563, KH 00249989, FR 00280379.

2688 **E3/562** Khieu Samphan Speech, [broadcast of excerpts] 15 April 1978, at ENG S 00010566.

2689 **E3/37** Khieu Samphan OCIJ Statement, at ENG 00156757.

2690 **E3/1077** Telegram 324 from Se, North Zone Secretary to Committee 870, 10 April 1978, at ENG 00340539 [“We have a plan to search and destroy it. ‘A’ In Tam group previously used the traitors in Sector 103 whose leader was ‘A’ Hang...we arrested Hang and all of his henchmen in Chaom Ksan district and in Sector 103 military unit...”]; **E1/121.1** Transcript, 4 Sep 2012, Norng Sophang, 09.14.22 [“Hang, from Sector 103, is that the same Hang from Sector 103 that we discussed over the last couple of days - the gentleman who was a secretary of that sector? A. Yes. This Hang is the same person.”]

2691 **E3/1550** S-21 Confession of Hu Nim alias Phoas, 10 April 1977, at ENG 00819912- 20; **E3/201** Khieu Samphan Speech, 15 April 1977, at ENG 00419513, KHM 00292804-05, FR 00612166; **E3/3512** Ben Kiernan, *Don’t Blame Me, It Was My Prime Minister*, at ENG 00080475, KHM 00758171-72, FR 00755595-96 [“Samphan was not so quiet about the fate of Hu Nim, a leftist parliamentarian, who unlike Samphan, protested DK policies and was arrested in April 1977. Nim’s torturer reported: ‘we whipped him four or five times to break his stand, before taking him to be stuffed with water.’”].

2692 **E3/3865** Amnesty International Annual Report 1975 - 1976 [“Earlier reports concerned seven leaders...‘super-traitors’...On 11 May 1976, AI appealed to President Khieu Samphan to make inquiries into allegations of executions...no response has yet been received.”]; **E3/3864** Amnesty International Letter to Khieu Samphan, 28 February 1977, Note at ENG 00498338, KHM 00323620, FR 00271500 [“As I pointed out in my letter of 11 May 1976...”]; See also **E3/961** Letter to Angkar with the attachment of a list of persons, 25 November 1976; **E3/5797** Case 001 Transcript, 8 June 2009, Kaing Guek Eav *alias* Duch, 11.05.15 to 11.15.05 [“On this matter, when there is my annotation, it means they arrived, and probably this letter arrived with those people.”].

2693 **E3/3311** Amnesty International Press Release entitled “Amnesty International Concerned at Democratic Kampuchean Government’s Lack of Response to Appeals, 8 May 1977 [“The appeal to President Khieu Samphan was contained in a letter which also referred to reports alleging summary executions...As with previous inquiries...the letter has remained unanswered.”]; **E3/3316** Amnesty International Press Release entitled “Amnesty International Urges Cambodia to Respond to Allegations of Summary Executions,” 30 March 1978 [“Amnesty International...renewed its appeal to the government of Democratic Kampuchea...to respond to allegations of continuing summary killing...denied that hundreds of thousands had been killed.”]; **E190.1.392** Submission from Amnesty International under (UN) Commission on Human Rights decision 9 (XXXIV), 14 July 1978, at ENG 00076003, KHM 00664694-96, FR 00616844-45 [“Amnesty International would like to draw the Commission’s attention...to the serious allegations of violations of human rights...have not been answered by the Government of [DK]”].

2694 **E3/119** FBIS, Deputy Premier Khieu Samphan Grants Interview to AKI, 13 August 1975, at ENG 00167387.

2695 **E3/275** Khieu Samphan Anniversary Speech, 15 April 1976, at ENG 00167634 [“Along with all these successful results...despite the fact that through their propaganda apparatus...tried hard to distort the reality...became nothing but an irritating and meaningless noise...a long time ago.”]

2696 **E3/4026** Khieu Samphan Interview, at ENG 00789052.

2697 **E3/203** Khieu Samphan Interview, at ENG 00424013, KHM 00385409-10, FR 000434231-32.

2698 **E3/203** Khieu Samphan Interview, at ENG 00424014, KHM 00385410-11, FR 000434233-34.

2699 **E3/203** Khieu Samphan Interview, at ENG 00424013, KHM 00385410, FR 000434232 (emphases added).

2700 **E3/203** Khieu Samphan Interview, at ENG 00424016, KHM 00385413-14, FR 000434236-37 ["There was a comrade in west...He was accused by the Yuon agents. They were responsible for that...However, they were not successful because we investigated the case in a timely manner."].

2701 **E3/3169** Stephen Heder, *Pol Pot and Khieu Samphan*, at ENG 00002771 ["[Question] So what about people like Hou Yuon and Hu Nim, and all the others who were executed... there weren't any cases where somebody innocent was accused? Answer: No...traitor but was in fact loyal."].

2702 **E1/221.1** Transcript, 10 July 2013, Stephen Heder, 10.20.53 to 10.23.29; **E1/222.1** Transcript, 11 July 2013, Stephen Heder, 15.42.13 to 15.51.50 ["Journalists were not present, it was me and Khieu Samphan and a tape recorder"], 15.51.50 to 15.55.55 ["Now, how was this recorded? A. An ordinary cassette tape recorder of the era...this wasn't secretly recorded, this was openly on view as you put it."], 15.55.55 to 16.04.08 ["I had, in a sense, ambushed the man. I don't think he expected or was prepared for this line of questioning...it was confrontational, it was emotional, I think, on both sides."].

2703 **E3/703** DK Publication entitled "What are the truth and justice about the accusations against Democratic Kampuchea of mass killings from 1975 to 1978?," 15 July 1987, at ENG 00004008 ["During the two-year period, more than 2.5 million people died from the Vietnamese war of aggression in Kampuchea."].

2704 **E3/703** DK Publication entitled "What are the truth and justice about the accusations against Democratic Kampuchea of mass killings from 1975 to 1978?," 15 July 1987, at ENG 00004002 ["Thus...to arrest and punish those Vietnam's agents, we committed mistakes that affected the lives of minor offenders or innocent civilians. From 1975 to 1978, over 3,000 people died in this category."], 00004005 ["To be fair, the number of people who died in Kampuchea from 1975 to 1978 is less than people who died by car accidents in some countries where each year 30,000 people or more died from road accidents."]; See also **E3/706** FBIS, *Khieu Samphan Addresses ESCAP Meeting in Bangkok*, 26 April 1987 ["On the morning of 23 April, Khieu Samphan, DK vice president in charge of foreign affairs... addressed the ESCAP meeting in Bangkok."]; **E3/631** FBIS, *Khieu Samphan Sends New Year Message*, 31 December 1987, at ENG 00442999 ["'New Year greetings message' by Khieu Samphan, Democratic Kampuchea vice president in charge of foreign affairs, dated 1 January 1988"]; **E3/632** FBIS, *Khieu Samphan Sends Message*, 17 April 1988, at ENG 00443006 ["Message from His Excellency Khieu Samphan, vice president of Democratic Kampuchea in charge of foreign affairs, to the committee for organizing the 1988 International Day on Cambodia in Tokyo."].

2705 **E3/4201R** Video Entitled "*Facing Genocide: Khieu Samphan and Pol Pot*," 01.14.15 - 01.14.42.

2706 **E3/4201R** Video Entitled "*Facing Genocide: Khieu Samphan and Pol Pot*," 01.16.00 - 01.17.55.

2707 **E1/189.1** Transcript, 6 May 2013, Philip Short, 11.49.25 to 11.52.32 ["It is the essence of what I believe the Khmer Rouge polity was. It was a slave state in which people had no money, had no choice over their personal lives, over anything they did...very literally a slave state."]; **E1/190.1** Transcript, 7 May 2013, Philip Short, 14.27.37 to 14.29.17 ["[The slave state] did emanate from the top...99 per cent of the population, the overwhelming mass, were all slaves, in the sense that they had no choice over any aspect of their - of their lives."]; **E1/191.1** Transcript, 8 May 2013, Philip Short, 11.59.01 to 12.01.08 ["I think...if you have to pinpoint the particularity of Democratic Kampuchea, the term 'slave state' depicts it best, because it was...the only time this has happened in modern history"]; **E1/192.1** Transcript, 9 May 2013, Philip Short, 10.02.06 to 10.03.54 ["I regard slavery as the absence of any freedom, and that was what happened after '75."]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396499 ["What Pol and his colleagues approved that spring was a slave state, the first in modern times."].

2708 See, for example, **E3/259** DK Government Legal Documents entitled "The Cambodian Constitutions (1953-1999)," 11 March 1976 at ENG 00184834 ["Whereas the entire Kampuchean people...a society in which all...join forces to do manual labour together and increase production for the construction and defence of the country;]; **E1/190.1** Transcript, 7 May 2013, Philip Short, 14.31.14 to 14.35.32 ["I think it was crucial. It certainly was the justification for running as fast as they can - as they could while the Vietnamese - in order that the Vietnamese couldn't catch up. Yes, I think it was extremely important."], referring to **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396501 ["[T]o build and defend', in Pol's phrase - meant mobilising the entire nation to develop at breakneck speed, in order to prevent Cambodia's sempiternal enemies...Vietnam, from taking advantage..."].

2709 **E1/190.1** Transcript, 7 May 2013, Philip Short, 14.21.34 to 14.22.49 ["I think the basis... is the ruthlessness, and single-mindedness, and the lack of concern for human values, for human suffering, for individual values...large numbers of dead along the way..."], 14.31.14 to 14.35.32, referring to **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396501-02 ["The economy was just another battlefield to be conquered by brute force..."].

- 2710 **E3/216** CPK Standing Committee Minute on a Visit to the Northwest Zone, 20-24 August 1975, at ENG 00850978 ["Its human being strength is insufficient. The labour force must be increased. Three or four hundred thousand more would not be enough...It's imperative to add four or five hundred thousand more."]; See also **E1/92.1** Transcript, 19 July 2012, David Chandler, 13.52.34 to 13.55.22 ["There weren't enough people up there to achieve this 3 tons per hectare. Where were the extra people? Well, they were the city people, obviously, and up they went to the Northwest."].
- 2711 **E3/781** Document Number 3, Examination of control and implementation of the policy line on restoring the economy and preparations to build the country in every sector, September 1975, at ENG 00523574, 00523580; **E3/748** Revolutionary Flag October - November 1975, at ENG 00498513, KHM 00063252, FR 00499697 ["The Centre Party Congress has unanimously decided that the average rice harvesting across the country in 1976 shall be three tons...per hectare of rice field...November 1975, the Centre Party has also unanimously endorsed...above."]; **E3/12** Decision of the Central Committee Regarding a Number of Matters, 30 March 1976, at ENG 00182809 ["2. A Regime of Weekly Reporting to Office 870; Objective: To follow-up on plans closely and resolve problems in a timely manner in the goal of three tons per hectare."]; **E3/226** Standing Committee Minutes, 10 June 1976, at ENG 00183369, KHM 00017155 ["Our direction was to get 3 tons [of crops] per hectare for this year: Only if we could get 3 tons [of crops] per hectare, then should we be able to have enough food for the general public."]; **E1/92.1** Transcript, 19 July 2012, David Chandler, 13.33.30 to 13.39.07 ["Well, the plan...sprang from foregone conclusions rather than any examination of possibilities or potentialities of the policy taking effect...under what they call the 'clairvoyant leadership' of the CPK."], referring to **E3/1686** David Chandler, *A History of Cambodia*, at ENG 00422842 [The economic plan "proposed ever-increasing levels of rice production throughout the country, with the aim of achieving an average national yield of 3 metric tons per hectare (1.4 tons per acre)."]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396513-14 ["The basic production quota, Pol announced, to be applied throughout the country, was three tons of paddy, or unmilled rice, per hectare."].
- 2712 **E3/781** Document Number 3, Examination of control and implementation of the policy line on restoring the economy and preparations to build the country in every sector, September 1975, at ENG 00523590 ["In the Northwest, we must add an additional force of 500,000 people. Preah Vihear has requested 50,000 first...Preah Vihear has 70,000 old people already. So send 20,000 first as we go along."].
- 2713 **E3/781** Document Number 3, Examination of control and implementation of the policy line on restoring the economy and preparations to build the country in every sector, September 1975, at ENG 00523580, KHM 00072382, FR 00543756.
- 2714 **E1/190.1** Transcript, 7 May 2013, Philip Short, 15.36.13 to 15.42.21; **E1/91.1** Transcript, 18 July 2012, David Chandler, 10.13.51 to 10.16.58 [Discussing **E3/12**, Central Committee decision of 30 March 1976: "[O]f course it's just not Pol Pot, it's the central governing group of people in the country. It was a collective leadership in the country...This is the plan that they laid down...major items as 3 tonnes per hectare."]; **E1/92.1** Transcript, 19 July 2012, David Chandler, 13.31.30 to 13.39.07, 13.41.45 ["It certainly wasn't a document originating from Pol Pot personally. It was - it emerged from the Party leadership...[I]t was collectively written, certainly, collectively approved, coming out of the collective leadership...information."]; 13.43.00 to 13.46.01; **E1/92.1** Transcript, 19 July 2012, David Chandler, 13.50.47 to 13.55.22 ["Where did that decision emanate from?...A. Well, I mean, from the Party Centre. This was -- it was connected with the whole policy plan that ended up producing this four-year plan...right from the top."]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396513-14.
- 2715 **E1/91.1** Transcript, 18 July 2012, David Chandler, 15.19.02 to 15.23.10, 15.34.23 to ["[D]o you consider that the Party Centre would have included the Accused...? I mean Nuon Chea, Ieng Sary, and Khieu Samphan. A. The answer is yes...of course."]; **E1/192.1** Transcript, 9 May 2013, Philip Short, 16.24.11 to 16.29.37 ["[H]e was present at Standing Committee meetings...a member...of the General Office...party to those decisions...never objected...embraced all the decisions... means you are...in agreement...you accept the policy line."].
- 2716 **E3/748** Revolutionary Flag October - November 1975, at ENG 00498513, KHM 00063252, FR 00499697 ["The Centre Party Congress has unanimously decided that the average rice harvesting across the country in 1976 shall be three tons...per hectare of rice field...November 1975, the Centre Party has also unanimously endorsed...above."].
- 2717 **E1/92.1** Transcript, 19 July 2012, David Chandler, 14.08.56 to 14.10.28.
- 2718 **E3/169** Khieu Samphan Speech, 15 April 1978, at ENG 00280400 ["Furthermore, over the past year... the Kampuchean people...met the Party's objective to obtain a yield from the rice paddy of 3 tons per hectare for every harvest..."]; **E3/562** Khieu Samphan Speech, [broadcast of excerpts] 15 April 1978, at

ENG S 00010563-64 ["Excerpts from resolution adopted...pledge the following...(3) 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"] (emphasis added); **E1/217.1** Transcript, 3 July 2013, Ek Hen, 11.18.47 to 11.21.13 ["[Khieu Samphan] talked about struggle, about work, and we listened to his speech...the struggle meant for us to...fulfil the quota. People at that time engage in rice farming and producing 3 tonnes per hectare."].

- 2719 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396516.
- 2720 See, for example, **E3/227** CPK Standing Committee Minutes, 2 November 1975; **E3/230** CPK Standing Committee Minutes, 22 February 1976; **E3/229** CPK Standing Committee Minutes, 22 February 1976; **E3/231** CPK Standing Committee Minutes of Meeting on Propaganda, 8 March 1976 **E3/232** CPK Standing Committee Minutes of Meeting on Base Work, 8 March 1976; **E3/197** CPK Standing Committee Minutes of Meeting on the Front, 11 March 1976; **E3/217** CPK Standing Committee Minutes of Meeting on Base Work, 11 March 1976; See Annex XX.
- 2721 **E3/232** CPK Standing Committee Minutes of Meeting on Base Work, 8 March 1976, at ENG 00182631, KHM 00017119, FR 00323933.
- 2722 **E3/232** CPK Standing Committee Minutes of Meeting on Base Work, 8 March 1976, at ENG 00182631, KHM 00017119, FR 00323933.
- 2723 **E3/232** CPK Standing Committee Minutes of Meeting on Base Work, 8 March 1976, at ENG 00182632, KHM 00017120, FR 00323934.
- 2724 **E3/232** CPK Standing Committee Minutes of Meeting on Base Work, 8 March 1976, at ENG 00182633, KHM 00017121, FR 00323934.
- 2725 **E3/1679** Telegram Number 15 from Chhon to Comrade Brother Pol, 30 November 1975, at ENG 00766762, KHM 00008494, FR 00766748 ["We would like to report the removal of people from the East to the North in which there were some disagreements and the failure to follow the Organization's advice and instructions as follows."].
- 2726 **E3/1679** Telegram Number 15 from Chhon to Comrade Brother Pol, 30 November 1975, at ENG 00766762, KHM 00008494, FR 00766748 ["The Northwest and the North must accept them in order to separate the Muslim population from the banks of the Mekong River...You are requested to decide on this matter."].
- 2727 **E3/1679** Telegram Number 15 from Chhon to Comrade Brother Pol, 30 November 1975, at ENG 00766763, KHM 00008494, FR 00766749 ["Cc: Brother Nuon, Brother Doeun, Brother Yaem, Archive."].
- 2728 **E1/120.1** Transcript, 3 Sep 2012, Norng Sophang, 11.57.28 to 12.00.42 ["Standing Committee already assigned Doeun as the person in charge...Doeun was copied...the office was copied, it suggests that Brother Doeun would also be the person who received...addressing to the office"].
- 2729 **E3/179** DK Report from Northwest Zone Office (Mo- 560) for 4 May to 29 May 1977, 29 May 1977, at ENG 00183013 - 17 ["III. Building Socialist [Regime]...Region 4...Houses newly built: 571 houses...Region 7...[Number of] houses newly built: 3748 houses..."]; **E3/1181** DK Report entitled "BASE General View of Sector 5, North West Zone," 27 June 1977, at ENG 00223175 - 77 [reports on number and living conditions and death tolls in four individual districts, most of whom are new people brought from Phnom Penh or other areas]; See also telegrams ...
- 2730 **E3/201** Khieu Samphan Speech, 15 April 1977, at ENG 00419514, KHM 00292806, FR 00612166 ["[A]t every construction site where dams are being built...reservoirs and ditches...dug, many corps have already finished their 1977 plans. They are now helping other units to complete their work on other fronts."].
- 2731 **E3/201** Khieu Samphan Speech, 15 April 1977, at ENG 00419513, KHM 00292806, FR 00612167.
- 2732 **E3/118** Khieu Samphan Speech, 21 April 1975, at ENG 00166995.
- 2733 **E3/119** FBIS, *Deputy Premier Khieu Samphan Grants Interview to AKI*, 13 August 1975, at ENG 00167386; emphasis added.
- 2734 **E3/119** FBIS, *Deputy Premier Khieu Samphan Grants Interview to AKI*, 13 August 1975, at ENG 00167386; emphasis added.
- 2735 **E3/119** FBIS, *Deputy Premier Khieu Samphan Grants Interview to AKI*, 13 August 1975, at ENG 00167386 ["At this rate I dare to believe that in 1 or 2 more years...We will certainly have a 100 percent guarantee and will even be able to export some of our products."].
- 2736 **E3/119** FBIS, *Deputy Premier Khieu Samphan Grants Interview to AKI*, 13 August 1975, at ENG 00167387.
- 2737 **E3/619** US State Department Telegram entitled "Khieu Samphan Visit to People's Republic of China," 16 August 1975, at ENG 00413733-34, KHM 00635938-40, FR 00644745-46.
- 2738 **E3/271** FBIS, *Khieu Samphan Speech*, 12 September 1975, at ENG 00167453; See also **E3/271** FBIS *Khieu Samphan Speech*, 12 September 1975, at ENG 00167454 ["In only 5 months we have basically

solved the problems of the people's livelihood."]; **E3/703** DK Publication entitled "What are the truth and justice about the accusations against Democratic Kampuchea of mass killings from 1975 to 1978?," 15 July 1987, at ENG 00004000 [As a matter of fact, the life of...people had changed for the better since 1973...].

2739 **E3/271** FBIS, *Khieu Samphan Speech*, 12 September 1975, at ENG 00167453.

2740 **E3/271** FBIS, *Khieu Samphan Speech*, 12 September 1975, at ENG 00167454.

2741 **E3/2376** Nayan Chanda, *Brother Enemy: The War after the War* [same record as **E3/2377**], at ENG 00192227, 00192229 ["[On] Zhou Enlai's advice about slow steps to socialism... Son Sen and Khieu Samphan told [Sihanouk] their Cambodia... could achieve total communism... 'without useless steps'.]; See also **E1/92.1** Transcript, 19 July 2012, David Chandler, 13.37.45 to ["3 tons per hectare...was a model that came from China, started the phase the 'Great Leap Forward,' they used a lot...without saying that it did."].

2742 See *Role in the State Presidium Section*.

2743 **E3/275** FBIS, *First People's Representative Assembly Convenes*, 13 April 1975, at ENG 00167641.

2744 **E3/275** FBIS, *First People's Representative Assembly Convenes*, 13 April 1975, at ENG 00167641.

2745 **E3/275** FBIS, *Khieu Samphan Address*, 16 April 1976, at ENG 00167634.

2746 **E3/275** FBIS, *Khieu Samphan Address*, 16 April 1976, at ENG 00167636.

2747 **E3/608** Khieu Samphan Interview, 26 September 1976, at ENG 00419841, KHM 00635928, FR 00632566.

2748 **E3/608** Khieu Samphan Interview, 26 September 1976, at ENG 00419841, KHM 00635928, FR 00632566.

2749 **E3/608** Khieu Samphan Interview, 26 September 1976, at ENG 00419843, KHM 00635931, FR 00632567; See also **E1/190.1** Transcript, 7 May 2013, Philip Short, at 15.39.20 to 15.42.21 ["Yes, it's once again the idea that people are expendable...that the goal of making Kampuchea strong and prosperous outweighs any considerations of the wellbeing of the population..."], referring to **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396517 ["To Pol and his colleagues, the Cambodian people were no longer individual human beings...They had become soulless instruments in the working out of a grand national design."].

2750 **E3/118** Khieu Samphan Speech, 21 April 1975, at ENG 00166995 ["[T]here will certainly be many obstacles...we must unite and continue and struggle courageously by constantly increasing revolutionary vigilance and continuing our firm stand of self-reliance"]; **E3/201**, Khieu Samphan Speech, 15 April 1977, at ENG 00419513, KHM 00292805, FR 00612166 ["In 1976 we managed to solve our problems and fulfill the production plan [...and] managed to prevail because we adhere to the stand of complete self-reliance"]; at ENG 00419514 KHM 292807, FR 00612168 ["We do everything by mainly relying on the strength of our people. We work completely self-reliantly...This is the nation-building line of our revolutionary organization... independent and self-reliant."]; **E3/169** Khieu Samphan Speech, 15 April 1978, at ENG 00280393, KHM S 00704520-21, FR S 00004805 ["That is why we have rapidly developed our agriculture...It is the victory of the firm position of independence, sovereignty, and self-reliance..."]; **E3/562** Khieu Samphan Speech, 16 April 1978, at ENG S 00010563, KHM 00249989, FR 00280379 ["Only by implementing the Party's lines can we defend our country against both internal and external enemies."], 00010564 ["[S]trive for the complete fulfillment of the all round national construction plan on the basis of total independence, self-reliance..."]; See also **E1/124.1** Transcript, 20 September 2012, Chea Say ["I heard Khieu Samphan speaking on the radio...the same type of message was broadcast -- that is...about economization, about striving hard to work and to build the country...to engage in the production work."].

2751 **E3/118** Khieu Samphan Speech, 21 April 1975, at ENG 00166995 ["[T]here will certainly be many obstacles...we must unite and continue and struggle courageously by constantly increasing revolutionary vigilance and continuing our firm stand of self-reliance"], 00166996 ["By upholding revolutionary vigilance...and showing self-reliance, we will certainly and absolutely be able to defend Cambodia and will quickly build our nation into a prosperous country"]; **E3/275** Khieu Samphan Speech, 15 April 1976, at ENG 00167636 ["Our advance is...rapid, but...the task of always maintaining the spirit of revolutionary vigilance to protect and preserve our country...to build...as quickly as possible"]; **E3/549** Khieu Samphan Speech, 16 - 19 August 1976, at ENG 00644939, KHM 00065900, FR - ["[We have to wage struggle based fundamentally on the line of independence, sovereignty and self-reliance...we constantly have to strengthen our revolutionary vigilance"]; **E3/201**, Khieu Samphan Speech, 15 April 1977, at ENG 00419517, KHM 00292813-14, FR 00612172 ["We must uphold our spirit of revolutionary vigilance at all times...We must continue to struggle on the principles of independence and self-reliance"]; **E3/169** Khieu Samphan Speech, 17 April 1978, at ENG 00280396, KHM S 00704524, FR S 00004807 ["Thanks to our policy of independence, sovereignty and relying on our own forces at the

highest level, the tasks of national defense and nation building have been carried out successfully”, ENG 00280398, KHM S 00704526, FR S 00004808 [“2nd task: we must continue... nation building in the countryside, factories, services and organizations.”]; **E3/562**, Khieu Samphan Speech, [broadcast of excerpts] 15 April 1978, at ENG S 00010560 [“Our collective people and peasants won this victory by arduous and firm struggle, both against nature and against the enemies of all stripes...independence, sovereignty, self-reliance...”], ENG S 00010561 [ending the list of fields in which progress was achieved - “We are doing all this in order to implement the stand of independence, sovereignty and self-reliance.”].

2752 **E3/ 549** Khieu Samphan Speech, 16 - 19 August 1976, at ENG 00644937 [“Starting from nearly empty hands, the people and the Revolutionary Army of Kampuchea have strived to build up their own forces in every field...”]; **E3/201** Khieu Samphan Speech, 15 April 1977, at ENG 00419513 [“[W]e can organize our forces better... work is carried out better through shifts and schedules and there are rest hours to enable workers to renew their strength.”], ENG 00419514, KHM 00292807, FR 00612167 [“Each construction site of a reservoir, canal or dam is manned by as many as 10,000, 20,000 or even 30,000 workers.”], ENG 00419515 [“[O]ur workers enjoy adequate rest hours...”]; **E3/562** Khieu Samphan Speech, [broadcast of excerpts] 15 April 1978, at ENG S 00010560 [“tens of thousands of hectares of ricefields in various areas of our country have been turned into crop gardens...by their lofty stands of independence, sovereignty, self-reliance, patriotism and revolutionary heroism”] at ENG S 00010561 [“[O]ur strategic line... aims at organizing and building the country in all fields by depending upon the people’s strength and basically upon indigenous raw materials and national potentials.”].

2753 **E3/ 201**, Khieu Samphan Speech, 15 April 1977, at ENG 00419516, KHM 00292810-11, FR 00612170 [“Our children do not play with toy cars, toy boats and toy guns...are happy with driving sparrows away from crops, tending cattle and buffalo, collecting natural fertilizer...well trained in manual work...”], ENG 00419516, KHM 00292811, FR 00612170 [“Look now! Cambodian children are everywhere. They can do it [i.e. operate lathes]. We are very pleased with this trend.”].

2754 **E3/201**, Khieu Samphan Speech, 15 April 1977, at ENG 00419517 [“In the old days, we bought nearly everything from other countries. Now we are making everything ourselves.”]; **E3/549** Khieu Samphan Speech, 16 - 19 August 1976, at ENG 00644935 [“It is true that the members of our Movement are poor and weak. But we...absolutely do not want any other to interfere in our internal affairs...”].

2755 **E3/118** FBIS Special National Congress Retains Sihanouk, Penn Nouth, 28 April 1975, at ENG 00167013; See also **E3/1593** Ben Kiernan, *The Pol Pot Regime: Race, Power, and Genocide in Cambodia under the Khmer Rouge, 1975-79*, at ENG 00678560 [“Officials of the Northwest Zone told trusted workers in 1975 that North Korea had offered many tractors and other aid, but that Khieu Samphan had refused it, saying ‘Cambodia is its own master, growing rice.’”].

2756 **E3/201**, Khieu Samphan Speech, 15 April 1977, at ENG 00419514-15, KHM 00292808, FR 00612168; See also **E3/201**, Khieu Samphan Speech, 15 April 1977 at ENG 00419513, KHM 00292805-06, FR 00612166-67 [“Now we can feed our people a sufficient ration allocated by the State.”], ENG 00419515, KHM 00292808, FR 00612168 [“Clothes: We are not yet at the stage of being stylish or well-dressed, but we have sufficient clothes.”]; **E3/562**, Khieu Samphan Speech, [broadcast of excerpts] 15 April 1978, at ENG S 00010564 [“implement resolutely the food rationing...determined by the Party from the beginning of the year”].

2757 **E3/ 201**, Khieu Samphan Speech, 15 April 1977, at ENG 00419514-15, KHM 00292808, FR 00612168.

2758 **E3/201**, Khieu Samphan Speech, 15 April 1977, at ENG 00419514, KHM 00292808, FR 00612168 [“No, we have no machines. We do everything by mainly relying on the strength of our people...Though barehanded, they can do everything.”].

2759 **E3/201**, Khieu Samphan Speech, 15 April 1977, at ENG 00419516, KHM 00292811, FR 00612170.

2760 **E3/201**, Khieu Samphan Speech, 15 April 1977, at ENG 00419517.

2761 **E3/ 201**, Khieu Samphan Speech, 15 April 1977, at ENG 00419515, KHM 00292809, FR 00612169 [“[O]ur education is mainly carried out...within the frameworks of our peasants’ co-operatives...Under the old regime...Everything was done according to foreign book...it was useless...”]; See also **E3/169** Khieu Samphan Speech, 17 April 1978, at ENG 00280395, KHM 00704523, FR 00004806 [“We train our political and technical cadres in the revolutionary movement. If we trained our cadres only in schools...we would not be able to meet the needs of this revolutionary movement.”]; **E1/197.1** Transcript, 27 May 2013, Khieu Samphan, 14.58.10 [“Based on the experience...their education was much further about the actual real situation in Cambodia, and for that reason their knowledge could not apply to the current situation of Cambodia at the time.”].

2762 **E1/197.1** Transcript, 27 May 2013, Khieu Samphan, 14.58.10 to 15.02.55 [“And...why there were no schools. I knew about that political line...they decided not to open the schools, and that children shall study at the same time to assist in working...collecting fertilizer...leaves.”].

- 2763 **E3/119** FBIS, *Deputy Premier Khieu Samphan Grants Interview to AKI*, 13 August 1975, at ENG 00167387.
- 2764 **E3/119** FBIS, *Deputy Premier Khieu Samphan Grants Interview to AKI*, 13 August 1975, at ENG 00167388.
- 2765 **E3/119** FBIS, *Deputy Premier Khieu Samphan Grants Interview to AKI*, 13 August 1975, at ENG 00167388.
- 2766 **E3/275** FBIS, *Khieu Samphan Address*, 16 April 1976, at ENG 00167634.
- 2767 **E3/275** FBIS, *Khieu Samphan Address*, 16 April 1976, at ENG 00167634.
- 2768 **E3/608** Khieu Samphan Interview, 26 September 1976, at ENG 00419841, KHM 00635928, FR 00632566.
- 2769 **E3/4049** Khieu Samphan Interview, at ENG 00789058 [“[I]n order to reach that goal, there had to be coercion for a while, coercion to join cooperatives, because nobody would voluntarily take part in cooperatives.”], 00789058 [“As for coercion, it was somewhat coercive, but when there was enough to eat, living standards would gradually rise a bit at a time, and people would want to demand freedoms.”]; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia From the Early Stage to the Period of Democratic Kampuchea*, at ENG 00498303, KHM 00380500, FR 00643910 [“[S]ome coercion was required for a while, coercion to work in a situation of lacking everything...because time was very urgent”]; See also **E3/18** Khieu Samphan, *Cambodia’s Recent History and the Reasons behind the Decisions I Made*, at ENG 00103753, KHM 00103842 [“For sure, [cooperatives] had to be imposed on the population, because peasants in any country would never agree to give all the fruits of their labour to any organization.”].
- 2770 **E3/4050** Khieu Samphan Interview, at ENG 00789062 [“[B]oth the healthy people and the sick people had to work. Moderately sick people had to work too.”]; See also **E3/587** Khieu Samphan Interview, October 2007, at ENG 00680029 [“Regarding the rice yield; we anticipated that we would achieve this within three or four years if we worked hard, regardless of being ill.”].
- 2771 **E3/4051** Khieu Samphan Interview, at ENG 00788872 [“At that time, if there had been a single voice against the evacuations, there could have been no evacuations; but they all agreed because they saw that if they were not evacuated, the people would die of starvation.”]; **E3/628** Khieu Samphan Interview, 10 March 1980, at ENG 00524517, KHM 00709543-44, FR 00740913 [“We had one major achievement: we solved the food problem.”]; *Even in 2006, Khieu Samphan continues to believe in co-operatives as a means to solving the starvation problems.* **E3/108** Khieu Samphan Interview, 9 - 11 June 2006, at ENG 00000928 [“But why there were cooperatives?...Then we started to create cooperative to make sure that everybody had enough rice to eat.”]; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia From the Early Stage to the Period of Democratic Kampuchea*, at ENG 00498282 [“So then, in the countryside there was a shortage of food...Because the cooperatives distributed food, there was no starvation; however, the people in general did not get to eat...”], ENG 00498284, KHM 00380466-67 [“Evacuating the cities seemed to be the only measure...only by doing this [i.e. cooperatives] could the people have enough food to stay alive and could the troops be fed...win the war.”]; See also **E3/108** Khieu Samphan Interview, 9 - 11 June 2006, at ENG 00000928 [“Evacuation is the communist plan but it fits to the real situation in Cambodia. Do not blame communist. I believe that first we need to make our country independent then we do everything we want later.”].
- 2772 **E3/18** Khieu Samphan, *Cambodia’s Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103753 [“I knew only that they [i.e. co-operatives] were considered necessary to safeguard the country’s independence and sovereignty under complex conditions, and help its liberation.”]; **E3/16** Khieu Samphan, *Considerations on the History of Cambodia From the Early Stage to the Period of Democratic Kampuchea*, at ENG 00498286 [“Pol Pot understood that the organization of high-level cooperatives throughout the country would make the revolution in Kampuchea advance ‘30 years faster than [other communist countries] revolutions...’”]; ENG 00498302-03, KHM 00380498-99, FR 00643909-10 [“In late 1972 and early 1973...high-level cooperatives became the instruments of the state authorities...to gain independence for the great and intermediate powers and maintain its independence.”]; See also **E3/108** Khieu Samphan Interview, 9 - 11 June 2006, at ENG 00000927 [“We should learn from our history... We need agriculture to feed our people and to build our country...If we want independent we have to work hard and struggle.”], and **E3/4049** Khieu Samphan Interview, at ENG 00789058 [“Cooperatives” were “a tool for state power to mobilize people into human, materialistic, and ideological forces to be easily educated.”].
- 2773 **E3/4039** Khieu Samphan Interview, at ENG 00789648 [“Vietnam, would seize the opportunity to intervene. The situation was rushed. It forced us to go fast.”]; **E3/4049** Khieu Samphan Interview, at ENG 00789058 [“[I]f we ran fast, Vietnam could not catch up.”]; See also **E1/190.1** Transcript, 7 May 2013, Philip Short, 14.35.32 to 14.38.48 [“I think the first part certainly is reflective - reflects the concern about

- Vietnam...And, yes, as you said, they had to keep running. That reflects the paranoia about Vietnam.”], **E3/16** Khieu Samphan, *Considerations on the History of Cambodia From the Early Stage to the Period of Democratic Kampuchea*, at ENG 00103777, KHM 00103871 [“Cooperatives] were deemed critical...were an indispensable source of power, independent from the Vietnamese communists.”], ENG 00498302, KHM 00380498, FR 00643909-10 [“Now, when [Pol Pot] wanted to sort out the food supply quickly...when he wanted to run fast so that Vietnam would not run us down, Pol Pot looked again to the important role of the cooperatives.”], ENG 00498302-03, KHM 00380498-99, FR 00643909-10 [“Having outrun [Vietnam] once, after liberation it was imperative to run again...Now...when he wanted to run fast so that Vietnam would not run us down, Pol Pot looked again to...the cooperatives.”]; **E3/4051** Khieu Samphan Interview, at ENG 00788872 [“[Pol Pot] thought that high-level cooperatives would lead to running very fast and winning against Vietnam in national construction.”].
- 2774 **E3/203** Khieu Samphan Interview, 1980, at ENG 00424015 [“Can we mobilize people to build dams and dig canals like we did in 1975-1978? No, we can’t...In the period of 1975-1978, they were physically strong.”].
- 2775 **E1/198.1** Transcript, 29 May 2013, Khieu Samphan, 10.03.42 to 10.08.50 [“Therefore, we build dams and canals in a speedier process...And I, myself, witnessed that in 1976...I saw canals and dams, including Trapeang Thma dam...”]; **E3/18** Khieu Samphan, *Cambodia’s Recent History and the Reasons behind the Decisions I Made*, at ENG 00103780, KHM 00103875, FR 00595487 [“[B]etween 1975 and 1979, I saw with my own eyes...reservoirs in Traeang Thmar (in Phnom Srok, Bantey Meanchey)...”].
- 2776 **E289/2** Khieu Samphan Interview, August 2007, at ENG 00923078 [“Q... However you did see that the people were suffering...? KS...it was my opinion that upon just coming out of the war, rice shortages were unavoidable. What was necessary rather was work...possible.”].
- 2777 **E3/16** Khieu Samphan, *Considerations on the History of Cambodia From the Early Stage to the Period of Democratic Kampuchea*, at ENG 00498305 [“Now, my views are still the same; they have not changed...Do I regret that my life did not achieve any results whatsoever? No.”].
- 2778 **E1/208.1** Transcript, 17 June 2013, Leng Chhoeung, 11.33.50 to 11.37.51 [“Q. I’d like to quote your interview with the OCII... document 3/385... A. ... I did say so in that statement, and I stand by it... It was on the 6th of January 1979... around 7 o’clock in the evening.”]; **E3/385** Leng Chhoeung OCII Statement, at ENG 00360132 [“On 6 January 1979, I drove KHIEU Samphan out of Phnom Penh... After that, I drove KHIEU Samphan to Battambang and Pailin.”]; **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396606 [“Pol, Nuon Chea and Khieu Samphan, accompanied by several jeep-loads of bodyguards, set out [on] ... January 7 - for Pursat.”]; See also **E3/3753** Associated Press, *Sihanouk attacks Soviet bloc at UN Cambodian fighting nears Thai border*, 13 January 1979, at ENG 00122164-65 [“Premier Pol Pot and President Khieu Samphan of the fallen Cambodian regime are in the country.”]; **E3/3512** Academic Article by Ben Kiernan entitled “Don’t Blame Me, It was my Prime Minister” at ENG 00080474 [“When Vietnam overthrew DK in 1979, Samphan fled with Pol Pot to the Thai frontier.”].
- 2779 **E3/3820** AFP, *Top Khmer Rouge Leaders to Defect to Government*, 26 December 1998, at ENG 00132425 [“Top Khmer Rouge ideologue Nuon Chea and nominal leader Khieu Samphan have defected to the government with the approval of Prime Minister Hun Sen, officials announced Saturday.”]; **E3/3819** AP, *Top Khmer Rouge Leaders to Defect*, 25 December 1998 [“In a letter to King Norodom Sihanouk read over national radio, Prime Minister Hun Sen praised the defection of Khmer Rouge leader Khieu Samphan, and the rebel movement’s political chief, Nuon Chea.”]; **E3/132** USA Today, *Pressure Mounting for Khmer Rouge Trial*, 5 January 1999.
- 2780 **E3/89** Ieng Sary Interview, 17 December 1996, at ENG 00417640; See also **E1/91.1** Transcript, 18 July 2012, David Chandler, 15.17.21 to 15.36.34; **E3/1684** David Chandler, *Voices from S-21: Terror and History in Pol Pot’s Secret Prison*, at ENG 00192692 [“[T]he collective leadership of DK, known as...Party Center (mochhim pak)...its highest-ranking members...Pol Pot, Nuon Chea, Ta Mok, Son Sen, and Khieu Samphan remained members...into the 1990s.”], ENG 00192714 [“Four years after his flight to the maquis in 1967...Samphan became a key member of the Party Center. Until his defection to the Phnom Penh government in 1998, he was a formidable, malevolent survivor.”].
- 2781 **E3/1435** Statement of the DK Congress, 18 December 1979, at ENG S 00017987 [“The Congress has unanimously appointed Mr Khieu Samphan as provisional President of the Patriotic and Democratic Front of Great National Union of Kampuchea... entrusted with... implementing the political programme.”], ENG S 00017988 [“the Congress has unanimously maintained Mr Khieu Samphan in his function as President of the Presidium of the State of Democratic Kampuchea... Prime Minister: Mr Khieu Samphan.”]; **E3/1436** DK Embassy in Peking, News Bulletin no 107-79, 28 December 1979, at ENG 00018470 [“2 - [PDFGNUMK]: Provisional President Mr Khieu Samphan... 3- Presidium of the State President Mr Khieu Samphan, Government Prime Minister Mr Khieu Samphan”]; **E3/674** Xinhua, *Khieu*

Samphan on struggle against Vietnam, at ENG 00015939; **E3/303** Nuon Chea, *DK Statement on talks between the Delegation of Democratic Kampuchea and Samdech Norodom Sihanouk in Pyong Yang*, at ENG 00033665; **E3/3169** Steve Heder, *Pol Pot and Khieu Samphan*, at ENG 00002768 ["In addition to assuming the post of Prime Minister, Khieu Samphan also became the 'provisional' Chairman of the [PDFGNUMK]."].

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E3/303 Nuon Chea, *DK Statement on talks between the Delegation of Democratic Kampuchea and Samdech Norodom Sihanouk in Pyong Yang*, 26 March 1981, at ENG 00033665 ["[O]n February 1, 1981... delegation led by Mr. Khieu Samphan, President of the Presidium of the State, Prime Minister...to hold talks with... Sihanouk...On March 26, 1981, the conference was held once again..."]; **E3/3765** New York Times, *Cambodians Press Anti-Vietnam Pact*, 22 February 1982, at ENG 00122251 ["The Prime Minister of the ousted Pol Pot regime in Cambodia [i.e. Khieu Samphan] and... Prince Norodom Sihanouk... reached a preliminary agreement on forming a coalition... hoped Son Sann... [would] join them..."], ENG 00122252 ["At a banquet in honor of Mr. Khieu Samphan... the Chinese Prime Minister, Zhao Ziyang, praised the Pol Pot government-in-exile for having 'initiated' the effort to form a joint resistance against the 'Vietnamese aggressors'."]; **E3/1686** David Chandler, *A History of Cambodia*, at ENG 00422861-62 ["In early 1981, Sihanouk met with Khieu Samphan, representing DK, to discuss how a coalition might be formed."]; **E3/2376** Nayan Chanda, *Brother Enemy: The War after the War*, at ENG 00192571 ["Sihanouk[']s meeting with Khieu Samphan in March broke down over his conditions...Samphan refused to accept the condition that the Khmer Rouge disarm along with other resistance groups."]; See also **E3/18** Khieu Samphan, *Cambodia's Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103771 ["All of the soldiers and the executives agreed that I should be the party leader... I was quite confident that I could lead the party once peace was restored."] and **E1/204.1** Transcript, 10 June 2013, Tun Soeun, 11.22.28 to 11.26.18 ["[H]e worked at the Ministry of Foreign Affairs... His work was in respect to the regulation of the tri-party group. And that means to reconcile the three parties in order to achieve peace for the nation."].

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E3/18 Khieu Samphan, *Cambodia's Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103769 ["In December 1981, [the Khmer Rouge leaders] declared the dissolution of the C.P.K., which contributed in great part to the creation of the 'Coalition Government of Democratic Kampuchea... in the 1982.'"]; **E3/1686** David Chandler, *A History of Cambodia*, at ENG 00422861 ["[I]n September 1981, the three factions...announc[e]d that they would form a coalition. Soon afterward, as evidence of its good faith, the CPK's Central Committee announced the dissolution of the party."]; **E3/3766** Reuters, *3 Cambodian Factions establish exile regime to combat Vietnamese*, 23 June 1982, at ENG 00122264 ["Three Cambodian resistance groups signed an agreement yesterday setting up a coalition government and pledged to work together to rid their country of Vietnamese occupation forces."]; See also **E3/18** Khieu Samphan, *Cambodia's Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103771 ["All of the soldiers and the executives agreed that I should be the party leader... I was quite confident that I could lead the party once peace was restored."]; See also **E3/3771** BBC, *Prince Sihanouk in Thailand*, 1 February 1985, at ENG 00122334 ["Sihanouk said that he was in Thailand for a summit meeting with leaders of...the Coalition Government of [DK], Son Sann and Vice-President Khieu Samphan. He claimed that the tripartite coalition was firmly united."]; **E3/2376** Nayan Chanda, *Brother Enemy: The War after the War*, at ENG 00192576 ["Sihanouk...Son Sann...Khieu Samphan...The three leaders finally assembled in Kuala Lumpur on June 22, 1982, for the ceremonial signing of the [CGDK]."].

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E3/18 Khieu Samphan, *Cambodia's Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103769 ["[T]he creation of the 'Coalition Government of Democratic Kampuchea' in... the middle of 1982. The Prince was named president, Son Sann, as prime minister, and me, vice president in charge of foreign affairs."]; **E3/2376** Nayan Chanda, *Brother Enemy: The War after the War*, at ENG 00192576 ["Sihanouk was to be the president, Son Sann would be the prime minister, and Khieu Samphan would have the portfolio of foreign minister in addition to the title of vice-president."]; **E3/706** FBIS, *Khieu Samphan Addresses ESCAP Meeting in Bangkok*, 26 April 1987 ["On the morning of 23 April, Khieu Samphan, DK vice president in charge of foreign affairs... addressed the ESCAP meeting in Bangkok."]; **E3/631** FBIS, *Khieu Samphan Sends New Year Message*, 31 December 1987, at ENG 00442999 ["New Year greetings message' by Khieu Samphan, Democratic Kampuchea vice president in charge of foreign affairs, dated 1 January 1988"]; **E3/632** FBIS, *Khieu Samphan Sends Message*, 17 April 1988, at ENG 00443006 ["Message from His Excellency Khieu Samphan, vice president of Democratic Kampuchea in charge of foreign affairs..."]; **E3/1460** DK Mission to the UN, Press Release 064/82, *Mr. Khieu Samphan and Mr. Nuon Chea Surveyed the Battambang Front*, 18 August 1982, at ENG 00031834 ["...Khieu Samphan, Vice-President of Democratic Kampuchea in charge of Foreign Affairs..."].

- 2785 **E3/20** Elizabeth Becker, *When the War Was Over*, at ENG 00238202 [“the Cambodian peace conference was convened in Paris at the end of [June]1989]... The Cambodians arrived first for preparatory meetings...Hun Sen, Prince Sihanouk, Son Sann, and Khieu Samphan...”]; **E1/194.1** Transcript, Philippe Jullian-Gaufres, 21 May 2013, 14.19.41 [“Q. And you said that you had seen Khieu Samphan again in 1990 in Paris. Do you know what he was doing there? A. ... to prepare what was known later as the Paris Peace Agreements.”]; **E1/195.1** Transcript, Chau Soc Kon, 22 June 2013, 14.26.13 [“The second meeting was in 1989. At that time, Mr. Khieu Samphan led a delegation to negotiate the Paris Peace Accord.”].
- 2786 **E3/3169** Stephen Heder, *Pol Pot and Khieu Samphan*, at ENG 00002769 [“Finally, since 1990, he has been a member of the Supreme National Council...supposed to reflect the fact that he is qualified to be one of several ‘representative individuals with authority among the Cambodian people’.”]; Final Act of the Paris Peace Conference on Cambodia, 23 October 1991, Part 1 Section III, Article 3 and 5.
- 2787 **E3/9** Philip Short, *Pol Pot: The History of a Nightmare*, at ENG 00396622 [“To escape the Vietnamese advance, Pol, Nuon Chea and Khieu Samphan moved to Pailin on the Thai border and then, in late January, to Tasanh, further to the south, where Ieng Sary joined them.”], ENG 00396624 [“The same day Tasanh was overrun. Pol, Nuon Chea and Khieu Samphan had left a few hours earlier.”]; **E3/1797** Academic Article by Anne Yvonne Guillou entitled “Les medecins au Cambodge, entre elite sociale traditionnelle et groupe professionnel moderne sous influence etrangere,” 2001, at ENG 00641695 [“One or two months later came the order to withdraw towards Battambang province...Lan Kim Chhean met senior leaders within the regime at that point; Khieu Samphan, Ieng Sary, Son Sen, Ta Mok.”]; **E1/203.1** Transcript, 7 June 2013, Sok Roey, 14.01.57 to 14.14.30; **E3/71 TCW-639** OCIJ Statement, at ENG 00288622 [“[A]round 1980 or 1981... at K-18 in Trat province, Thailand. Pol Pot and Khieu Samphan were also staying at K-18.”]; **E3/3796** AFP, *Khmer Rouge top leadership moved as troops close in on rebel stronghold*, 1 March 1996, at ENG 00107754 [“Khieu Samphan, the nominal leader of the guerrilla’s provisional government, Son Sen...and Nuon Chea...have moved from sites near Pailin in Battambang province to...Phnom Malai...Banteay Meanhey.”]; **E3/3797** BBC, *Intelligence Officer Says Khmer Rouge Leaders Fled from Pailin*, 7 March 1996 [“Khieu Samphan... and Son Sen, fled from the Pailin area to Phnum Malai in Banteay Meanhey Province... Nuon Chea... has also fled Pailin, but... to the western part of Pursat Province.”]; **E3/3806** Japan Economic Newswire, *Cambodian general confirms Pol Pot alive*, 22 June 1997, at ENG 00130181 [“Pol Pot and three other top members of the Khmer Rouge have been taken back to Anlong Veng... The three others were the Khmer Rouge’s nominal leader Khieu Samphan... Ta Mok and Nuon Chea.”]; **E3/20** Elizabeth Becker, *When the War Was Over*, at ENG 00238229 [“[I]n October [1997], Thayer was allowed to interview Pol Pot at Anlong Veng... Ta Mok, Nuon Chea, and Khieu Samphan were still with Pol Pot.”]; **E3/3814** BBC, *Declaration issued by Breakaway Khmer Rouge in Anlong Veng*, 28 March 1998 [“We, the Anlong Veng-based KR forces... would like to solemnly declare that we are opposed to the chief hard-line assassins Pol Pot, Ta Mok, Khieu Samphan and Nuon Chea... and have broken away from [them].”]; **E3/3813** BBC, *Authorities Say Hard-line Khmer Rouge Base Fallen, Leaders Escaped*, 28 March 1998 [“Anlong Veng was attacked and taken over completely at 1315 [0615 gmt] on 26th March 1998 by 1,545 breakaway troops. Pol Pot, Ta Mok, Nuon Chea, and Khieu Samphan have escaped into Thai territory.”]; **E3/3816** AFP, *Khmer Rouge Deny Fall of Jungle Base, Flight of Leaders*, 31 March 1998, at ENG 0013122 [“A senior Cambodian officer Sunday said the one-legged military chief, Ta Mok... and Khieu Samphan had fled Anlong Veng as government troops seized parts of it.”]; **Cf E1/204.1** Transcript, 10 June 2013, Tun Soeun, 10.26.12 to 10.30.35 [“In 1989, at which geographical location was Khieu Samphan’s office, and... Pol Pot’s office? A. They were at different locations... Khieu Samphan was in a village... [with] some former colleagues -- those intellectuals.”].
- 2788 **E3/18** Khieu Samphan, *Cambodia’s Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103768 [“In March 1979, in Peam Chilos, near Ta Sanh... Pol Pot called a meeting... included Nuon Chea... Ta Mok... It was the first meeting of the ‘expanded Permanent Bureau’ since the Khmer Rouge had left Phnom Penh”]; **E1/203.1** Transcript, 7 June 2013, Sok Roey, 14.11.10 to 14.14.30 [“[Khieu Samphan and Pol Pot] frequently met one another... Most of the time they met at their office; for example, Office 89 along Koh Kong and Pailin area.”], 14.16.40 to 14.18.48 [“And some time it was only Pailin and in Samlaut... But most of the time, it was along the Kravanh mountain range located in Koh Kong.”]
- 2789 **E3/71 TCW-639** OCIJ Statement, at ENG 00288626 [“There was a committee in charge of the international telegram. I, Pol Pot and Khieu Samphan, who were my direct supervisors, were the persons who gave direct order at K-18.”], ENG 00288627 [“Q. When the leaders gave an instruction... A: Sometimes he wrote an annotation... Q: Whose annotations did you see? A: More often, I saw the annotations of POL Pot and Khieu Samphan.”]; **E1/204.1** Transcript, 10 June 2013, Tun Soeun, 10.12.55 to 10.26.12 [“[W]hen you delivered telegrams to Mr. Khieu Samphan... did you deliver telegrams to him

when he was in Kampuchea, or near the Thai border? A. I did send messages to him as well...He was at the Kravanh Mountain.”]; 10.26.12 to 10.30.35 [“Q. Did Khieu Samphan ever write on a telegram...for transfer to other people? A. He wrote on the telegrams...communication with the embassies overseas, and...instructions received from other embassies.”].

2790 **E3/17** David Chandler, *Brother Number One*, at ENG 00393088-89 [“Pol Pot... conducted periodic study sessions for... battalion, brigade, and division commanders... In the sessions, high-ranking Red Khmer, including Son Sen, Ta Mok, Khieu Samphan, and Nuon Chea, gave lectures.”].

2791 **E3/3765** New York Times, *Cambodians Press Anti-Vietnam Pact*, 22 February 1982, at ENG 00122251 [“Khieu Samphan had...many things to do back in Cambodia, ‘including fighting the Vietnamese’”]; **E3/3754** New York Times, *Vietnamese troops continue to meet serious resistance from troops loyal to...*, 2 February 1979 [“Pot Pot, Pres Khieu Samphan and other leaders reptdly [sic] remain in Cambodia, possibly directing battles from a hq.”]; **E3/3755** New York Times, *Keat Chhon, Repr of Former Cambodian Leader Pol Pot, says Country has Food...*, 13 March 1979, at ENG 00122172 [“Army is being led by Pol Pot and Deputy Prime Mins Khieu Samphan and Ieng Sary”]; See also **E3/703**, KS Statement, 15 July 1987, at ENG 00004008 [“Since 1983, our army were dispatched to the heartland of Kampuchea, they have been carrying out activities in the villages throughout the country.”].

2792 **E3/3768** Reuters, *Cambodian Insurgents Plan New Rainy-season Offensive*, 2 May 1983, at ENG 00122307 [“Prince Sihanouk and his colleagues in the coalition, called the [DK] government... met ... to map out strategy... Khmer Rouge leaders Khieu Samphan and Ieng Sary attended the meeting.”]; See also **E3/1460** DK Mission to the UN, Press Release 064/82, *Mr. Khieu Samphan and Mr. Nuon Chea Surveyed the Battambang Front*, 18 August 1982, at ENG 00031835 [“Mr Khieu Samphan...surveyed the Battambang front...”].

2793 **E3/1460** DK Mission to the UN, Press Release 064/82, *Mr. Khieu Samphan and Mr. Nuon Chea Surveyed the Battambang Front*, 18 August 1982, at ENG 00031835 [“Mr Khieu Samphan...cordially conversed with them about the very favourable development of our struggle...against the Vietnamese aggressors... distributed sewing needles, sewing threads, lighters and medicines [sic].”]

2794 **E3/3756** Reuters, *Cambodians are Cornered by Vietnamese, Thais say*, 17 April 1979, at ENG 00122173 [“Khieu Samphan vowed yesterday to continue guerrilla warfare against the new Vietnamese-backed Administration.”]; **D56-Doc. 304** Associated Press, *Khmer Rouge Chief Claims Vietnamese Pushed back*, 21 February 1985 [“Khmer Rouge leader Khieu Samphan ... said Hanoi had ‘virtually achieved no military gains’ during its recent offensive... [and] the resistance would maintain enough strength to... ‘cut (the) enemy’s throat.’”]; **E3/703** DK Publication entitled “What are the truth and justice about the accusations against Democratic Kampuchea of mass killings from 1975 to 1978?,” 15 July 1987, at ENG 00004012 [“Our army have been operating throughout the country...we have been able to drive the Vietnamese aggressors into a total impasse. The Vietnamese will meet their final defeat.”]; See also **E3/706** FBIS, *Khieu Samphan Addresses ESCAP Meeting in Bangkok*, 26 April 1987 [“On the morning of 23 April, Khieu Samphan, DK vice president in charge of foreign affairs... addressed the ESCAP meeting in Bangkok.”]; E3/631 FBIS, *Khieu Samphan Sends New Year Message*, 31 December 1987, at ENG 00442999 [“‘New Year greetings message’ by Khieu Samphan, Democratic Kampuchea vice president in charge of foreign affairs, dated 1 January 1988”]; E3/632 FBIS, *Khieu Samphan Sends Message*, 17 April 1988, at ENG 00443006 [“Message from His Excellency Khieu Samphan, vice president of Democratic Kampuchea in charge of foreign affairs, to the committee for organizing the 1988 International Day on Cambodia in Tokyo.”].

2795 **E3/1593** Ben Kiernan, *The Pol Pot Regime: Race, Power, and Genocide in Cambodia under the Khmer Rouge, 1975-79*, at ENG 00678486 [“As late as 1992, Samphan threatened more ethnic violence, recalling the Lon Nol regime’s 1970 massacres...The nightmare of a recurrence, Samphan ominously warned the UN in 1992, ‘might become a reality.’”].

2796 **E3/1427** DK Embassy in Peking, News Bulletin no. 061-79, 30 August 1979, at ENG S 00019041-42, 48; **E3/1428** DK Embassy in Peking, News Bulletin no. 064-79, 10 September 1979, at ENG S 00019072; **E3/3765** New York Times, *Cambodians Press Anti-Vietnam Pact*, 22 February 1982, at ENG 00122252; **E3/3774** Financial Times, *ASEAN Urges Military Aid for Kampuchean Resistance*, 12 February 1985, at ENG 00122343 [“The six governments of... (Asean)... held a separate meeting with the leaders of the tripartite resistance coalition, which groups... Prince Norodom Sihanouk; Sonn Sann... and Khieu Samphan of the... Khmer Rouge.”]; **E3/3773** Associated Press, *Vietnam Attacks Cambodia Insurgents*, 12 February 1985, at ENG 00122345 [“In Bangkok, foreign ministers of the [ASEAN]... met yesterday with the three leaders of the resistance coalition: Sihanouk, Son Sann of the Liberation Front, and Khieu Samphan of the Khmer Rouge.”]; **E3/3772** San Diego Union Tribune, *Help for Cambodian Rebels Urged*, 12 February 1985, at ENG 00122347; **E3/** BBC, *Khieu Samphan in Yugoslavia*, 16 March 1985, at ENG 00122379; **E3/1484** BBC, *Khieu Samphan Touring Africa*, 28 April 1986 [“Khieu Samphan,

Vice-President in charge of Foreign Affairs of Democratic Kampuchea, had left on 25th April to visit Egypt, Kenya, Rwanda, Burundi, Burkina Faso, Ghana, Guinea and Liberia.”]; See also **E1/203.1** Transcript, 7 June 2013, Sok Roey, 13.39.01 to 13.41.07 [“[H]e was actually, at that time, in charge of foreign affairs. He travelled back and forth to overseas... wherever he went he would ask me to escort him.”]; **E1/204.1** Transcript, 10 June 2013, Tun Soeun, 10.08.45 to 10.11.07 [“The telegrams were sent from overseas embassies to Khieu Samphan, to clarify as which embassies actually seek approval on credentials from Samdech Euv.”], 10.28.16 to 10.30.35 [“[Khieu Samphan] wrote on the telegrams - mainly topics relevant to the communication with the embassies overseas, and also regarding the instructions received from other embassies.”].

2797 **E3/1463** DK Mission to the UN, Press Release 69/82, *Vice-President of Democratic Kampuchea Khieu Samphan is in New York*, 15 September 1982, at ENG 00031853 [“Mr. Khieu Samphan, Vice-President of Democratic Kampuchea in charge of Foreign Affairs... arrived in New York [on] 12 September 1982 to attend the 37th Session of the UN [GA].”]; **E3/1464** DK Delegation to UNESCO, News Bulletin 18/82, *Arrival of Samdech Norodom Sihanouk and of Mr. Khieu Samphan...*, 27 September 1982, at ENG 00034730-31 [“Samdech Norodom Sihanouk... were warmly greeted by Mr. Khieu Samphan, Vice-President of Democratic Kampuchea in charge of Foreign Affairs... already preset in New York.”]; **E3/3770** UN Secretariat, *Provisional List of Delegations to the Thirty-ninth Session of the General Assembly*, 9 November 1984, at ENG S 00022416 [“Democratic Kampuchea Representatives: H.E. M. Khieu Samphan 3/ Vice-President of Democratic Kampuchea in charge of Foreign Affairs”]; See also **E1/204.1** Transcript, 10 June 2013, Tun Soeun, 10.11.07 to 10.12.55 [“Q. Where was Khieu Samphan when you delivered messages to him in 1989? A. At that time...an unofficial meeting was held to seek solutions for Cambodian problems...in Paris in 1989, and it was around July or August.”].

2798 **E3/20** Elizabeth Becker, *When the War Was Over*, at ENG 00238229 [“[I]n October [1997], Thayer was allowed to interview Pol Pot at Anlong Veng...little more than 1,000 soldiers. Ta Mok, Nuon Chea, and Khieu Samphan were still with Pol Pot.”].

2799 **E3/3820** AFP, *Top Khmer Rouge Leaders to Defect to Government*, 26 December 1998, at ENG 00132425 [“Top Khmer Rouge ideologue Nuon Chea and nominal leader Khieu Samphan have defected to the government with the approval of Prime Minister Hun Sen, officials announced Saturday.”]; **E3/3819** AP, *Top Khmer Rouge Leaders to Defect*, 25 December 1998 [“In a letter to King Norodom Sihanouk read over national radio, Prime Minister Hun Sen praised the defection of Khmer Rouge leader Khieu Samphan, and the rebel movement’s political chief, Nuon Chea.”]; **E3/132** USA Today, *Pressure Mounting for Khmer Rouge Trial*, 5 January 1999.

2800 **E3/4058** Nuon Chea and Khieu Samphan Press Conference, December 1998, 00.10.55 – 00.12.50; See also **E3/1684** David Chandler, *Voices from S-21: Terror and History in Pol Pot’s Secret Prison*, at ENG 00192846 [“Like Adolf Eichmann, Franz Stangl...Khieu Samphan... might also claim in their defense that then was then and now is now. ‘Let bygones be bygones,’ said Khieu Samphan at a press conference in December 1998.”]; **E3/1813** Craig Etheson, *After The Killing Field*, at ENG 00078941 [“Khieu Samphan’s statement suggesting that there would be ‘retaliation’ for any attempt to bring him...to justice in a court of law. ‘Khmer Rouge Heads Want Truth Commission instead of Trial,’ [AFP], December 1, 2002.”].

2801 Delalić, ICTY, Trial Judgment, 16 November 1998, para. 424 [“[O]missions as well as concrete actions can satisfy the actus reus element and, further, that the conduct of the accused must be a substantial cause of the death of the victim.”]; Akayesu, ICTR, Trial Judgment, 2 September 1998, para. 588 [“Customary International Law dictates that it is the act of ‘Murder’ that constitutes a crime against humanity and not ‘Assassinat.’ There are therefore sufficient reasons to assume that the French version of the Statute suffers from an error in translation.”]

2802 Kayishema, ICTR, Trial Judgment, 21 May 1999, para. 146; Bagilishema, ICTR, Trial Judgment, 7 June 2001, para. 89; Kajelijeli, ICTR, Trial Judgment, 1 December 2003, paras 894-895; Kamuhanda, ICTR, Trial Judgment, 22 January 2004, paras. 695-696 [“‘Recklessness’ would suffice in the place of actual intent.”]; Brđanin, ICTY, Trial Judgment, 1 September 2004, paras. 392 - 395 [“require ‘actual intent or recklessness’ (dolus eventualis)”, [“gross negligence as insufficient”].

2803 Kayishema, ICTR, Trial Judgment, 21 May 1999, para. 146 [“[E]xtermination can be committed either by an act or omission or cumulative acts or omissions that cause the death of the individuals in question”].

2804 Semanza, ICTR, Trial Judgment, 15 May 2003, para. 340 [“The scale of killing required for extermination must be substantial.”]; Kayishema, ICTR, Trial Judgment, 21 May 1999, para. 142. [“Extermination can be said to be murder on a massive scale.”]; Kayishema, ICTR, Trial Judgment, 21 May 1999, para. 145; Jokić, ICTY, Trial Judgment, 17 January 2005, para. 573 [“Extermination normally involves a significant number of victims. It is important to note, however, that the term ‘mass’ or ‘on a large scale’ does not command a numerical imperative, but may be determined on a case-by-case basis”].

- 2805 Stakić, ICTY, Trial Judgment, 31 July 2003, para. 640 “[T]he massiveness of the crime automatically assumes a substantial degree of preparation and organisation which may serve as an indicia for the existence of a murderous ‘scheme’ or ‘plan’”].
- 2806 Rutaganda, ICTR, Trial Judgment, 6 December 1999, para. 81; Kayishema, ICTR, Trial Judgment, 21 May 1999, para. 146 [“The ‘creation of conditions of life that lead to mass killing’ is the institution of circumstances that ultimately causes the mass death of others.”].
- 2807 Rutaganda, ICTR, Trial Judgment, 6 December 1999, para. 81; Kayishema, ICTR, Trial Judgment, 21 May 1999, para. 146 [“The act(s) or omission(s) may be done with intention, recklessness, or gross negligence.”]; Vasiljević, ICTY, Trial Judgment, 29 November 2002, para. 229 [“The perpetrator must have had knowledge that his action was part of a vast murderous enterprise in which a large number of individuals were systematically marked for killing or were killed.”]; Kayishema, ICTR, Trial Judgment, 21 May 1999, para. 146 [The Statute’s ‘calculated’ language to include acts or omissions ‘done with intention, recklessness, or gross negligence’.”]; See also Akayesu, ICTR, Trial Judgment, 2 September 1998, paras. 591-592 [“The essential elements of extermination [are] the following: (1) the accused or his subordinate participated in the killing of certain named or described persons; (2) the act or omission was unlawful and intentional; (3) the unlawful act or omission must be part of a widespread or systematic attack; (4) the attack must be against the civilian population; (5) the attack must be on discriminatory ground, namely: national, political, ethnic, racial, or religious grounds.”]; Stakić, ICTY, Trial Judgment, 31 July 2003, para. 641 [“[T]he perpetrator intends to kill persons on a massive scale or to create conditions of life that lead to the death of large numbers of individuals. This includes the requirement that the perpetrator’s mental state encompasses all objective elements of the crime: the annihilation of a mass of people”].
- 2808 Krnojelac, ICTY, Trial Judgment, 15 March 2002, para. 431; Tadić, ICTY, Trial Judgment, 7 May 1997, para. 697 [“Persecution as a ‘violation of the right to equality in some serious fashion that infringes on the enjoyment of a basic or fundamental right’.”]; Krnojelac, ICTY, Trial Judgment, 15 March 2002, para. 431 [“Both acts and omissions can constitute persecutory conduct”]; Blaškić, ICTY, Trial Judgment, 3 March 2000, para. 233 [“[P]ersecution encompasses not only bodily and mental harm and infringements upon individual freedom, but also acts which appear less serious, such as those targeting property, so long as the victimised persons were especially selected on grounds linked to their belonging to a particular community”]; Kordić, ICTY, Trial Judgment, 26 February 2001, para. 195 [“[A]n act of persecution is constituted by (1) a gross or blatant denial, (2) on discriminatory grounds, (3) of a fundamental right, laid down in international customary or treaty law, (4) reaching the same level of gravity as the other crimes against humanity enumerated in Article 5 of the Statute.”] See also Kupreškić, ICTY, Trial Judgment, 14 January 2000, para. 621; Kupreškić, ICTY, Trial Judgment, 14 January 2000, paras. 615, 614; Vasiljević, ICTY, Trial Judgment, 29 November 2002, para. 246; Blaškić, ICTY, Trial Judgment, 3 March 2000, para. 220; Tadić, ICTY, Trial Judgment, 7 May 1997, paras. 704-710 [“Acts that could constitute persecution include non-physical acts of an economic or judicial nature (such as promulgating discriminatory laws, restricting family life and rights of citizenship, creation of ghettos, plunder, and imposition of a collective fine)”]; Kupreškić, ICTY, Trial Judgment, para. 594 [“as well as physical acts (such as extermination, killings, beatings, torture, enslavement, imprisonment, and deportation)”].
- 2809 Kvočka, ICTY, Trial Judgment, 2 November 2001, para. 194-195 [“[T]he discriminatory intent necessary for the crime [of persecution] must be characterized in terms of politics, race, and religion.”]; Kupreškić, ICTY, Trial Judgment, 14 January 2000, paras. 632-636 [“attack[ing] persons on account of their ethnic, racial, [political] or religious characteristics”]; Naletilić and Martinović, ICTY, Trial Judgment, para. 636 [“The targeted group must be interpreted broadly, and may, in particular, include such persons who are defined by the perpetrator as belonging to the victim group due to their close affiliations or sympathies for the victim group.”]; Stakić, ICTY, Trial Judgment, 31 July 2003, para. 734.
- 2810 Kupreškić, ICTY, Trial Judgment, 14 January 2000, paras. 632-636 [“[T]he discriminatory conduct must have [a certain] aim”, [“the mens rea requirement for persecution is higher than for ordinary crimes against humanity”]; Kordić, ICTY, Trial Judgment, 26 February 2001, para. 212 [“The mental state requirement for persecution as a crime against humanity has three components: (i) ‘the specific intent (to commit the act and produce its consequences),’ (ii) ‘the general intent (objective knowledge of the context in which the accused acted),’ and (iii) ‘a particular intent’ that refers to the required discriminatory grounds”]; Krnojelac, ICTY, Appeal Judgment, 17 September 2003, para. 184 [“[T]he accused must commit the acts in question with the requisite discriminatory intent; i.e. on grounds of politics”]; Krnojelac, ICTY, Trial Judgment, 15 March 2002, para. 435 [“the accused must consciously intend to discriminate and that it is not sufficient for the accused to be aware that he is in fact acting in a way that is discriminatory.”]; Krnojelac, ICTY, Trial Judgment, 15 March 2002, para. 435 [“discriminatory intent need not be the primary intent with respect to the act, it must be a significant

- one”]; Naletilić and Martinović, ICTY, Trial Judgment, para. 738 [“the crime of persecution is a crime requiring a specific intent of the perpetrator. He or she must willingly commit the act or omission and must carry it out with the specific intent to discriminate on racial, religious or political grounds”].
- 2811 Delalić et al., ICTY, Trial Judgment, 16 November 1998, para. 543; Blaškić, ICTY, Trial Judgment, 3 March 2000, para. 154; Kordić and Čerkez, ICTY, Trial Judgment, 26 February 2001, para. 256; Aleksovski, ICTY, Appeal Judgment, 24 March 2000, para. 26. [“[a]n intentional act or omission, that is, an act which, judged objectively, is deliberate and not accidental, which causes serious mental or physical suffering or injury or constitutes a serious attack on human dignity”].
- 2812 Delalić et al., ICTY, Trial Judgment, 16 November 1998, para. 543 [“The inhuman treatment is described as constituting: ‘An intentional act or omission, that is an act which, judged objectively, is deliberate and not accidental.’”]; Blaškić, ICTY, Trial Judgment, 3 March 2000, para. 243 [“[T]he Accused must have been motivated by the intent to inflict serious bodily or mental harm upon the victim.”]; Blaškić, ICTY, Trial Judgment, 3 March 2000, para. 152 [“[M]ens rea constituting all violations of Article 2 of the Statute includes both guilty intent and recklessness which may be likened to ‘serious criminal negligence.’”]; Kayishema, ICTR, Trial Judgment, 21 May 1999, para. 583 [“commit an act of similar gravity and seriousness to the other enumerated crimes, with the intention to cause the [...] inhumane act. This important category of crimes is reserved for deliberate forms of infliction with (comparably serious) inhumane results that were intended or foreseeable and done with reckless disregard.”].
- 2813 Krstić, ICTY, Trial Judgment, 2 August 2001, para. 532 [“forcible displacement of people within a territory of a State constituted an inhumane act under Article 5”]; Article 49, Geneva Convention IV [“[F]or a transfer of civilians to be lawful, it is necessary to show either that the transfer was voluntary or that the evacuation was ordered in response to the following two circumstances: when the safety of the population or imperative military reasons so demand.”]; Kvojelac, ICTY, Trial Judgment, 15 March 2002, para. 475; Krstić, ICTY, Trial Judgment, 2 August 2001, para. 529; Stakić, ICTY, Trial Judgment, 31 July 2003, para. 676 [“The notion of force may include ‘threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power against such person or persons or another person, or by taking advantage of a coercive environment’”].
- 2814 On whether intent must be of permanent removal and whether the ultimate return of victims impacts criminal responsibility, the jurisprudence remains unsettled: for the position that intent does not require permanent removal See Stakić, ICTY Appeals Judgment, 31 July 2003, at paras. 30, 306; Krajišnik, ICTY, Trial Judgment, 27 September 2006, at para. 726; For the view that criminal responsibility does require intent of permanent removal see Stakić, ICTY, Trial Judgment, 31 July 2003, at paras. 686-687; Blagoje Simić et al., ICTY, Trial Judgment, 17 October 2003, at paras 132, 134, 974 (With regards to intent, the TC noted that the ICRC commentary to Geneva Convention IV, as well as previous TCs of the ICTY, required that the displacement be permanent.); Whether victims ultimately return of their own volition does not have an impact on criminal responsibility in regard to intent. See Blagojević et al., ICTY, Trial Judgment, 17 January 2005, at para. 596; Brđanin, ICTY, Trial Judgment, 1 September 2004, at paras. 545, 555, 601; Naletilić, ICTY, Trial Judgment, 31 March 2003, at para. 520; Stakić, ICTY, Trial Judgment, 31 July 2003, at paras. 686-87.
- 2815 Milošević, ICTY, Decision on Acquittal, at para. 78.
- 2816 **E163/5/8** Co-Prosecutor’s Rule 92 Submission on the Crime Against Humanity of Other Inhumane Acts in Respect of Forced Transfer, 17 January 2013.
- 2817 **E1 63/5/8** Co-Prosecutor’s Rule 92 Submission on the Crime Against Humanity of Other Inhumane Acts in Respect of Forced Transfer, 17 January 2013, at para. 24.
- 2818 **E1/ 222.1** Transcript, 11 July 2013, Stephen Heder, 13.53.31 to 13.55.11; **E1/225.1** Transcript, 17 July 2013, Stephen Heder, 09.13.57 to 09.15.35.
- 2819 **E3/550** Ieng Sary Statement, 8 September 1975, at ENG 00086003; **E3/624** New York Times, *Cambodian Defends ‘75 Closing of Nation to Prevent a Civil War*, 29 July 1978; **E3/482** Rapport intitulé *La Chine et le Cambodge*, November 1975.
- 2820 **E1/189.1** Transcript, 6 May 2013, Philip Short, 10.21.22 to 10.22.54.
- 2821 **E1/189.1** Transcript, 6 May 2013, Philip Short, 10.21.22 to 10.22.54.
- 2822 **E1/193.1** Transcript, 20 May 2013, Ieng Phan, 11.40.28 to 11.42.33 [“At the time, they used the phrase ‘You have to rely on yourself, we do not need the aid from foreign country, we do not use money so we had to do everything to help ourselves.’”]; **E3/3373** Washington Post, *Cambodians are Starving, Refugees Say*, 23 June 1975.
- 2823 **E1/ 165.1** Transcript, 28 January 2013, Al Rockoff, 13.35.32 to 13.37.20 [“Did the Khmer Rouge allow the Red Cross to continue its activities including its medical operating room at the Hotel Phnom? A. No. The Red Cross had to evacuate along with everybody else”].

- 2824 **E163/5/8** Co-Prosecutors' Rule 92 Submission on the Crime Against Humanity of Other Inhumane Acts in Respect of Forced Transfer, 17 January 2013, at para. 37.
- 2825 **E163/5/8** Co-Prosecutors' Rule 92 Submission on the Crime Against Humanity of Other Inhumane Acts in Respect of Forced Transfer, 17 January 2013, at paras. 34, 38-40.
- 2826 Delalić et al, ICTY, Trial Judgment, 16 November 1998, para. 543; Blaškić, ICTY, Trial Judgment, 3 March 2000, para. 154; Kordić and Čerkez, ICTY, Trial Judgment, 26 February 2001, para. 256; Aleksovski, ICTY, Appeal Judgment, 24 March 2000, para. 26 ["[a]n intentional act or omission, that is, an act which, judged objectively, is deliberate and not accidental, which causes serious mental or physical suffering or injury or constitutes a serious attack on human dignity"].
- 2827 Delalić et al, ICTY, Trial Judgment, 16 November 1998, para. 543 ["The inhuman treatment is described as constituting: 'An intentional act or omission, that is an act which, judged objectively, is deliberate and not accidental'"]; Blaškić, ICTY, Trial Judgment, 3 March 2000, para. 243 ["[T]he Accused must have been motivated by the intent to inflict serious bodily or mental harm upon the victim."]; Blaškić, ICTY, Trial Judgment, 3 March 2000, para. 152 ["[M]ens rea constituting all violations of Article 2 of the Statute includes both guilty intent and recklessness which may be likened to 'serious criminal negligence.'"]; Kayishema, ICTR, Trial Judgment, 21 May 1999, para. 583 ["commit an act of similar gravity and seriousness to the other enumerated crimes, with the intention to cause the [...] inhumane act. This important category of crimes is reserved for deliberate forms of infliction with (comparably serious) inhumane results that were intended or foreseeable and done with reckless disregard."].
- 2828 Delalić et al, ICTY, Trial Judgment, 16 November 1998, para. 543; Blaškić, ICTY, Trial Judgment, 3 March 2000, para. 154; Kordić and Čerkez, ICTY, Trial Judgment, 26 February 2001, para. 256; Aleksovski, ICTY, Appeal Judgment, 24 March 2000, para. 26 ["[a]n intentional act or omission, that is, an act which, judged objectively, is deliberate and not accidental, which causes serious mental or physical suffering or injury or constitutes a serious attack on human dignity"]; Kvočka, ICTY, Trial Judgment, 2 November 2001, para. 208; Velasquez Rodriguez v. Honduras, Trial Judgment, 21 July 1989, para. 36; Kupreškić ICTY, Trial Judgment, 14 January 2000, para. 565; Momir Nikolić, ICTY, Trial Judgment, 2 December 2003, para. 113; Todorovic et al, War Crimes Trial Chamber, Court of Bosnia and Herzegovina, 29 April 2008, pp. 87-90, 93, 94.
- 2829 Delalić et al, ICTY, Trial Judgment, 16 November 1998, para. 543 ["The inhuman treatment is described as constituting: 'An intentional act or omission, that is an act which, judged objectively, is deliberate and not accidental.'"]; Blaškić, ICTY, Trial Judgment, 3 March 2000, para. 243 ["[T]he Accused must have been motivated by the intent to inflict serious bodily or mental harm upon the victim."]; Blaškić, ICTY, Trial Judgment, 3 March 2000, para. 152 ["[M]ens rea constituting all violations of Article 2 of the Statute includes both guilty intent and recklessness which may be likened to 'serious criminal negligence.'"]; Kayishema, ICTR, Trial Judgment, 21 May 1999, para. 583 ["[C]ommit an act of similar gravity and seriousness to the other enumerated crimes, with the intention to cause the [...] inhumane act. This important category of crimes is reserved for deliberate forms of infliction with (comparably serious) inhumane results that were intended or foreseeable and done with reckless disregard."].
- 2830 Brđanin, ICTY, Appeal Judgment, 3 April 2007, paras 364, 430; Martić, ICTY, Trial Judgment, 17 June 2007, paras 436, 446.
- 2831 Brđanin, ICTY, Appeal Judgment, 3 April 2007, paras 365-366, 369, 380-390; Martić, ICTY, Trial Judgment, 17 June 2007, paras 439.
- 2832 Brđanin, ICTY, Appeal Judgment, 3 April 2007, paras 365, 410-411; Martić, ICTY, Trial Judgment, 17 June 2007, paras 438.
- 2833 Brđanin, ICTY, Appeal Judgment, 3 April 2007, paras 409, 413; Martić, ICTY, Appeal Judgment, 8 October 2008, para 171.
- 2834 Germain Katanga and Mathieu Ngudjolo Chui, Decision on the Confirmation of Charges, Pre-Trial Chamber I, 30 September 2008, §§ 511-512 ["There are several aspects of an organisational apparatus of power that allow it to serve the object and purpose of enabling the perpetrator behind the perpetrator to commit crimes through his subordinates"], ["the organisation must be based on hierarchical relations between superiors and subordinates. The organisation must also be composed of sufficient subordinates to guarantee that superiors' orders will be carried out, if not by one subordinate, then by another."]
- 2835 Akayesu, ICTR, Trial Judgment, 2 September 1998, para. 473.
- 2836 Brđanin, ICTY, Appeal Judgment, 3 April 2007, paras 430.
- 2837 Rwamakuba, ICTR, Appeal Judgment, 20 September 2006, para. 25; Brđanin, ICTY, Appeal Judgment, para. 423.
- 2838 Krstić, ICTY, Trial Chamber, 2 August 2001, para. 613 ["If the crime charged fell within the object of the joint criminal enterprise, the prosecution must establish that the accused shared with the person who personally perpetrated the crime the state of mind required for that crime."]; Vasiljevic, ICTY, Trial

Chamber, 29 November 2002, para. 68-69 For mens rea as to joint criminal enterprise “[t]he Prosecution must...establish that the person charged shared a common state of mind with the person who personally perpetrated the crime charged (the ‘principal offender’) that the crime charged should be carried out, the state of mind required for that crime.”]; Kvočka et al., ICTY, Trial Chamber, 2 November 2001, para. 284, 271[“[A] co-perpetrator of a joint criminal enterprise shares the intent to carry out the joint criminal enterprise and performs an act or omission in furtherance of the enterprise.”], [“The shared intent may, and often will, be inferred from knowledge of the plan and participation in its advancement. Acting with such intent express or inferred is usually referred to as acting in pursuance of the common criminal design.”]; Kvočka et al., ICTY, Trial Chamber, 2 November 2001, para. 284: [“In the case of a continuing crime...the shared intent of an accused participating in a criminal enterprise may be inferred from knowledge of the criminal enterprise and continued participation, if the participation is significant in position or effect.”].

2839 Dragomir Milošević, ICTY, Appeal Judgment, 12 Nov. 2009, para. 268; Semanza, ICTR, Trial Judgment, 15 May 2003, para. 380; Kordić et al., ICTY, Appeal Judgment, 17 Dec. 2004, para. 26.

2840 Dragomir Milošević, ICTY, Appeal Judgment, ICTY, 12 Nov. 2009, para. 268; Kordić et al., Appeal Judgment, ICTY, 17 Dec. 2004, para. 26.

2841 Dragomir Milošević, Appeal Judgment, ICTY, 12 Nov. 2009, para. 268; Kordić et al., Appeal Judgment, ICTY, 17 Dec. 2004, para. 29.

2842 Blaškić, Trial Judgment, ICTY, 3 March 2000, para. 280.

2843 Bagilishema, Appeal Judgment, ICTR, 3 July 2002, para. 30.

2844 Nahimana, Appeal Judgment, ICTR, 28 Nov. 2007, para. 480.

2845 Kordić et al., Appeal Judgment, ICTY, 17 Dec. 2004, paras. 29, 32; Brđanin, Trial Judgment, ICTY, 1 September 2004, para. 269; Naletilić et al., Trial Judgment, ICTY, 3 March 2003, para. 60.

2846 Akayesu, ICTR, Trial Judgment, 2 September 1998, para. 483; Blaskić Trial Judgment, ICTY, 3 March 2000, para 281

2847 Brđanin, ICTY, Trial Judgment, 1 September 2004, paras 276, 281

2848 Brđanin, ICTY, Trial Judgment, 1 September 2004, paras 270, 276, 278, 281; Martić, ICTY, Trial Judgment, 17 June 2007, para 441.

2849 Kordić et al., Appeal Judgment, ICTY, 17 Dec. 2004, paras. 29, 32; Brđanin, Trial Judgment, ICTY, 1 September 2004, para. 269; Naletilić et al., Trial Judgment, ICTY, 3 March 2003, para. 60.

2850 Semanza, ICTR, Trial Judgment, 15 May 2003, para. 384 [“Aiding means giving assistance to someone”].

2851 Semanza, ICTR, Trial Judgment, 15 May 2003, para. 384 [Abetting means “encouraging, advising, or instigating the commission of a crime...it would involve facilitating the commission of an act by being sympathetic thereto.”]; Aleksovski, ICTY, Appeals Judgment, 24 March 2000, para 162 [“It must be shown that the aider or abettor carried out acts which consisted of practical assistance, encouragement or moral support which had a substantial effect upon the commission by the principal of the crime for which the aider and abettor is sought to be made responsible”], [“It must be shown that the aider and abettor knew (in sense of was aware) that his own acts assisted in the commission of that crime by principal”]; See also Article 31(2) of the BiH Criminal Code.

2852 Akayesu, ICTR, Trial Judgment, 2 September 1998, para. 473 [“It requires that the principle crime has been accomplished or at least attempted.”].

2853 Vasiljević, ICTR, Trial Judgment, 25 February 2004, para. 71 [“The fact that the aider and abettor do not share the intent of the principal offender generally lessens his criminal culpability from that of an accused acting pursuant to a joint criminal enterprise who does share the intent of the principal offender.”]; Aleksovski, ICTY, Appeals Judgment, 24 March 2000, paras. 163-164. See also Kordić, ICTY, Trial Judgment, 26 February 2001, para. 400 [“Awareness by the aider and bettor of the essential elements of the crime committed by the principal.”]; Aleksovski, ICTY, Appeals Judgment, 24 March 2000, para 163 [“It must be shown that the aider and abettor carried out acts specifically directed to assist and encourage or lend moral support to the specific crime committed by the principal and that this support has a substantial effect upon the commission of the crime”]. [“It must be shown that the aider and abettor knew that his own acts assisted the commission of that specific crime by the principal”]

2854 Hadžihasanović et. al., ICTY, Decision on Interlocutory Appeal Challenging Jurisdiction in Relation to Command Responsibility, 16 July 2003, paras 14-17 [“International law places an obligation upon superiors to exercise responsible command”]; Aleksovski, ICTY, Trial Judgment, 25 June 1999, para. 106; Blaškić, ICTY, Trial Judgment, 3 March 2000, para. 303; Delalić et al Trial Judgment, 16 November 1998, para. 378. [“[I]n order for the principle of superior responsibility to be applicable, it is necessary that the superior have effective control over the persons committing the underlying violations of international humanitarian law, in the sense of having the material ability to prevent and punish the

commission of these offences”]; Delalić et al, ICTY, Trial Judgment, 16 November 1998, paras. 353, 364-371, particular para. 354; Aleksovski, ICTY, Trial Judgment, 25 June 1999, paras. 76, 101, 103; Stakić, ICTY, Trial Judgment, 31 July 2003, para. 459, Tuta and Štela Trial Judgment, ICTY, paras. 66, 67; Kayishema and Ruzindana, ICTR, Trial Judgment, 21 May 1999, paras. 218-222, 230, 478, 490-507; Semanza, ICTR, Judgment, 15 May 2003, para. 402. [“[R]esponsibility may be imposed by virtue of a person's de facto, as well as de jure, position of authority or powers of control”]; Bagilishema, ICTR, Appeals Judgment, 3 July 2002, para. 50. [“‘effective control’ is a criterion that applies across the board, to all superiors: de jure, de facto, military, and civilian”]; Kunarac, ICTY, Trial Judgment, 22 February 2001, para. 398 [“[M]ore than one superior may be responsible for crimes committed by the same subordinates, as long as each superior in the chain of command exercises effective control over them”]; Delalić, ICTY, Trial Judgment, 16 November 1998, para. 300 [“Superior responsibility applies to any member of the armed forces or the political hierarchy enjoying the power to issue orders that are to be obeyed by subordinates”].

2855 US v Leeb et al. (the High Command Case), 11 Trials of War Criminals Before the Nuremberg Military Tribunals under Control Council Law No. 10, pp. 543-544 (1949). [“[Responsibility] can occur only where the act is directly traceable to him or where his failure to properly supervise his subordinates constitutes criminal negligence on his part”]; Krnojelac, ICTY, Appeal Judgment, 17 September 2003, para. 171 [“[W]here superior responsibility is concerned, an accused is not charged with the crimes of his subordinates but with his failure to carry out his duty as a superior to exercise control”]; Aleksovski, ICTY, Appeals Judgment, 24 March 2000, para. 76. [“...where a superior with the required mental element failed to exercise his powers to prevent subordinates from committing offences or to punish them afterwards”]. [“This necessarily implies that a superior must have such powers prior to his failure to exercise them”].; Čelebići, ICTY, Trial Judgment, 16 November 1998, para. 400 [“[T]he very existence of the principle of superior responsibility for failure to punish...demonstrates the absence of a requirement of causality as a separate element of the doctrine of superior responsibility”].

2856 Tuta and Štela, ICTY, Trial Judgment, para. 69; Kunarac, ICTY, Trial Judgment, 22 February 2001, para. 398. [“[A] lower-ranking official, and even a rank-less individual can be found guilty under Article 7(3).”]; Kunarac, ICTY, Trial Judgment, 22 February 2001, para. 398 [“this command responsibility applies from the highest to the lowest level of the hierarchy, from the commander-in-chief down to the common soldier who takes over as head of the platoon”]; Bagilishema, ICTR, Appeal Judgment, 3 July 2002 [“The doctrine includes within its ambit military commanders, leaders of paramilitary or irregular structures, and civilian leaders such as politicians and civil servants, regardless of whether their position as a superior derives from a formal (‘de jure’) nomination”].

2857 About “knew.” Aleksovski, ICTY, Trial Judgment, 25 June 1999, para. 80; Blaškić, ICTY, Trial Judgment, 3 March 2000, para. 308 [“actual knowledge can be established either through: direct evidence of actual knowledge; or circumstantial evidence from which it can be inferred that the commander must have had actual knowledge”]; in order to determine whether actual knowledge can be inferred from circumstantial evidence, relevant factors have been established See Para 58, Final Report of the United Nations Commission of Experts. About “should have known”: Tokyo Trial Official Transcript, p. 48,445 [“[I]f such a person had, or should, but for negligence or supineness, have had such knowledge he is not excused for inaction if his office required or permitted him to take any action to prevent such crimes”]; Čelebići, ICTY, Trial Judgment, 16 November 1998, para. 393 [“a superior can be held criminally responsible only if some specific information was in fact available to him which would provide notice of offences committed by his subordinates”]., [“It is sufficient that the superior was put on further inquiry by the information... that it indicated the need for additional investigation in order to ascertain whether offences were being committed or about to be committed”].

2858 Article 6 of the International Law Commission’s (ILC) Draft Code of Crimes Against the Peace and Security of Mankind, adopted in 1996; Article 6(3) of the ICTR Statute, Article 6(3) of Statute of the Special Court for Sierra Leone; Article 28 of the ICC statute; Article 7(3) of the ICTY Statute; Report of the Secretary-General Pursuant to Paragraph 2 of Security Council Resolution 808 (1993), para. 56; article 86 and 87 of Additional Protocol I of the Geneva Convention; Aleksovski, ICTY, Trial Judgment, 25 June 1999, para. 78; Blaškić, ICTY, Trial Judgment, 3 March 2000, para. 302; Čelebići, ICTY, Trial Judgment, 16 November 1998, para. 302. [“[I]t is a commander’s degree of effective control, his material ability, which will guide the Trial Chamber in determining whether he reasonably took the measures required either to prevent the crime or to punish the perpetrator”]; Čelebići, ICTY, Trial Judgment, 16 November 1998, para. 395 [“international law cannot oblige a superior to perform the impossible. Hence, a superior may only be held criminally responsible for failing to take such measures that are within his powers.”]; Čelebići, ICTY, Trial Judgment, 16 November 1998, Para. 395 [“‘Necessary’ measures are those that are required to discharge the obligation to prevent or punish, in the circumstances prevailing at

the time. ‘Reasonable’ measures are those that the commander was in a position to take in the circumstances prevailing at the time. International law cannot oblige a superior to perform the impossible]

- 2859 **E188** Case 001, Trial Judgment, 26 July 2012, para. 565.
- 2860 Momčilo Krajišnik Appeal Judgment, ICTY, 17 March 2009, para. 386, citing the *Delalić et al.* (“Čelebići”) Appeal Judgement, ICTY, 20 February 2001, para. 413.
- 2861 **F28** Case 001, Appeal Judgment, 3 February 2012, paras. 294-98.
- 2862 Stakić Appeal Judgment, ICTY, 22 March 2006, para. 366.
- 2863 Stakić Appeal Judgment, ICTY, 22 March 2006, para. 359-64; Kordić and Mario Čerkez Appeals Judgment, 17 December 2004, para. 1042.
- 2864 Krajišnik, ICTY, Trial Judgment, 27 September 2006, para 886 [“There is no form of responsibility provided for in the Statute or in customary law which could be described as ‘aiding and abetting a JCE’”], Kvočka, ICTY, Appeal Judgment 28 February 2005, para 91 [“The Appeals Chamber emphasizes that joint criminal enterprise is simply a means of committing a crime in itself”], [“Therefore, it would be inaccurate to refer to aiding and abetting a JCE. The aider and abettor assists the principal perpetrator in committing the crimes”]; Mpambara, ICTR, Trial Judgment, 11 September 2006, para 37 [“Aiding and abetting is a form of accomplice liability, whereas participation in a joint criminal enterprise is a form of direct commission, albeit with other persons”]; See also *Blaškić* Trial Judgment, ICTY, 3 March 2000, para. 278 [“[I]n general, a person other than the person who planned, instigated or ordered is the one who perpetrated the *actus reus* of the offence. In so doing he must have acted in furtherance of a plan or order”].
- 2865 Stakić, ICTY, Trial Judgment, 31 July 2003, para. 445 [“[A]n additional conviction for ordering a particular crime is not appropriate where the accused is found to have committed the same crime”].
- 2866 Stakić, ICTY, Trial Judgment, 31 July 2003, para. 443 [“[I]t would be illogical to hold a commander criminally responsible for planning, instigating or ordering the commission of crimes and, at the same time, reproach him for not preventing or punishing them.”]; [“A Chief-of-Staff would be found guilty only if he were involved in the execution of criminal policies...directly liable for aiding and abetting of another form of participation”]; *Blaškić*, ICTY, Trial Judgement, 3 March 2000, para. 337.
- 2867 ECCC Law, Art. 33 new; **F28** Case 001, Appeal Judgment, 3 February 2012, para. 344.
- 2868 **E188** Case 001, Trial Judgment, 26 July 2012, para. 590.
- 2869 **E188** Case 001, Trial Judgment, 26 July 2012, para. 575.
- 2870 **F28** Case 001, Appeal Judgment, (Partially Dissenting Joint Opinion), 3 February 2012, para. 27.
- 2871 Criminal Code, Art. 672.
- 2872 Criminal Code, Art. 189.
- 2873 Criminal Code, Art. 95.
- 2874 *Code pénal* (France), Art 212-1 [“Constitue également un crime contre l’humanité et est puni de la réclusion criminelle à perpétuité l’un des actes ci-après commis en exécution d’un plan concerté à l’encontre d’un groupe de population civile dans le cadre d’une attaque généralisée ou systématique...”].
- 2875 *Code pénal* (Belgium), Art. 136ter [“Constitue un crime de droit international et est réprimé conformément aux dispositions du présent titre, le crime contre l’humanité, tel que défini ci-après, qu’il soit commis en temps de paix ou en temps de guerre. Conformément au Statut de la Cour pénale internationale, le crime contre l’humanité s’entend de l’un des actes ci-après commis dans le cadre d’une attaque généralisée ou systématique lancée contre une population civile et en connaissance de cette attaque”]; Art. 136quinquies [“Les infractions énumérées aux articles 136bis et 136ter sont punies de la réclusion à perpétuité.”].
- 2876 VStGB, s 7(1)-(2).
- 2877 Crimes against Humanity and War Crimes Act, S.C. 2000, ch. 24, s. 4(1)-(2).
- 2878 **E188** Case 001, Trial Judgment, 26 July 2012, para. 582-83.
- 2879 **E188** Case 001, Trial Judgment, 26 July 2012, para. 582.
- 2880 **F28** Case 001, Appeal Judgment, 3 February 2012, para. 375.
- 2881 **E188** Case 001, Trial Judgment, 26 July 2012, para. 582.
- 2882 **E1/201.1** Transcript, 5 June 2013, Chhim Sotheara, 14.26.21 to 14.28.00 [“[L]ost their loved ones...more severe traumatic experience...do not want to achieve anything in life...experience remains with the victims.”]; **E1/201.1** Transcript, 5 June 2013, Chhim Sotheara, 15.48.09 to 15.49.30 [“Regarding persons who lost close relatives...did observe these symptoms for some of the patients...connected to the immediate family members like the children or the parents who died. Yes, there is a linkage.”].
- 2883 **E1/201.1** Transcript, 5 June 2013, Chhim Sotheara, 13.49.54 to 13.52.33 [“...majority of the victims...were traumatized...difficult living condition...the majority of them were traumatized.”], 13.57.35 to 14.00.01 [“Also, we noticed the anxiety in them, the hopelessness...loss of their relatives...all

these factors.”]; **E1/201.1** Transcript, 5 June 2013, Chhim Sotheara, 14.14.05 to 14.16.00 [“[H]ave consulted some civil parties...raped and then she was tortured, as well...so painful...people wearing in black, people talking loud for instance.”]; **E1/201.1** Transcript, 5 June 2013, Chhim Sotheara, 14.24.36 - 14.26.21 [“Of course these people tend to regret about things in life and they resent very easily...behaving like a grief-stricken person who lost his loved one.”]; **E1/202.1** Transcript, 6 June 2013, Chhim Sotheara, 13.47.39 to 13.50.44 [“Allow me to say that PTSD...prolong or cultural exposure to traumatic event can be used in a better way to make an assessment of the Cambodian people who suffered under the regime.”]; **E1/202.1** Transcript, 6 June 2013, Chhim Sotheara, 13.51.39 to 13.53.01 [“The Khmer Rouge had a strategy which seems to destabilize the people to lose their ability to challenge...more than the ordinary PTSD as defined by the Western experts.”]; **E1/202.1** Transcript, 6 June 2013, Chhim Sotheara, 13.53.01 to 13.54.29 [“Allow me to say that it’s because of that impact people become distrust of one another or to conceal their identity...events that took place during the regime.”]; **E1/202.1** Transcript, 6 June 2013, Chhim Sotheara, 13.45.55 to 13.47.39 [“A torture or events that took place in Cambodia are not the ordinary stress that we experience every day, but instead it is -- it is kind of a traumatic event that doesn’t happen every time and that would lead people to lose their ability to resolve things or to control themselves.”]; **E1/202.1** Transcript, 6 June 2013, Chhim Sotheara, 13.54.29 [“[S]ome of the patients complained that they -- they were even lower than the human status as people could talk to one another or had their communication, but under the Khmer Rouge regime, they were not treated as humans. And these kinds of events, compounded with hard labour and lack of food, that caused the people these traumatized events and that kind of thing remains with them.”].

2884 **E1/201.1** Transcript, 5 June 2013, Chhim Sotheara, 14.28.00 to 14.29.44 [“A. As far as the psychological impact is...segregation between New People and Old People...also subject to being killed, as well, so they lost their identity.”], 14.29.44 to 14.30.50 [“And losing one’s identity is a very severe, traumatic experience because these people were considered detached from the mainstream society; that they do not enjoy what they should have in society.”]; **E1/201.1** Transcript, 5 June 2013, Chhim Sotheara, 14.33.22 to 14.35.30 [“More often than not, victims -- the trauma victims would possess one of the symptoms...take some time to recollect himself or herself before he or she would tell me about the experience.”].

2885 **E1/201.1** Transcript, 5 June 2013, Chhim Sotheara, 15.07.53 to 15.09.30 [“As I have enlighten the Court earlier, when we live somewhere...We lose the place where we have acquainted with.”], 15.09.30 to 15.10.37 [“For example...their attachment with the -- with their family and their surroundings...under constant threat. This was a traumatic experience.”], 15.10.37 to 15.12.35 [“Once they were evacuated to any location...This is something that affects the psychological status of a person.”]; **E1/201.1** Transcript, 5 June 2013, Chhim Sotheara, 15.12.35 to 15.14.04 [“Well, the psychological disorder...he suffered this mental and psychological disorder.”], 15.14.04 to 15.15.38 [“Q. Had you taken notice of this during your professional practice? A. Indeed, I have. They suffer psychological disorder concerning this evacuation.”].

2886 **E1/201.1** Transcript, 5 June 2013, Chhim Sotheara, 15.20.34 to 15.22.36 [“The traumatic experience is an event that is so overwhelmed that a person, himself, cannot cope...may forget to comply with the moral obligation, for example, at that time.”], 15.22.36 to 15.24.07 [“And I remember during the Khmer Rouge regime the victims said they could do whatever in order to find something to eat...this impact has the impact until today or it has already been over.”]; **E1/201.1** Transcript, 5 June 2013, Chhim Sotheara, 15.24.07 to 15.25.45 [“Q. Did you ever hear about victims...? A. they had tension; you know, the mental strain, and they could almost -- they could hardly stand.”].

2887 **E1/201.1** Transcript, 5 June 2013, Chhim Sotheara, 14.20.20 to 14.21.30 [“In the evacuation, particularly, the evacuation from their family residence...the psychological impact that children would have.”], 14.21.30 to 14.23.13 [“And, as for children, through these traumatic experience...consequence for the -- their children.”]; **E1/201.1** Transcript, 5 June 2013, Chhim Sotheara, 14.23.13 to 14.24.36 [“Generally, the traumatic experience is quite similar...affected by the traumatic event, but their condition is more severe than those who have their family support.”].

2888 **E1/197.1** Transcript, 27 May 2013, Sou Sotheavy, 09.32.34 to 09.35.04 [“I reached Preaek Ph’av and I saw a lot of dead bodies including the corpses of the monks.”], See also 09.40.47 to 09.43.01 [“I was too scared to continue walking when seeing these dead bodies, but I was pushed by the huge crowd of evacuees; that we had to move on.”], 10.12.08 to 10.13.55 [“[I]t was at the other side of the Chrouy Changva Bridge, where I saw people were shot dead, and for that - that is at the Monivong Bridge...”]; **E1/197.1** Transcript, 27 May 2013, Yos Phal, 14.29.16 to 14.31.42 [“When I reached the Chen Dam Dek Pagoda, the driver of the GMC truck was shot dead by the Khmer Rouge soldiers while he was still in the driver’s seat”]; **E1/198.1** Transcript, 29 May 2013, Thouch Phandarasar, 09.20.08 to 09.22.29 [“I was afraid of losing my children whom I had tied together...I heard a gunshot, and then I saw a man who had just been killed...things were very, very serious. We were all very, very afraid.”]; **E1/198.1** Transcript, 29

May 2013, Chan Sopheap, 11.39.50 to 11.41.16 ["When I went to the village, to my terror, my mother was dead...were all killed, and they all died."], 11.45.55 to 11.48.03 ["[O]n the way back to our place, we saw people being killed and the dead bodies. And the ladies who came to asked me actually - were killed herself on the hill when we were walking back home. This was really frightening."], 11.59.18 to 12.01.10 ["[M]ilitary personnel at that time forced us to go, and if we resisted we would be killed...only a man expressed his joy when he got to Phnom Penh - he was shot to death as a result."], 12.05.40 to 12.07.22 ["And then this man was called out by a Khmer Rouge soldier to a door gate, and then they were talking a few words with each other. And then the man was killed instantly."]; **E1/198.1** Transcript, 29 May 2013, Hou Chantal, 14.17.38 to 14.19.00 ["They killed the officials, the civil servants of the Lon Nol administration, and we were questioning to ourselves why this regime killed the former official."], 14.21.07 to 14.22.46 ["As for my uncle by the name of Kok (phonetic), in Kien Svay, he was asked to do the work in the forest and he stepped on the landmine; he was killed, and his four kids were parentless - fatherless from that time onwards."], 14.22.46 to 14.25.08 ["My sister-in-law was four-month pregnant and their parent-in-law and other relatives were asked to stand in the queue and then they were killed with the hoe, one after another...were killed by the Khmer Rouge and eventually he died and he was gone forever."], 14.25.08 to 14.27.19 ["[T]hey were merciless. They killed the husband and the wife; they died together; they killed them"]; **E1/198.1** Transcript, 29 May 2013, Chheng Eng Ly, 15.23.02 to 15.25.37 ["The two Khmer Rouge asked her whether she already finished digging the pit, and then they pushed her into the pit and buried her alive...Now you see what happen. Now you return to work'..."], See also 15.32.22 to 15.34.52 ["I saw a crying baby. He was actually crawling over the dead body of his mum...the soldier carried this baby was so brief that I could not actually do anything...they just tore the baby apart. It was a very horrifying scene..."], 15.57.00 to 15.58.43 ["I did not even have time or chance to look at those dead corpses."]; **E1/199.1** Transcript, 30 May 2013, Nou Hoan, 10.06.32 to 10.08.19 ["[T]here were lots and lots of people and those people...went to look for food or water. And when they came back they thought that they saw those people were being taken away and killed. So I learned of the news..."]; See also 10.21.46 to 10.23.27 ["[T]he militia...came to gather everyone from the family and taken away and killed. But I did not know the place that they were killed or when they were killed. And my daughter also died within - together with the members of that family."]; **E1/199.1** Transcript, 30 May 2013, Sophan Sovany, 11.44.52 to 11.47.06 ["And actually we found out that she was killed. She was executed and she was buried, but her body - her dead body was not fully buried; we could see her leg coming out"]; **E1/199.1** Transcript, 30 May 2013, Yim Roum Dou, 13.48.04 to 13.50.17 ["I saw another event that a family was taken and killed and there were about six to five to six members in that family."].

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E1/197.1 Transcript, 27 May 2013, Sou Sothaeavy, 09.43.01 ["I went without food for several days...not have enough time to take rest...not have medicine when we fell ill. We had to walk...only were allowed to stop when we reached our destination...I had to eat some leaves on the road..."]; **E1/197.1** Transcript, 27 May 2013, Yos Phal, 14.20.02 ["During...my journey, my health became deteriorating, because I had some fever, without proper medicine...I had to pick some bitter leaves along the road to pound them and cook and drink as a form of medicine."], 14.33.17 ["During the journey, I was pale and emaciated. I had fever, high temperature, and I was hungry...I became emaciated, and my health gradually deteriorated, as I did not have sufficient food to eat. The situation was miserable.]; **E1/197.1** Transcript, 27 May 2013, Aun Phally, 10.54.51 ["The journey was arduous; I was pretty young back then. We walked and stopped, walked and stopped...so exhausted travelling on the road. We were so hungry."]; **E1/198.1** Transcript, 29 May 2013, Thouch Phandarasar, 09.22.29 ["I saw women give birth in the street and I saw sick people in their beds with their drip on the road under the burning sun and I saw people who couldn't walk."], 11.19.59 ["We were not allowed to return to Phnom Penh and we were forced to move further. My family then came to rest at Kien Svay district...we experienced great hardship due to the lack of food, the insufficient food..."], 11.24.01 ["The situation in my family, as the rest of other families - in particular, for other families who had younger siblings who could not walk - and we were still forced to travel on foot."]; **E1/198.1** Transcript, 29 May 2013, Huo Chantha, 14.03.09 to 14.04.38 ["Along the road, I saw people crowded along the road...Young children were crying because of their - the feet pain and along the road, I saw the corpses of Lon Nol soldiers dying and scattering. It was a pitiful situation."]; **E1/199.1** Transcript, 30 May 2013, Po Dina, 15.03.55 ["We went on walking until we felt faint. I felt faint and my husband also fainted because we were physically weak."]; **E1/199.1** Transcript, 30 May 2013, Nou Hoan, 09.14.07 ["There was a huge crowd...very hot. People were shocked...resorted to using banana stalk for their feet."]; **E1/200.1** Transcript, 4 June 2013, Bay Sophany, 09.26.25 ["And another scene that I witnessed was that of the disabled people...oxygen in their nostril...under the heat of the sun. We kept moving very slowly under the heat of the sun, together with my three children."], 09.28.18 ["So we just kept going...It was raining that day and I had nothing to protect my children...as instructed by the Khmer

Rouge and we did not know - we did not have any destination in mind.”]; **E1/200.1** Transcript, 4 June 2013, Seng Sivutha, 14.38.02 [“I became so exhausted and thirsty under the extreme heat...we could only eat with one hand because the other hand was tied to one another...we just kept walking and by nightfall, we reached the place where we could rest.”].

- 2890 **E3/75** *Revolutionary Flag*, Special Issue, December 1976 - January 1977, at ENG 00491424.
 2891 **E1/199.1** Transcript, 30 May 2013, 09.42.58 to 09.45.07.
 2892 **E1/199.1** Transcript, 30 May 2013, 14.10.41.
 2893 **E188** Case 001, Trial Judgment, 26 July 2012, paras. 583-84.
 2894 Rule 145(2)(b) of the ICC's Rules of Procedure and Evidence See TJ as well.
 2895 **E188** Case 001, Trial Judgment, 26 July 2012, paras. 583-84.
 2896 Rule 145(2)(a) of the ICC's Rules of Procedure and Evidence See TJ as well.
 2897 **E1/199.1** Transcript, 30 May 2013, 09.47.54 to 09.50.48.
 2898 **E1/199.1** Transcript, 30 May 2013, 14.14.43 to 14.16.25.
 2899 See e.g. **E1/16.1** Transcript, 11.50.11 to 11.53.21.
 2900 **E1/16.1** Transcript, 5 December 2011, 11.54.55 to 11.57.17.
 2901 **E3/2357R** Pol Pot, *Journey to the Killing Fields*, 00:44 - 00:46.
 2902 **E3/26** Nuon Chea Statement, at ENG 00329523.
 2903 **E3/18** Khieu Samphan, *Cambodia's Recent History and the Reasons Behind the Decisions I Made*, at ENG 00103782.
 2904 **E3/210** Khieu Samphan Statement, at ENG 00156950.
 2905 **E1/189.1** Transcript, 6 May 2013, 11.23.34.
 2906 **E1/191.1** Transcript, 8 May 2013, 16.16.52.
 2907 **F28** Case 001, Appeal Judgment, 3 February 2012, Disposition, p. 320.
 2908 Kvočka Appeal Judgment, ICTY, 28 February 2005, para. 681.
 2909 Jelisić Appeal Judgment, ICTY, 5 July 2001, para. 96.
 2910 **F28** Case 001, Appeal Judgment, 3 February 2012, para. 374.
 2911 Vidoje Blagjević, ICTY, Appeals Judgment, 9 May 2007; Miroslav Bralo, ICTY, Appeals Judgment, 2 April 2007; Ranko Češić, ICTY, Trial Judgment 11 March 2004; Stanislav Galić, ICTY, Appeals Judgment, 30 November 2006; Goran Jelisić, ICTY, Appeals Judgment, 5 July 2001; Dario Kordić, ICTY, Appeals Judgment, 17 December 2004; Milorad Krnojelac, ICTY, Appeals Judgment, 17 September 2003; Vladimir Šantić, ICTY, Appeals Judgment, 23 October 2001; Mlado Radić, ICTY, Appeals Judgment, 28 February 2005; Milan Martić, ICTY, Appeals Judgment, 8 October 2008; Dragomir Milošević, ICTY, Appeals Judgment, 12 November 2009; Darko Mrda, ICTY, Trial Judgment, 31 March 2004; Mile Mrkšić, ICTY, Appeals Judgment, 5 May 2009; Mitar Vasiljević, ICTY, Appeals Judgment, 25 February 2004; Hazim Delić, ICTY, Appeals Judgment, 8 April 2003; Mladen Naletilić, ICTY, Appeals Judgment, 3 May 2006; Vinko Martinović, ICTY, Appeals Judgment, 3 May 2006.
 2912 Sredoje Lukić, Trial Judgment, ICTY, 20 July 2009, para. XXX
 2913 Milan Lukić, Trial Judgment, ICTY, 20 July 2009.
 2914 Stakić, Trial Judgment, ICTY, 31 July 2003, para 654.
 2915 Stakić, Trial Judgment, ICTY, 31 July 2003, para 384.
 2916 Stakić, Appeal Judgment ICTY, 22 March 2006, para. 142.