



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia  
Chambres Extraordinaires au sein des Tribunaux Cambodgiens

**Request for Correction**

**Case :** 002/19-09-2007-ECCC/TC

To Document No(s):	ERN(s):	Request Date:	Correction Type:
E124/7.1	00754117-00754119	30 Nov 2011	<input type="checkbox"/> Change to Original <input type="checkbox"/> Change to Translation <input checked="" type="checkbox"/> Reclassification

**Reason for changes:**  
 The annex amended further to the Trial Chamber's Decision on Ieng Thirith's Fitness to Stand Trial (E138) is a new document and should bear a new number rather than being issued a corrigendum. It has therefore received number E124/7.2 and is filed in clean version.

**Details:**  
 Please see the track change document.

**Filed by:** Trial Chamber

**Signature:**

**Approved by Greffier (for originals):**

**Signature:**

**Approved by ITU (for translations):**

**Signature:**

<b>ឯកសារដើម</b>
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception): ..... 30 / 11 / 2011 .....
ម៉ោង (Time/Heure) :..... 15:30 .....
មន្ត្រីទទួលបន្ទុកសំណុំរឿង / Case File Officer/L'agent chargé du dossier:..... Ratanak .....

## ANNEX:

**List of paragraphs and portions of the Closing Order relevant to Trial One in Case 002<sup>1</sup>,  
amended further to the  
Trial Chamber's Decision on Ieng Thirith's Fitness to Stand Trial (E138)**

1. Factual findings

- (i) Historical background (paragraphs 18-32)
- (ii) Administrative Structures
  - (a) *Communist Party of Kampuchea* (33-36)
  - (b) *Central Committee* (37-40)
  - (c) *Standing Committee* (41-47)
  - (d) *Offices of "870"* (48-63)
- (iii) Administrative Structures (National) (64-71)
- (iv) Communications Structure (72-112)
- (v) Military Structure
  - (a) *Establishment of the Revolutionary Army of Kampuchea* (113-115)
  - (b) *Role of the RAK* (116-118)
  - (c) *CPK Centre Military Organs* (119-149) (note: paragraphs 146-149 include general allegations concerning the role of the RAK in purges)
- (vi) Factual Findings JCE (156-159)
- (vii) Policy as implemented (160-165) (all limited to population movement phases one and two)

2. Factual findings concerning crimes alleged

## Movement of population Phase 1:

- (i) (221-241)
- (ii) Reasons given and justification of policy (242-249)
- (iii) Planning (250-260)

## Movement of population Phase 2:

- (i) (262-275)
- (ii) Reasons given and justification of policy (276-278)
- (iii) Planning (279-281)

3. Roles of the Accused

## (a) NUON Chea

Background (862-868)

Membership of the Central and Standing Committees (869-872)

Role in Security Apparatus (873-879)

Propaganda (880-887)

Acting Prime Minister (888)

---

<sup>1</sup> Case 002/1 in abbreviated form.

Chairman Peoples' Representative Assembly & Standing Committee of People's Representative Assembly (889-890)  
 Other roles (891-892)  
 Association with other CPK senior leaders (893-894)  
 Participation in the Common Purpose (limited to population movement phases one and two) (895-901)

(b) IENG Sary  
 Background (994-1000)  
 Membership of the Central and Standing Committees (1001-1004)  
 Deputy Prime Minister for Foreign Affairs (1005-1014)  
 Other roles (1015)  
 Association with other CPK senior leaders (1016-1017)  
 Participation in the Common Purpose (limited to population movement phases one and two) (1018-1024)

(c) KHIEU Samphan  
 Background (1126-1130)  
 Membership of Central Committee and Standing Committee (1131-1134)  
 President of the State Praesidium (1135-1138)  
 Chairman/leading cadre of Office 870 (1139-1141)  
 Responsible for commerce, for accounting and for pricing (1142-1144)  
 Other roles (1145-1150)  
 Association with other CPK senior leaders (1151-1152)  
 Participation in the Common Purpose (limited to population movement phases one and two) (1153-1162)

~~(d) IENG Thirith  
 Background (1201-1206)  
 Roles and Functions, including role as Minister of Social Affairs (1207-1221)  
 Other functions (1222-1223)  
 Associations with other CPK leaders (1224-1226)  
 Participation in the Common Purpose (limited to population movement phases one and two) (1227-1233)~~

#### 4. Legal findings

*Crimes Against Humanity* (1350-1372)

Relevant underlying offences:

- (i) Murder (1373, 1377, 1379-80 (limited to population movement phase one))
- (ii) Extermination (1387-1389 (limited to population movement phases one and two))
- (iii) Political persecution (1415-1418, 1423-1425 (limited to population movement phases one and two))
- (iv) Other inhumane acts (1434-1436, 1439-1440, 1448-1469 (excluding forced marriage) (limited to population movement phases one and two))

- (v) Attacks on human dignity (1434-1436, 1439-1440 (limited to population movement phases one and two))
- (vi) Forced transfer (1448-1469 (limited to population movement phases one and two))
- (vii) Enforced Disappearances (1470-1478 (limited to population movement phase two))<sup>2</sup>

## 5. Modes of responsibility

### (a) Joint Criminal Enterprise

1521-1525 (exclude 1525 (ii) and (iii), Grave Breaches (iv) and (v)),  
1526  
1528-1530

### (b) Membership of JCE

1529-1531  
NUON Chea (1532-1533)  
IENG Sary (1534-1535)  
KHIEU Samphan (1536-1537)  
IENG Thirith (1538-1539)

### (c) Forms of JCE

1540-1542

### (d) Other Modes of Responsibility

~~1543~~

(i) Planning (1544-1545 (limited to relevant underlying offences))  
~~IENG Thirith (1546 (limited to relevant underlying offences))~~

(ii) Instigating (1547-1548 (limited to relevant underlying offences))  
~~IENG Thirith (1549 (limited to relevant underlying offences))~~

(iii) Aiding and Abetting (1550-1551 (limited to relevant underlying offences))  
~~IENG Thirith (1552 (limited to relevant underlying offences))~~

(iv) Ordering (1553-1554)  
~~IENG Thirith (1555-1556 (limited to relevant underlying offences))~~

(v) Superior Responsibility (1557-1559 (limited to relevant underlying offences), 1560)  
~~IENG Thirith (1561-1563 (limited to relevant underlying offences))~~

## 6. Character

NUON Chea (1577-1584)  
IENG Sary (1585-1597)  
KHIEU Samphan (1598-1604)  
~~IENG Thirith (1605-1612)~~

<sup>2</sup> Excludes extermination (except as above), enslavement, deportation, imprisonment, torture, religious and racial persecution, rape/rape in the context of forced marriage and forced disappearances.

7. Dispositive

1613 (limited to relevant underlying offences of Crimes against humanity: (a), (b), (h) political persecution, (i) other inhumane acts including forced transfer (1448-1469) and attacks on human dignity (1434-1436, 1439-1440).