

~~E224/7.2~~**ANNEX:****List of paragraphs and portions of the Closing Order relevant to Trial One in Case 002,¹
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)	Annexes 3 and 8
(ii) Administrative Structures	Annex 4
(a) <i>Communist Party of Kampuchea</i> (33-36)	
(b) <i>Central Committee</i> (37-40)	
(c) <i>Standing Committee</i> (41-47)	
(d) <i>Offices of "870"</i> (48-63)	
(iii) Administrative Structures (National) (64-71)	Annex 5
(iv) Communications Structure (72-112)	Annex 6
(v) Military Structure	Annex 7
(a) <i>Establishment of the Revolutionary Army of Kampuchea</i> (113-115)	
(b) <i>Role of the RAK</i> (116-118)	
(c) <i>CPK Centre Military Organs</i> (119-149) (note: paragraphs 146-149 include general allegations concerning the role of the RAK in purges)	
(vi) Factual Findings JCE (156-159)	Annexes 9, 10, 11, 12, 13, 14, 15 and 16
(vii) Policy as implemented (160-165) (all limited to population movement phases one and two)	Annex 9

2. Factual findings concerning crimes alleged

Movement of population Phase 1:	Annex 9
(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)

¹ Case 002/1 in abbreviated form.

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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)

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))²

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

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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

- (i) Planning (1544-1545 (limited to relevant underlying offences))
- (ii) Instigating (1547-1548 (limited to relevant underlying offences))
- (iii) Aiding and Abetting (1550-1551 (limited to relevant underlying offences))
- (iv) Ordering (1553-1554)
- (v) Superior Responsibility (1557-1559 (limited to relevant underlying offences), 1560)

6. Character

NUON Chea (1577-1584)
IENG Sary (1585-1597)
KHIEU Samphan (1598-1604)

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).