



**ព្រះរាជាណាចក្រកម្ពុជា**  
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**អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា**

Extraordinary Chambers in the Courts of Cambodia  
Chambres extraordinaires au sein des Tribunaux cambodgiens

**ការិយាល័យសហចៅក្រមស៊ើបអង្កេត**  
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**ORDER DISMISSING THE CASE AGAINST YIM TITH**

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Annex A: Abbreviation

Annex B: Documents used in the Closing Order

I, **YOU Bunleng**, the National Co-Investigating Judge of the ECCC,

- Noting** the “Law on the Establishment of the Extraordinary Chambers in the Courts of Cambodia” dated 27 October 2004 (“the ECCC Law”);
- Noting** Rule 55, Rule 66, Rule 66*bis* and Rule 67 of the Internal Rules of ECCC [Rev. 9] dated 16 January 2015 (“Internal Rules”);
- Noting** Case File No. 004 dated 07 September 2009;
- Noting** the International Co-Prosecutor (“ICP”)'s Third Introductory Submission dated 20 November 2008<sup>1</sup>;
- Noting** the investigation into the following allegations against **YIM Tith**<sup>2</sup>:
- A. Homicide, torture and religious persecution of the Cham. These constitute violations of the 1956 Penal Code, Articles 501, 503, 504, 505, 506, 507, 508, and Articles 500, 209 and 210, punishable under Articles 3 (new), 29 (new), 39 (new) of the ECCC Law.
- B. Murder, extermination, enslavement, imprisonment, torture, rape; persecutions on political, racial and religious grounds of former officials of the Khmer Republic, feudalists, capitalists and the bourgeoisie, “new people”, suspected “bad elements”, Buddhists, the Cham, and persons of Vietnamese ethnicity, and other inhumane acts. These constitute crimes against humanity, punishable under Articles 5, 29 (new), and 39 (new) of the ECCC Law.
- Noting** the excerpt of the Consideration of the Pre-Trial Chamber (PTC) regarding the Disagreement between the Co-Prosecutors (“CPs”) dated 18 August 2009 in which the PTC states that it was unable to reach a decision on the disagreement and the action of the ICP shall therefore be executed;<sup>3</sup>
- Noting** the ICP’s Third Introductory Submission dated 07 September 2009 requesting the Co-Investigating Judges “CIJs” to open a judicial investigation;<sup>4</sup>
- Noting** the ICP's First Supplementary Submission regarding Sector 1 Crime Sites and Persecution of Khmer Krom dated 18 July 2011;<sup>5</sup>
- Noting** the Second Supplementary Submission regarding Forced Marriage and Sexual or Gender based Violence dated 24 April 2014;<sup>6</sup>
- Noting** the Response to the Forwarding Order and Supplementary Submission regarding Wat Ta Meak dated 04 August 2015;<sup>7</sup>

- Noting** the Response to the Forwarding Order dated 05 November 2015 and Supplementary Submission regarding the scope of investigation on Forced Marriage in Sector 1 and Sector 4 dated 20 November 2015;<sup>8</sup>
- Noting** the Notice of Conclusion of Judicial Investigation against **YIM Tith** pursuant to Rule 66 (1) of the Internal Rules of ECCC dated 13 June 2017;<sup>9</sup>
- Noting** the Decision on **YIM Tith's** Request for Adequate Preparation Time dated 16 June 2017 and 05 July 2017;<sup>10</sup>
- Noting** the Decision on **YIM Tith's** Application to Annul the Investigative Material Produced by **Paolo STOCHHI**, dated 25 August 2017;<sup>11</sup>
- Noting** the Second Notice of Conclusion of Judicial Investigation against **YIM Tith** dated 05 September 2017;<sup>12</sup>
- Noting** the Forwarding Order pursuant to Rule 66 (4) of the Internal Rules of ECCC dated 01 March 2018;<sup>13</sup>
- Noting** the National Co-Prosecutor (“NCP”)’s Final Submission concerning **YIM Tith** dated 31 May 2018;<sup>14</sup> The ICP’s Final Submission concerning **YIM Tith** dated 04 June 2018.<sup>15</sup>
- Noting** the estimated time needed for **YIM Tith** to respond to ICP’s Final Submission dated 12 June 2018;<sup>16</sup>
- Noting** the Decision on time granted for the Defence Lawyers to respond to the CP’s Final Submissions, dated 20 June 2018;<sup>17</sup>
- Noting** **YIM Tith's** Response to NCP’s and ICP’s Final Submission pursuant to Rule 66 of the Internal Rules of ECCC dated 26 November 2018;<sup>18</sup>

## CHAPTER I. INTRODUCTION

### 1. ESTABLISHMENT OF THE EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA (ECCC)

1. After receiving the request for assistance from the Royal Government of Cambodia on 21 June 1997,<sup>19</sup> an agreement was signed on 06 June 2003 between the United Nations (UN) and the Royal Government of Cambodia (RGC) to bring to trial senior leaders and those who were most responsible for the crimes and serious violations of Cambodian and international laws, that were committed during the Democratic Kampuchea (DK) regime, from 17 April 1975 to 06 January 1979 (The agreement on the establishment of the ECCC).<sup>20</sup>
2. The ECCC was officially established on 03 July 2006 under the laws of the Kingdom of Cambodia after the promulgation of the Law on the Establishment of the Extraordinary Chambers in the Courts of Cambodia to bring to trial the crimes committed during the DK regime.<sup>21</sup>

### 2. NOTE ON THE CLOSING ORDER

3. We would like to confirm that, in theory, any individual whose name appears in a Co-Prosecutor's introductory submission has already been named a "charged person". The status of a charged person begins when the Co-Prosecutors make an introductory submission. The procedure of placement under judicial supervision is to allow the charged person to be informed of the charges and to have legal representation to confront the charges as alleged by the Co-Prosecutors and notified by the Investigating Judges. We registered the Disagreements on the placement under judicial supervision and seized the Pre-Trial Chamber with a complaint. The use of documents received after the placement under judicial supervision is not wrong, neither is the use of the word charged person in this Closing Order.
4. This Closing Order is to consider whether **YIM Tith** falls under the ECCC personal jurisdiction. Although there are material facts alleged by the ICP, the NCIJ shall investigate every fact alleged. This Closing Order is issued based on the evidence derived from a legitimate investigation conducted by the Office of the Co-Investigating Judges (OCIJ). The NCIJ considers, inter alia, one important factor: the participation of the charged person in the commission of crimes to determine whether "the charged person" was a senior leader or one of those who were most responsible. In this regard, the Closing Order does not necessarily consider the legal characterization of crimes based on facts nor the inclusion of modes of liability.
5. The documents which will be used in the Closing Order include all documents in Case 004 which are the documents resulted from the investigation and those transferred from other Case Files including Case 001, Case 002, Case 003, Case 004/1 and Case 004/2. Documents produced by the reserve ICIJ **Laurent Kasper-ANSERMET** will not be used. However, before his departure, Judge

- Laurent Kasper-ANSERMET** referred to some documents, in part, in the Rogatory Letters that he issued. Therefore, the NCIJ considers that this Closing Order may inadvertently refer to some of those documents.
6. This Closing Order refers to approximately 1,359 (one thousand three hundred fifty nine) documents classified into 21 categories namely: telegrams, minutes of meetings of the Standing Committee of the CPK Central Committee of Democratic Kampuchea regime, S-21 prisoner confessions, DC-Cam documents, and more than 754 (seven hundred and fifty four) written records of interview of witnesses which constitute the bulk of the documents (Annex 2). In the latter category, there are confessions of important witnesses (insider witnesses) including at least 183 (one hundred and eighty-three) confessions of cadres of the Democratic Kampuchea regime as well as written records of interview of witnesses in Case 004.
  7. On 13 June 2017 the CIJs announced the conclusion of the investigation.<sup>22</sup> Due to the complexity of the case file, on 05 July 2017, the CIJs decided to grant an additional 30-day period to all the parties in Case 004 to request for additional investigations.<sup>23</sup> On 05 September 2017, the CIJs issued a second notification of the conclusion of investigation of **YIM Tith**.<sup>24</sup> Thereafter, on 01 March 2018, the CIJs ordered the case file to be forwarded to the Co-Prosecutors for review and to issue a final submission within three months from the date of receiving the order.<sup>25</sup> The National and International Co-Prosecutors issued their final submissions related to **YIM Tith** on 31 May 2018 and 04 June 2018 respectively.<sup>26</sup> Due to the complexity of the case file and translation issues and to ensure the equality of arms, the CIJs granted **YIM Tith** a reasonable time to respond to the OCP final submissions. On 26 November 2018, **YIM Tith** submitted his response.<sup>27</sup>
  8. In comparison, the period between the conclusion of the investigation and the date when the Closing Order was issued is longer than a similar period in Case File 001 and Case File 002, Case File 004/1 and Case File 004/2. However, the time factor alone is not appropriate for considering whether there is a violation of the rights of **YIM Tith** to a fair trial. Case File 004 is a huge case and involves 50 alleged crime sites compared to Case File 004/1 and Case File 004/2. Additionally, during the procedural stage, many submissions and briefs were filed by the parties with the Pre-Trial Chamber who had to issue time-bound decisions so that the parties can respond. This is to ensure the equality of arms and procedural transparency. The time limit as stated in the Internal Rules coupled with the waiting time for other sections to provide their responses, including the translation section, have affected the process or subsequent procedure on the OCIJ side.
  9. As indicated in Chapter 5 below, the NCIJ considers that there is no error in the description of the type of evidence and the probative value of the evidence in this Closing Order. Article 321 (Evidence evaluation by court) of the Cambodian Code of Criminal Procedure 2007 and the principle of free admission of evidence in the Civil Laws do not bar such action. In an actual and reasonable practice, there are differences between types of evidence (direct and indirect evidence), namely between a hearsay and testimony of a witness who

- eye-witnessed an event. The important thing is the consideration of the evidence based on the established procedures including its relevancy, legality and integrity.
10. Regarding torture-tainted evidence, the NCIJ has discretion to assess evidence collected based on its nature, relevancy, legality, and integrity in line with the consideration of previous decisions issued by the Trial Chamber <sup>28</sup> and the Supreme Court Chamber.<sup>29</sup> Additionally, documents which were annulled by the Pre-Trial Chamber will not be considered.<sup>30</sup>

## CHAPTER II. PROCEDURAL HISTORY

### 1. RECALL OF THE PROCEDURES

11. On 20 November 2008, pursuant to Rule 53 of the Internal Rules, the ICP issued the *Co-Prosecutors' Third Introductory Submission* ("Introductory Submission") where he alleged, inter alia, that **YIM Tith** was criminally responsible for a number of crimes committed under the jurisdiction of the ECCC.<sup>31</sup> On 03 December 2008, Disagreements were recorded between the Co-Prosecutors on the Third Introductory Submission and they were forwarded to the PTC. On 18 August 2009, the PTC made an announcement that an absolute majority of opinions could not be obtained, therefore, the ICP's action shall be executed.<sup>32</sup>
12. On 07 September 2009, the acting ICP issued notification of a Third Introductory Submission and requested the CIJs to open investigations.<sup>33</sup> On 09 June 2010, the CIJs registered their disagreements on the approach and methods of investigation. The NCIJ considered that it was not necessary to conduct the investigation and instead the focus should be on the examination of existing documents in the Case file.<sup>34</sup> On 09 June 2010, the ICIJ **Marcel LEMONDE** issued Rogatory Letters.<sup>35</sup> On 01 November 2010, Judge **Marcel LEMONDE** resigned from his position for personal reasons. On 01 December 2010, ICIJ **Siegfried BLUNK** commenced his official duty.<sup>36</sup> On 02 February 2011, the CIJs issued a press release announcing the creation of several working groups in order to examine and analyse documents in the case file, especially existing documents in Case File 001 and Case File 002.<sup>37</sup> Subsequently, the ICP submitted Supplementary Submission, alleging **YIM Tith** being responsible for additional crimes.<sup>38</sup>
13. The Disagreements between the CIJs in this case were registered on 22 February 2013, 05 April 2013, 22 January 2015, 21 October 2015, 16 January 2017, and 21 January 2019 respectively.
14. On 09 December 2015, the ICIJ ordered **YIM Tith** to be placed under judicial supervision for the violations of Article 501 and 506 (premeditated homicide) of the 1956 Penal Code, crimes against humanity, grave breaches of the 1949 Geneva Conventions.<sup>39</sup> On 29 March 2017, the ICIJ added, by judicial order, modes of liability in relation to the crimes charged.<sup>40</sup>

15. On 13 June 2017, the ICIJ issued a decision reducing the scope of the investigation pursuant to Rule 66*bis* of the Internal Rules.<sup>41</sup>
16. On 13 June 2017, the CIJs issued a Notification of Conclusion of Investigation of **YIM Tith** (Notification of the Conclusion of Investigation) and informed all parties that they have 15 days from the date of notification of the conclusion of the investigation to request additional investigations.<sup>42</sup>
17. On 16 June 2017, the **YIM Tith** Defence (the Defence) submitted a request for an extension from 15 days to at least six months (Request for Extension).<sup>43</sup>
18. On 23 June 2017, the ICP submitted a request for clarification of the ICIJ's decision on the ICP request for an investigative action related to the analysis report of VOEUN Rithy (Request for Clarification).<sup>44</sup>
19. On 05 July 2017, the CIJs issued a decision on the request for an extension by rejecting the request for six months extension, however, the CIJs extended the time for thirty days for the parties to request further investigative actions to 28 July 2017 (Decision on the Request for Extension).<sup>45</sup>
20. On 19 July 2017 and 24 July 2017, the ICP submitted the request to include some documents into Case File 004.<sup>46</sup> The ICIJ issued an order on these requests on 25 August 2017.<sup>47</sup>
21. On 26 July 2017, the Defence submitted an appeal against the Decision on the Request for Extension (the Defence Appeal).<sup>48</sup>
22. On 28 July 2017, the ICP submitted two requests for investigative actions: the first request is for the investigative action of Prison 08 in Kandieng district and sexual violence in Bakan district<sup>49</sup> (the ICP First Request for Investigative Action) and the second request for investigative action as shown in the annex was attached (the ICP Second Request for Investigative Action).<sup>50</sup>
23. On 28 July 2017, the Defence submitted a request for an investigative action related to the use of torture-tainted organizational chart (the Defence Request for Investigative Action).<sup>51</sup>
24. On 03 August 2017, the ICIJ issued a decision on the part of the ICP Second Request for Investigative Action.<sup>52</sup>
25. On 10 August 2017, the ICIJ issued a decision on the ICP Request for Clarification on the Investigative Action Decision.<sup>53</sup>
26. On 04 September 2017, the ICIJ issued a decision on the ICP First Request for Investigative Action and the remaining part of the ICP Second Request for Investigative Action.<sup>54</sup>
27. On 05 September 2017, the ICIJ issued a decision on the Defence Request for Investigative Action.<sup>55</sup>

28. On 05 September 2017, we issued a second notification on the conclusion of the investigation of **YIM Tith** and we informed the parties that additional time for the investigative request would not be granted (the Second Notification of the Conclusion of the Investigation).<sup>56</sup>
29. On 12 September 2017, the Defence filed a submission to the Pre-Trial Chamber requesting for an annulment of some Civil Parties documents (First Request for Annulment).<sup>57</sup>
30. On 25 September 2017, the ICIJ granted the First Request for Annulment and ordered the case file to be forwarded to the Pre-Trial Chamber to decide on the request.<sup>58</sup>
31. On 25 October 2017, the ICP submitted an appeal against the ICIJ decision on the ICP first request for investigative action (ICP Appeal).<sup>59</sup>
32. On 08 November 2017, the Defence filed a submission to the Pre-Trial Chamber to request for annulment of torture-tainted evidence (Second Request for Annulment).<sup>60</sup>
33. On 13 November 2017, the PTC issued a decision rejecting the Defence Appeal.<sup>61</sup>
34. On 08 January 2017, since the PTC at this stage did not make any ruling in Case File 003 on a similar issue stated in Paragraph 32, the ICIJ granted the Second Request for Annulment and ordered the case file to be forwarded to the PTC for decision.<sup>62</sup>
35. On 09 February 2018, the Defence submitted a request for correction of translation errors in some written records of interview of witnesses in the case file (Defence Request for Correction).<sup>63</sup>
36. On 13 February 2018, the PTC issued an order on the ICP Appeal against the order on the request for investigative action related to sexual violence in Prison 08 and in Bakan district.<sup>64</sup>
37. On 28 February 2018, the ICIJ issued an order on the Defence Request for Correction and instructed the Translation Unit to correct all of the related written records of interview of witnesses.<sup>65</sup>
38. On 01 March 2018, pursuant to Rule 66(4) of the Internal Rules, the CIJs forwarded Case File 004 to the OCPs for review and to issue a final submission.<sup>66</sup>
39. On 31 May 2018, the NCP issued a final submission related to **YIM Tith** pursuant to Rule 66 of the Internal Rules and requested the charges against **YIM Tith** to be dismissed.<sup>67</sup> On 04 June 2018, the ICP issued a final submission related to **YIM Tith** pursuant to Rule 66 of the Internal Rules and reiterated the request to send **YIM Tith** to trial.<sup>68</sup>



40. On 12 June 2018, the **YIM Tith** Defence filed a submission on the estimate time necessary for **YIM Tith** to respond to the ICP Final Submission and requested a three-month period to be granted to the Defence starting from the date of notification of the complete Khmer translation of the ICP Final Submission including footnotes and to submit the response in English first. The response in Khmer shall be submitted as soon as possible.<sup>69</sup>
41. On 20 June 2018, the CIJs issued a decision on the time granted to the Defence to respond to the OCP Final Submissions. The Defence will have three months to respond to the Final Submissions of the ICP and NCP in English and commencing from the notification of the complete Khmer translation of the ICP Final Submission the Khmer translation of the response shall be submitted as soon as possible.<sup>70</sup>
42. On 26 November 2018, the **YIM Tith** Defence submitted the **YIM Tith** Response to the Final Submissions of the NCP and the ICP against him pursuant to Rule 66 of the Internal Rules by emphasizing that the ECCC lacks personal jurisdiction over **YIM Tith**.<sup>71</sup>

## 2. PROCEDURAL IRREGULARITY IN THE PRELIMINARY INVESTIGATION

43. Even though the disagreements between the two Co-Prosecutors were decided by the PTC and the valid introductory submission, the NCIJ considers that it is necessary to provide a historical background to this issue.
44. The ICP started the preliminary investigation, *proprio motu*, in violation of the ECCC legal procedures which outline the legally binding “Co-” principle that the Co-Prosecutors shall work together even during this stage. This principle strictly requires compliance with applicable rules and laws as stipulated in the ECCC Law and Agreement. In contrast, the ICP conducted a preliminary investigation, *proprio motu*, by collecting documents and conducting interviews in the absence of the NCP participation and any process of resolving the disagreements. These actions are compounded by the absence of signatures of the Co-Prosecutor and interviewees on the written records of interview of witnesses.
45. On 20 November 2008, the ICP filed an Introductory Submission, *proprio motu*, in this case alleging YIM Tith of being responsible for crimes under the ECCC jurisdiction. The ICJs did not immediately act upon the Introductory Submission since, at the same time, the NCP brought the disagreement before the PTC. As the PTC did not get the required majority and because of the ECCC legal context, the Introductory Submission shall stand. Subsequently, the acting ICP submitted the Introductory Submission to the CIJs requesting investigations on the facts in Case File 004.
46. On 09 December 2015, the ICIJ conducted the initial appearance procedure by placing **YIM Tith** under judicial supervision; however, the procedure was opposed by the NCIJ pursuant to Point 1 of Rule 72 of the Internal Rules.<sup>72</sup>

47. The NCIJ did not agree with the decision to place **YIM Tith** under judicial supervision because the NCIJ considered, based on the results of the investigation, that there are doubts concerning personal jurisdiction over **YIM Tith** before he can be placed under judicial supervision. The issue of personal jurisdiction over **YIM Tith** is the top priority and subject to consideration before other matters, considering the ECCC legal framework of selective jurisdiction.

### 3. IRREGULARITY OF THE ACTS PERFORMED BY THE RESERVE ICIJ

48. After the official resignation on 09 October 2011 of the ICIJ **Siegfried BLUNK**, the reserve ICIJ **Laurent Kasper-ANSERMET** began his work from his current workplace via the internet even before he arrived at the ECCC. Upon his arrival, he engaged in some activities in the absence of any discussion with the NCIJ. This was done in violation of the agreement of cooperation between the Co-Investigative Judges. The NCIJ requested a temporary postponement until such time the reserve ICIJ received an official appointment to become a full rights ICIJ by the Supreme Council of Magistracy of the Kingdom of Cambodia.<sup>73</sup>
49. Notwithstanding such a request, the reserve ICIJ **Laurent Kasper-ANSERMET** continued with the investigative acts including, inter alia, notifying the suspect of the charges, placing the suspect under judicial supervision, interviewing witnesses and civil parties.
50. The ICIJ shall be appointed by the Supreme Council of Magistracy of Cambodia after he has been nominated by the UN General Secretary (Article 26 of the ECCC law). Rule 7 of the Internal Rules states the procedure for resignation by referring to some Articles in the ECCC Law and Agreement. Article 11 new of the ECCC law stipulates that the reserve International Judge shall be appointed by the Supreme Council of Magistracy. Article 46 new of the ECCC law states clearly that the Supreme Council of Magistracy shall appoint a judge for the vacancy when the full rights judge resigns. This is completely different from Article 11 new which authorizes the President of a Chamber to appoint a reserve judge to replace a full rights judge during his absence (Article 11 new). Article 46 new requires a reserve judge to be appointed by the Supreme Council of Magistracy in order to become a full rights judge. The reserve judges **Siegfried BLUNK**, **Mark Brian HARMON** and **Michael BOHLANDER** were appointed to be a full rights judge pursuant to Article 46 new before they commenced their duties at the ECCC. The NCIJ issued a press release rejecting all activities performed by the reserve Co-Investigating Judge **Laurent Kasper-ANSERMET** and clarified that these activities were legally invalid since they were done when the reserve Co-Investigating Judge had not been appointed a full rights judge yet. Therefore, the NCIJ, in both direct meetings and in the written record of disagreements related to the documents in the case file, maintained the position and did not accept documents produced by the reserve Co-Investigating Judge to be placed in the case file and the numbering of the documents in Case 004 shall continue from the last document number before the resignation of Judge **Siegfried BLUNK**. Therefore, the

Closing Order considers documents produced by the reserve Co-Investigating Judge **Laurent Kasper-ANSERMET** to be legally invalid.

#### 4. PROCEDURES OF PLACING UNDER JUDICIAL SUPERVISION

51. In accordance with the Internal Rules, an investigation shall be conducted only on facts included in the Introductory Submission or Supplementary Submission. However, the CIJs have discretion to decide whether an investigation shall begin against a person. Rule 55 (4) of the Internal Rules states that “*the Co-Investigating Judges have the power to charge any Suspects named in the Introductory Submission. They may also charge any other persons against whom there is clear and consistent evidence indicating that such person may be criminally responsible for the commission of a crime referred to in an Introductory Submission or a Supplementary Submission*”.<sup>74</sup>
52. Even though Rule 55 of the Internal Rules states the requirement for “clear and consistent” evidence in order to place under judicial supervision a person who was not named in the Introductory Submission or a Supplementary Submission, the CIJs in their standing practice apply this evidentiary requirement to place under judicial supervision only against suspects who were named in an Introductory Submission or a Supplementary Submission. This level of evidence requirement is not as high as that of proving guilt (beyond reasonable doubt) that the Co-Prosecutors shall prove.<sup>75</sup> However, this evidentiary requirement is not too relax either since it requires more, clear and supportive evidence in order to prove that a suspect is responsible for the commission of crimes and there is a high level of reliability that a responsible person shall be indicted in the future.<sup>76</sup>
53. In the civil law system, an investigating judge cannot indict a person without first placing the person under judicial supervision. Jurisprudence of the French Supreme Court clarifies that “*Before issuing a Dismissal Order, an investigating judge does not need to place a person under judicial supervision or question such person if he considers that his guilt could not be proven.*”<sup>77</sup>
54. A charged person is entitled to certain fundamental rights in a criminal proceeding including the right to a legal representation as enshrined in the universal declarations and conventions of which Cambodia is a signatory.<sup>78</sup> Failure to place a person under judicial supervision and finally sending him to trial is in violation of these rights since the suspect was not afforded such an opportunity, thus it may lead to an unfair trial. The process of placing a suspect under judicial supervision will move the criminal proceeding forward and the court needs to invest its time and resources to comply with the required legal procedures. At a final stage, even when charges against such person are dismissed as the court fails to find the person being responsible for crimes, it would have exhausted its time and resources. This is not a better way to respond to the effectiveness and economy of the court proceedings (Judicial Economy).
55. The ICJs are not obliged to placing a suspect under judicial supervision. In compliance with the principles of independence and impartiality, in particular the presumption of innocence (a presumption of no guilt), which provides the

protection for the rights and interest of a suspect in accordance with the principle of a fair trial right<sup>79</sup>, despite having placed a person under judicial supervision the CIJs are still able to dismiss the charges if conditions for sending a charged person to trial are not satisfied. Every alleged fact against the charged person can be dismissed. Furthermore, it is not mandatory for a judge to place a person under judicial supervision when he considers that the detention is unnecessary.

### CHAPTER III. NOTE OF FACTS

#### 1. GENERAL POLICIES OF THE DEMOCRATIC KAMPUCHEA REGIME

##### 1.1. GENERAL SITUATION OF THE DEMOCRATIC KAMPUCHEA REGIME

56. According to a document entitled “Political geography of Democratic Kampuchea” issued by the DK Ministry of Education in 1977, the total population of the Democratic Kampuchea regime was 7,700,000, among which 80 percent were peasants in cooperatives and 20 percent were union workers and female and male combatants of the Kampuchea Revolutionary Army.<sup>80</sup> For this reason, there was anger about class division.<sup>81</sup> People were furious with the feudal class<sup>82</sup> and the capitalist class that held power. People were propagandised to believe that these classes had been the suppressing classes for over 2,000 years and that those feudalists and capitalists sold their heads to the imperialists and foreigners for their own benefit and that of their disreputable cronies.<sup>83</sup> This led the lower suppressed class to take action and become an integral part in deciding the destiny of the whole of Cambodia.<sup>84</sup>
57. After the collapse of the Khmer Republic (LON Nol regime), the Democratic Kampuchea regime was born and led the country officially from 17 April 1975<sup>85</sup> until 06 January 1979, transforming the whole of Cambodia into a country that followed a real socialist revolution at the end of the 20th century.<sup>86</sup> The revolution was aimed to abolish the feudalist, capitalist and reactionary classes in order to save the impoverished people who were suppressed. It completely rejected the participation of intellectuals and educated people. Hence, they had to be removed from the entire country. Even students who were studying abroad were called to return home and subsequently killed.<sup>87</sup>
58. On the other hand, there was another important goal: to promote and elevate lower class people including peasants, workers, and poor people including many illiterates. They were appointed to most administrative and leadership positions in the sub-national hierarchy.<sup>88</sup>
59. In order to achieve their most important goal, DK leaders issued a policy to evacuate all the people<sup>89</sup> out of provincial towns and cities to the countryside<sup>90</sup> to join in mass agricultural activities,<sup>91</sup> which they believed was the most important sector. They believed that this sector was the foundation to elevate and develop national economy to the maximum level under the direct leadership and instructions of the Party<sup>92</sup> and based on the principles of “**Independence, mastery, and self-reliance.**”<sup>93</sup>

60. Prior to 1975, the Party evacuated people from some areas which had been liberated and under their control.<sup>94</sup> Later, in each liberated area, the Party required people to live in cooperatives in which everything became collective; the daily life, farming, crop cultivating, eating, etc. In general, the Party managed and collected crops before they were redistributed.<sup>95</sup> Additionally, the Party controlled all activities including the daily living, communication, and even the travel of the people.<sup>96</sup>
61. It was said that cooperatives were first established on 20 March 1973. At that time, the people were very satisfied.<sup>97</sup> In fact, the Party officially decided to organize cooperatives on 20 May 1973.<sup>98</sup> For such cooperative arrangement where people could do farming and harvest crops collectively, peasants who did not have or had little land were delighted and those who had several hectares of farmland were disappointed with the Party's arrangement and they were frustrated with the word "cooperatives".<sup>99</sup>
62. Subsequently, areas which were liberated were organized into "**cooperatives**"<sup>100</sup> for the reason that collectivism was a valuable and humane vision in which everyone should receive the same amount of food.<sup>101</sup> Under the framework of collective dining, each person would receive two meals per day, one of which was gruel and another was cooked rice.<sup>102</sup> Hence, cooperatives were regarded as the fundamental and robust base of the revolution and were created nationwide before the victory on 17 April.<sup>103</sup>
63. After 17 April 1975, virtually all leaders in the Khmer Republic regime at all levels of hierarchy were removed; even those who held the positions of village chiefs or commune chiefs were removed from their positions and assigned to dig canals, raise dams, farm rice, and herd cattle.<sup>104</sup> Almost all students, intellectuals, professors, and soldiers were arrested, detained, and killed consecutively.<sup>105</sup> Regarding education, there were neither educational institutions, schools nor teachers.<sup>106</sup> Under the leadership of the Democratic Kampuchea regime, there were dramatic changes in the use of Khmer words. They instigated a "**Khmer language revolution**" with an introduction of many new words.<sup>107</sup> Leaders at almost all levels did not present good ideas in meetings. What they always told people during the meetings was only "*We have to strengthen our stance and try to work hard.*"<sup>108</sup> The change of mindset in such leadership destined Cambodia to sink deeper into disaster as it was written in the history of humankind.

## 1.2. LEADERSHIP STYLE

64. The administrative structure of the regime, from the upper to the lower level, and to the local level, was clearly outlined for decision-making and work management in the form of "**collectivism**".<sup>109</sup> They used an excuse, saying that only by way of collectivism could the country be rebuilt and Cambodia leap forward to defeat any competition.<sup>110</sup> Moreover, each Party's policy had to be disseminated to all people nationwide via meetings at all levels from the upper to the lower level in line with the leadership hierarchy from the Center, to zones, sectors, autonomous sectors, districts, communes, villages, and cooperatives.<sup>111</sup>

65. Through this communist-style leadership, Party's decisions were regarded as the most superior as the Party was the most influential institution known as "**the Central Committee of the Party**".<sup>112</sup> This committee consisted of 30 members who made decisions on core issues related to the destiny of the country.<sup>113</sup> The Standing Committee of the Communist Party of Cambodia consisted of seven members including POL Pot, NUON Chea, SAO Phim, *Ta Mok*, IENG Sary, VORN Vet, and SON Sen.<sup>114</sup> In reality, in order to ensure the authority for daily operation, the work was under the grip of the "Standing Committee"<sup>115</sup> although KHIEU Samphan alias Hem the former President of the State Presidium<sup>116</sup> states that in principle the most important organization was "**The Central Committee**".<sup>117</sup>

### 1.3. AGRO-ECONOMY

66. For the agriculture sector, in 1976, the Party set out the targets and issued core measures to increase rice production up to<sup>118</sup> "**three tons per hectare**"<sup>119</sup> on 1,500,000 hectares of farmland nationwide. The Party expected to receive rice yields of up to 4,500,000 tons.<sup>120</sup> For example, in most meetings in local areas, they often said, "**We have to grow crops even on land as small as 10cm. We must not leave any land unused.**"<sup>121</sup> A witness who was a former typist said, "*Most of the documents were about farming reaching the target of three tons per hectare.*"<sup>122</sup> In reality, the majority of cultivated crops was delivered to the Party for overseas export.<sup>123</sup>
67. Local leaders were required to produce rice yields of three tons per hectare. This was the main policy to be implemented effectively nationwide. This led cooperative chiefs in local areas to send large amount of rice yields to the upper level in order to prove to *Angkar*, i.e. the upper level, that they tried to work hard and were loyal to the Party while the local people were constantly deprived of food.<sup>124</sup> They did that because they were afraid that the upper *Angkar* would arrest and kill them. Consequently, people suffered from starvation virtually nationwide. Furthermore, this let people to suffer more inhumane acts as if they were slaves.<sup>125</sup> This resulted in the death of many people from starvation and infectious diseases.
68. The government of the Democratic Kampuchea regime regarded themselves as having a marvellous and unique leadership which was different from the rest of the world.<sup>126</sup> IENG Sary, former deputy Prime Minister in charge of foreign affairs, stated that "**The Khmer revolution did not follow any footsteps from the past. These achievements have never before occurred in history.**"<sup>127</sup> The Democratic Kampuchea regime had very absolute stance.<sup>128</sup> People were forced to work in local areas, at dam and canal worksites under very difficult conditions<sup>129</sup> and without sufficient rest.<sup>130</sup> The condition under which people worked at worksites was indescribably difficult. People did not have enough food to eat. Even tree leaves, wild vegetables, banana tree trunks and so on, became a food source for people to eat for their survival.<sup>131</sup> This made them so emaciated and for some they only had skin and bones, as if "they were dead, yet alive" or "merely alive for another day."<sup>132</sup> This happened despite a policy being issued to raise the spirit of revolutionary savings to the highest level: "*We have*

- to be economical. We must not waste even a grand of salt, a seed of rice, nor even a small snail.*"<sup>133</sup>
69. For rice field embankments, people were required by *Angkar* to raise them one meter high, one meter wide and one and half meter bottom wide. Each person had to raise the embankment ten metres long per day.<sup>134</sup> Even children from 6 to 10 years old were forced to work and their parents did not dare to stop them from working against the order of *Angkar*. It's imperative for parents to allow their children to work.<sup>135</sup>
70. Both macro and micro economy faced dramatic downfall due to a complete absence of national currency circulation<sup>136</sup> under a simple premise that currency circulation as a means to serve the market economy would lead to suppression and oppression, especially it would lead to corruption which was regarded by the regime as a core issue that caused instability to the management and leadership of the country.<sup>137</sup> This was done at the time the world economists considered currency circulation a core foundation and the only strong pillar for national economy.
71. A decision was made during a meeting which was held on 20 May 1975 at the Olympic Stadium that there would be neither markets nor currency circulation.<sup>138</sup> Testimony from a witness, a former cadre, who participated in a Party's political training where POL Pot and NUON Chea were the presenters claimed that "*The two talked about policies to organize cooperatives, prohibit currency circulation, close down markets and pagodas, though they may be reopened in the future.*"<sup>139</sup> In 1976, HOU Nim was arrested and killed because he made comments proposing currency circulation and market reopening which were contradicting the previous decisions made by POL Pot, NUON Chea, and *Ta Mok*.<sup>140</sup> However, in late 1978, a decision was made to allow for currency circulation and market reopening. The regime fell before the decision was implemented.<sup>141</sup>

#### 1.4. RELIGION AND INDIVIDUAL FREEDOM

72. Regarding religious beliefs, despite Buddhism being the nation's long standing religion, the regime leadership forced monks to disrobe<sup>142</sup> and if they were to refuse they would be killed.<sup>143</sup> Virtually all pagodas suffered serious destruction.<sup>144</sup> As a leader, POL Pot implemented an absolute Marxist doctrine against not only Buddhism, but all religions in Cambodia.<sup>145</sup> Several witnesses provide similar accounts that all religions were banned and pagodas were transformed into dining halls, animal husbandry, detention centers and killing sites.<sup>146</sup> One witness stated clearly that "*At that time, all religions were abolished. Only the Communist Party was to be respected.*" *The Communist Party hated monks... more than others*".<sup>147</sup> It can be said that the Democratic Kampuchea regime was a realist regime as it held on to a position that "*They do not believe in astrology.*"<sup>148</sup>
73. The Democratic Kampuchea regime divided people according to their age, and sex and they were required to live and work separately based on *Angkar*'s assignments.<sup>149</sup> For the elderly, they were not allowed to be free and they had to

take care of small children while their parents were busy working at work sites.<sup>150</sup> Children were also forced to work as they had to collect rice panicles,<sup>151</sup> herd cattle,<sup>152</sup> and collect cow dung to make fertiliser.<sup>153</sup> When they had free time, they had to attend revolutionary education.<sup>154</sup> Adults were regarded as regular or strong force and they had to actively participate in rice farming, plantation, and plant growing,<sup>155</sup> while others had to dig canals<sup>156</sup> and raise dams.<sup>157</sup> For irrigation, the Party made a propaganda stating that **“We can see that there have been a very fast transformation over the past two years. Compared to the previous 100 years there were no such water reservoirs.”**<sup>158</sup>

74. At the time, people had no freedom,<sup>159</sup> no right to receive information,<sup>160</sup> no right to travel,<sup>161</sup> no market,<sup>162</sup> no private ownership,<sup>163</sup> no hospital, no health centre, and no medicine for treatment.<sup>164</sup> For travel, it was extremely difficult, even from one village to another. Everyone had to request for permission to travel, i.e. the “travel permit.”<sup>165</sup> The permission was granted based entirely on the feeling of the person who made the decision.<sup>166</sup>
75. In general, without the permission from *Angkar*, people did not have a right to go to visit their relatives.<sup>167</sup> Additionally, an absence from where you lived or worked was regarded as opposing *Angkar*. In reality, each family had very little time to meet each other.<sup>168</sup> Freedom of speech was also strictly limited. It was said that **“If you want to live, you have to plant a kapok tree”** which was in line with the saying at that time that **“You have won 50 percent if you can keep a secret.”**<sup>169</sup> In this context, people were constantly living in fear and terror because *Angkar* may take them to be educated, tortured, or even killed for what they say, including any complaints about insufficient food or difficulties with their work.<sup>170</sup> A witness named PRAK Yut, former secretary of Kampong Siem district, said *“People could not protest against the order to build dams in the Southwest, otherwise they would be taken to be educated.”*<sup>171</sup>
76. In order to achieve *Angkar* goal in the rapid construction of a strong and prosperous country in the future and in having a socialism leadership under the slogan **“the great leap forward,”**<sup>172</sup> the regime implemented some significant policies including the evacuation of people, treatment of target groups, forced labour at worksites, forced marriages, and purges. Sometimes the term **“enemy”** meant those people who committed little wrongdoings such as breaking a plough head<sup>173</sup> when they were ploughing the rice fields, breaking a hoe when they were digging,<sup>174</sup> breaking a spoon or plate when they were eating,<sup>175</sup> breaking a cooking pot or a plate,<sup>176</sup> transplanting wrong rice seeds,<sup>177</sup> stealing uncooked rice,<sup>178</sup> stealing palm sugar,<sup>179</sup> coconut,<sup>180</sup> corn,<sup>181</sup> potato,<sup>182</sup> and unhusked raw rice,<sup>183</sup> pressing a car break for too long,<sup>184</sup> going to work late,<sup>185</sup> or criticising *Angkar*.<sup>186</sup> These actions were regarded as an attempt to destroy *Angkar* and they were taken for execution.<sup>187</sup>
77. People at that time were so starving that they came up with a saying that **“ghosts eat rice”** because people who carried dead bodies to be buried did not report the deaths so that they could keep their food ration for themselves.<sup>188</sup>



78. In the Northwest Zone, upper cadres often issued an instruction that: “*If you cannot grow cotton trees well, worms will eat the cotton. Then the worms will eat people too.*” Because people were afraid to die, those who had to plant cotton trees worked very hard with a terrible fear of being taken for execution.<sup>189</sup> People who did not complete the work quota imposed by the upper level were accused of being traitors and were transferred to a “**case unit**”, which meant a “**prisoner unit**”.<sup>190</sup> The punishment for them was to carry 3 to 3.5 cubic metres of soil and if someone failed to meet the quota, he or she was taken away for execution.<sup>191</sup>
79. The strangest thing was that people who planted vegetable around their houses could not harvest it because it exclusively belonged to the cooperative.<sup>192</sup> This action became the root cause of a phrase which was spoken among people that “**A proper belongings is in a small bag.**”<sup>193</sup> In each family, there was no private property according to a policy which had been implemented even prior to the liberation day of 17 April 1975.<sup>194</sup> The Democratic Kampuchea regime considered private property<sup>195</sup> belongs to the capitalist system that led to corruption<sup>196</sup> and exploitation by the rich over the poor.<sup>197</sup>
80. Initially, the Democratic Kampuchea regime divided people into two large groups; people living inside the liberated areas and people living outside the liberated areas.<sup>198</sup> Party's policies as afore mentioned were implemented all over Cambodia, effectively establishing a system of monitoring in all forms and at all times. Therefore, the phrase “**Angkar with pineapple eyes**” was a means of restricting everything: not only were normal people restricted, but also a large number of Party's cadres were monitored.<sup>199</sup> When someone was arrested for execution, people often said that *Angkar* made that arrest and everyone had the same question: “**What is Angkar? Where is Angkar?**”<sup>200</sup>
81. Furthermore, when someone did not follow the Party's policies, that person would be regarded as the enemy of *Angkar* or the enemy of the revolution. Also, those who held a position or had relatives working as civil servants in the previous regime were considered having not-good affiliation.<sup>201</sup> People who were evacuated after 17 April and immediately after their arrival at their new locations were called by *Angkar* as new people<sup>202</sup> or 17 April people.<sup>203</sup> For these new people, they were regarded as “depositees” and they could not hold any position at any level in the leadership hierarchy.<sup>204</sup> In contrast, local people in the liberated areas were called old people<sup>205</sup> or 18 April people<sup>206</sup> and were generally called “local people”.<sup>207</sup> The local people could be considered “full rights people,” however, sometimes they were considered “reserve people” when they have relatives who had connection with enemies.<sup>208</sup>

## 1.5. EVACUATION

82. About two months before the Khmer Rouge attacked Phnom Penh, in February 1975, the Party's Central Committee held a meeting to decide on an evacuation plan after the Party succeeded and defeated the Khmer Republic regime.<sup>209</sup> The meeting was attended by high-level and important leaders namely POL Pot, NUON Chea, IENG Sary, and KHIEU Samphan as they were to make decision for the first evacuation.<sup>210</sup> In general, under the leadership of the Democratic

- Kampuchea regime, people were not allowed to live in the villages where they were born.<sup>211</sup> In some cases, every person had to show loyalty to *Angkar* as they were required to write a summary biography without hiding anything; because each unit chief had a network of spies who could find out whether someone was an educated, an intellectual, a civil servant, a police man or a soldier, etc. and they would become targets to be arrested and killed.<sup>212</sup>
83. A witness who was told by *Ta Mok'* testified that *“All people had to be evacuated to countryside in order to build the economy in the countryside... The evacuation of people from cities has to be done nationwide and it has to be completed in two days.”*<sup>213</sup> Under its reign, the Democratic Kampuchea regime decided to evacuate people on three major occasions.<sup>214</sup>
84. The first-phase evacuation was initiated after the liberation on 17 April 1975.<sup>215</sup> Under the arrangement of key military units responsible for implementing the plan, the regime decided to evacuate people by forcing them to leave their home and travel along national roads in all directions including to the west, the east, the north, and the south out of Phnom Penh and from other provincial and district towns to areas in the countryside throughout Cambodia.<sup>216</sup> The purpose of the evacuation was to force people to participate in agricultural activities for economic growth through a collectivism management style at cooperatives nationwide with the focus on building as many irrigation system as blood vessels<sup>217</sup> via digging canals,<sup>218</sup> raising dams,<sup>219</sup> and building water reservoirs<sup>220</sup> in responding to the saying **“When we have water, we have fish. When we have fish, we have everything.”**<sup>221</sup>
85. This sector was improved through activities of rice farming and crop cultivating at cooperatives.<sup>222</sup> Additionally, another important objective of evacuating people out of the cities which was used by senior leaders during that time as an excuse was to strengthen the security of the Democratic Kampuchea regime. In so doing, the regime would be able to identify enemies of the Party, inside or outside the rank, by first of all targeting LON Nol soldiers,<sup>223</sup> civil servants,<sup>224</sup> the CIA,<sup>225</sup> the KGB,<sup>226</sup> the embedded *Yuon* enemy,<sup>227</sup> and other groups who were regarded as enemies of the Party, so that they could lead the country safely towards sustainable growth and away from potential risk.<sup>228</sup>
86. The second-phase evacuation took place from September 1975 to 1977. People and cadres in the Southwest Zone, the majority of whom lived in Kandal and Takeo provinces were the targets of evacuation to the Northwest Zone, especially to Battambang and Pursat provinces.<sup>229</sup> A visit by members of the Standing Committee to the Northwest Zone during August – September 1975 resulted in this evacuation plan. They found that the Northwest Zone<sup>230</sup> needed additional 500,000 people since the area had fertile land and an abundance of crops. Moreover, the zone could accommodate additional new people.<sup>231</sup> As a result, tens of thousands of people were transported by trucks, trains, and boats to various locations in the Northwest Zone.<sup>232</sup>
87. The last-phase evacuation was carried out from late 1977 to 1978.<sup>233</sup> People and those who were perceived as enemies in Prey Veng and Svay Rieng provinces in the East Zone were transferred to the Northwest Zone.<sup>234</sup> Immediately after they

arrived in the Northwest Zone, they were required to make biography before they were separated and assigned to various cooperatives and worksites. At the same time, some people were sent to be detained at security offices while others were taken for execution immediately.<sup>235</sup> The separation was the result of a meeting held in Pursat province with some key participants including *Ta Mok*, the Southwest Zone Secretary and member of the Northwest Zone Committee; Sarun, Sector 105 Committee; Rim, district Committee; and other participants. They decided to divide people who arrived at the Northwest Zone and they instructed the local people to be vigilant with the newly arrived people as some of them were found to have some weapons when they were searched in Phnom Penh.<sup>236</sup>

## 1.6. POLICY OF FORCED MARRIAGE

88. Forced marriages were carried out all over the country for the purpose of achieving the protection of the social revolution.<sup>237</sup> *Angkar* required men and women who had the same political status to get married. Soldiers were especially encouraged<sup>238</sup> to get married via an official announcement personally made by POL Pot.<sup>239</sup> Many witnesses testified that those who were forced to get married did not dare to complain.<sup>240</sup>
89. People were encouraged to get married to have future successors. One witness, on Party's policies, mentioned that "*They planned to create new forces or new people of up to 15,000,000 to 20,000,000 people within 15 to 20 years.*"<sup>241</sup> Additionally, they did that to advance the policy of controlling individuals and economy by having parents working at worksites while older people were required by *Angkar* to look after their children.<sup>242</sup>
90. Even if parents on both sides agreed with a marriage, the couple would be considered committing a moral offence and would be taken for execution if *Angkar* did not know of their marriage.<sup>243</sup> The words "**moral offence**" at that time meant having love affairs, cheating a husband or wife, sexual harassment, or having extra marital affairs, even if it was consensual.<sup>244</sup> One witness stated that "*A man and a woman who loved each other without Angkar's knowing would be taken away.*"<sup>245</sup> Men who refused to get married twice were punished by making them "**a forever bachelor**".<sup>246</sup> Regarding moral offence, if a man raped a woman who did not consent, only the man was taken for execution. If both man and woman, who were not a husband and wife, agreed to have sex, they both would be taken for execution.<sup>247</sup>

## 1.7. KILLINGS

91. **The policy of purification (screening or purging)** inside and outside the Party was established before 1975 for the purpose of destroying the social fabrics of the previous regimes. The Party especially focused on groups considered to be feudalist and capitalist classes.<sup>248</sup> Article 10 of the Democratic Kampuchea constitution states that "*Dangerous activities in opposition to the people's State must be condemned to the highest degree. Other cases are subject to constructive re-education in the framework of the State's or people's organizations.*"<sup>249</sup>

92. In general, everything was complicated and difficult to understand at all levels. The Party's policies generally seemed to be extremely leftist, under the absolute stance of independence and mastery.<sup>250</sup> The Party's Central Committee made a decision in 1976 on the policy to purge regarding the right to smash enemies inside and outside the Party. The policy clearly stated that ***"If in the base framework, it is to be decided by the Zone Standing Committee; surrounding the Center Office, to be decided by the Central Office Committee; for independent sectors, to be decided by the Standing Committee; and for the Central Army, to be decided by the General Staff."***<sup>251</sup> Former S-21 security office chief, KAING Guek Eav alias Duch explained the decision-making process in 1976 that ***"The Standing Committee was not the only decision maker for the base level... zone secretary had the right to decide who was to be smashed and who was not. If the zone secretary decided to let someone live, that person could live. The power was in the hands of the zone secretary."***<sup>252</sup>
93. As an example, all zone and autonomous sector secretaries had the right to manage the army and militia in their management areas.<sup>253</sup> After 1978, the Party's Central Committee issued an instruction stating that the lower level did not have a right to kill anyone; only the Central Committee had the right to decide if someone could be killed.<sup>254</sup> In practice, this instruction may not have been implemented completely because many people were still taken for execution without reporting to the upper level.<sup>255</sup>
94. Under the leadership of the Democratic Kampuchea regime, up to 196 security offices nationwide were created for the detention and killing of people. During that time, security offices were used for tempering, re-education, rehabilitation, and torture in order to search for traitorous network opposing the Party.<sup>256</sup> With the presence of so many security offices, cadres at all levels had to strictly implement the Party's bright political lines through the dissemination of Party's policies which were issued continuously and they also had to participate in coordinating the arrest and transfer of those arrestees in compliance with the orders of the upper level which was generally known as ***"Angkar"***.<sup>257</sup> A popular saying always used by cadres states that ***"Don't do anything opposing Angkar, opposing historical wheel."***<sup>258</sup> What was tragic was that there were many dead bodies that were tied and scattered everywhere throughout the country, especially in graves at security offices.<sup>259</sup>
95. When implementing an order against people, most cadres used the word ***"Angkar"***. They also referred to the commonly known phrase that the order came from the ***"Upper level"***<sup>260</sup> even when these low-level cadres did not even understand the Party's plan or political agenda.<sup>261</sup> However, if they did not follow the upper-level policies, they would be considered ***"enemy"*** of the Party<sup>262</sup> and would be taken for execution.<sup>263</sup> In the context of the Democratic Kampuchea regime, the word "upper level" had to be respected absolutely and they did not dare to refuse. Had they refused or not followed orders, they would have been arrested and taken for execution.<sup>264</sup> In the meantime, if any cadre was brave enough to criticise the Party's line, that cadre would be considered an enemy.<sup>265</sup>

96. During the regime, there were “**self-criticism meetings**” in which those who committed wrongdoings were ordered to speak to participants in the meeting so that the participants could share ideas and prevent them from making mistakes again.<sup>266</sup> Additionally, there were regular Party livelihood meetings because “***If there are regular meetings, we will prosper. Quickly or slowly, we will prosper.***”<sup>267</sup> Through those meetings, the Party made propaganda to strengthen the Party's policies to the people so that they would work hard and absolutely avoid betraying the Party and *Angkar*; otherwise, they would be “**denounced by history.**”<sup>268</sup> When *Angkar* decided to take someone to be educated but did not succeed, that person would be sent to be re-educated and rehabilitated; those words meant that that person would be taken for execution. They used the words: “***There was no gain in keeping, no loss in removing.***”<sup>269</sup>
97. From a quick glance, it seemed that the Democratic Kampuchea regime was following a democratic path. It was completely contrary to a democratic leadership style. Despite a seemingly policy to take care of the mental health of the people and regular implementation of “**psychological policy,**” psychological policy, in practice, existed only in words and had no effect in the implementation.<sup>270</sup>
98. Leaders at the local level often used policies to trick people to be taken and killed. Some people were tricked to tell the truth about their works in the previous regime; namely being high ranking government officials, a captain or major in the army, etc. Having uncovered the truth, the Khmer Rouge would take those people for execution.<sup>271</sup> The most noticeable thing was that when someone was called to meet *Angkar*, almost all “***were taken away and never returned.***”<sup>272</sup> Anyone who sang a foreign song would be taken for execution immediately.<sup>273</sup> In general, dancing and singing were banned all over the country, except for the broadcast of “**revolutionary songs**” via radio. “**The voice of the Democratic Kampuchea regime**” was played over loudspeakers at worksites and cooperatives.<sup>274</sup> Those who secretly listened to foreign language radio broadcasts were also taken for execution.<sup>275</sup>
99. Moreover, people were killed through the implementation of the policy of purification. People and cadres who were regarded as enemies or who failed to comply with the orders of *Angkar* were also killed.<sup>276</sup> There was no loosening in the implementation of rules for anyone who did not comply with policies. Cadres at any level such as HOU Yun,<sup>277</sup> HOU Nim,<sup>278</sup> VORN Vet,<sup>279</sup> KOY Thuon,<sup>280</sup> RUOS Nhim,<sup>281</sup> and SAO Phim<sup>282</sup> were no exception and were eliminated.
100. In fact, during their control for the period of three years, eight months, and 20 days, at least 60 high-level cadres of the Democratic Kampuchea regime were arrested and killed at the S-21 Security Office.<sup>283</sup> Even when the Democratic Kampuchea regime was about to collapse, killings continued. Only a few senior leaders could explain the policies which were issued.<sup>284</sup> Furthermore, even hoes or bamboo trunks were used as weapons to kill people.<sup>285</sup> A total of about 1,700,000 people<sup>286</sup> were killed and died of starvation<sup>287</sup>, disease<sup>288</sup> and overwork.<sup>289</sup> With such a high rate, immediately after the regime collapsed, skeleton remains and dead bodies were found almost everywhere, especially

within the compounds of security offices and killing sites.<sup>290</sup> All of the killings at that time were extra judicial.<sup>291</sup> The implementation of the CPK policies above show that people faced countless difficulties, especially in regards to the lack of nutrition and widespread diseases.<sup>292</sup>

### 1.8. WELFARE

101. People's welfare at that time was not considered because most of the medical staff neither had the knowledge nor skill in medical treatment. They were randomly selected.<sup>293</sup> One witness said, "*Doctors neither had knowledge nor experience. Some were illiterate!*"<sup>294</sup> Moreover, at that time, there was no medicine. What they called medicine was coconut juice or liquid in Pepsi bottles covered with plastic bags and rubber bands which was used to inject patients. Some people died immediately after needles were removed. Some had abscess. Few patients got better.<sup>295</sup>
102. One witness said, "*No matter what disease patients had, they received the same medicine.*"<sup>296</sup> When people got sick, there was no service from health centres, hospitals, or from professional doctors. Medicines were insufficient. Sometimes, patients got worse and died.<sup>297</sup>

### 1.9. ABSURD POLICIES

103. In general, recruitment of local leaders for cooperatives, communes, militia, and other positions was made only for people who were uneducated or who had anger towards class division because they were in the poor class in the previous regime. *Angkar* provided psychological education to people nationwide to make it easier for policy implementation. They had a saying: "**Enemies are the reactionaries, capitalists, and suppressing class.**" These words were consistent with "**enemies burrowing from inside**", "**There is no gain in keeping, no loss in removing,**" "**Smash the enemies,**" etc. Moreover, we can make an objective assessment related to the first struggle movement which was joined by many intellectuals. However, after the victory on 17 April 1975, those intellectuals who joined the struggle were killed one after another because they did not agree with the DK policies.
104. In short, the leadership policy of the high-level leaders during the Democratic Kampuchea regime was to create a clear monitoring mechanism to put pressure on the low-level leaders to follow without fail. That created a system of mistrust, so people spied on each other. They used the words: "*Angkar* with pineapple eyes; enemies burrowing from inside; CIA groups, KGB groups, reactionary enemies; there is no gain in keeping, no loss in removing" to conceal their real motive. When *Angkar* called people to be educated, it meant those people would be killed.
105. All the facts above are objective and publicly known. In short, Cambodian people who are 50 years old or older (**by 2019**) and who lived in the regime knew and saw these events without having a need for further evidence to prove. Having gone through such terrible tragedy, a witness stated, "*I request the younger generations and intellectuals to unite, to love each other and our land,*

*to forgive each other, and not to argue with each other so that our country can have peace and have everything.*"<sup>298</sup>

106. The practice and the form of management during the Democratic Kampuchea regime were different from what happened in Yugoslavia, Rwanda, Sierra Leone, where international criminal courts, similar to the ECCC, were established. The Democratic Kampuchea regime was a regime that practised a leadership style that reflected the policy of persecution at the national level. The practice was done nationwide in the form of collectivism, and cadres at all levels had to respect and follow orders.<sup>299</sup>
107. The word “**enemy**” or “**revolutionary enemy**” was so broad that it covered innocent people. Before being killed at Phnum Troyoung Security Office, a female prisoner shouted “*Go to die, the Revolution. I don't have any regrets.*”<sup>300</sup> That was different from the ethnic conflict between the Hutus and the Tutsi, which led to genocide in Rwanda.<sup>301</sup> What happened in the Democratic Kampuchea regime was also different from the genocide committed by the nationalist Serbs who were led by the former president Slobodan Milosevic towards the Croatian and Bosnian people.<sup>302</sup>

## 2. ADMINISTRATIVE STRUCTURE OF THE PARTY CENTRE

### 2.1. CPK CENTRAL COMMITTEE

108. The CPK was established prior to the DK regime which held power from 1975 to 1979.<sup>303</sup> The DK regime was a communist-led regime in which the Party led the state. This means that all management mechanisms had to be completely in line with the CPK policies.<sup>304</sup> CPK policies aimed to sweep clean feudalist classes and intellectuals among others who were considered as enemies and they were accused of having exploited and oppressed workers and peasants.<sup>305</sup> Thus, the CPK laid out policies to take revenge against those people.<sup>306</sup>
109. The Central Committee of the CPK was the supreme level of the CPK.<sup>307</sup> The term “**Party**” referred to the CPK Central Committee leadership.<sup>308</sup> The Committee had around 30 members<sup>309</sup> and held regular meetings every six months.<sup>310</sup> In reality, the Committee always invited the zone and sector leaders to the meetings in Phnom Penh, especially when CPK policies were disseminated for implementation.<sup>311</sup>
110. The decision to make arrests at the zone or sector level had to be decided by the Party Central Committee.<sup>312</sup> Witness SEM Hoeum stated that, “*Sector chairman level prisoners were major figures. Therefore, the district level could not arrest them. So, the orders had to be from the Centre level, the highest level.*”<sup>313</sup> In principle, those at the zone level did not have the authority to decide on arrests at the sector level; only the CPK Central Committee had such authority.<sup>314</sup> Witness SUON Kanil stated that “*If there was no arrest document, he (KE Pauk) dared not make an arrest. I had to follow orders from the upper echelon.*”<sup>315</sup>

111. There is an allegation against **YIM Tith** that “in his capacity as the de facto and de jure secretary of zone, which is the most important and strategic zone during the DK regime, **Ta Tith** could have been a member of the CPK Central Committee at the 5<sup>th</sup> Party Congress”.<sup>316</sup> In practice, the CPK had around 30 members comprising of full-rights members and candidate members; mostly they were zone secretaries, deputy-secretaries and members, and sector secretaries. However, despite their positions they did not automatically become members of the Central Committee.<sup>317</sup>

## 2.2. CPK STANDING COMMITTEE

112. The CPK Standing Committee played a key role in the day-to-day leadership on behalf of the Central Committee of the CPK, which was the Party’s senior leadership body.<sup>318</sup> There were seven members of the Party Standing Committee: POL Pot, NUON Chea, SAO Phim, IENG Sary VORN Vet and SON Sen.<sup>319</sup> POL Pot was Party Secretary<sup>320</sup> and NUON Chea was Party Deputy-Secretary.<sup>321</sup>
113. Among those members there were up to five members of the Standing Committee: POL Pot, NUON Chea IENG Sary, VORN Vet and SON Sen, who always worked in Phnom Penh.<sup>322</sup> Former S-21 Security Office Chief KAING Guek Eav alias Duch said that there were four superior echelons of the Party: (1) the Standing Committee, (2) the full-rights members of the Central Committee, (3) the candidate members of the Central Committee, and (4) the Assisting Committee of the Central Committee.<sup>323</sup>
114. The roles and authorities of the Standing Committee of the Party Centre were clearly stated in the CPK statutes - it was responsible for and monitored the implementation of CPK policies.<sup>324</sup> The Standing Committee of the Party Centre was in charge of all political matters between one Congress to another.<sup>325</sup> The 1<sup>st</sup> Party Congress was held on 30 September 1960.<sup>326</sup> In 1977, the CPK started holding their Annual National Congress of the Party.<sup>327</sup> The general Party Congress throughout the country was the highest organisation of the Party.<sup>328</sup> The 5<sup>th</sup> Party Congress of the Party Centre was finally held on 02 November 1978 before the collapse of the regime.<sup>329</sup>
115. As a matter of fact, the duties were carried out by the Political Office of the Party Centre - it regularly held meetings on Sundays to resolve domestic and overseas issues.<sup>330</sup> It had six members: POL Pot, NUON Chea, IENG Sary, VORN Vet, SON Sen and KHIEU Samphan.<sup>331</sup> From 1975 to 1979, the Standing Committee held at least 19 meetings.<sup>332</sup>
116. The Standing Committee meetings were mostly held at K-1 and sometimes at K-3.<sup>333</sup> The decision to hold a meeting of the Party Standing Committee was made by Party Secretary POL Pot.<sup>334</sup> The central office of the Standing Committee of the Central Committee of the CPK was known as “**Office 870**”.<sup>335</sup>
117. Former S-21 Security Office Chief KAING Guek Eav alias Duch said that the Standing Committee was the most important organ of the Party.<sup>336</sup> In addition, it



oversaw all policies of the Party and the government including internal and external security issues<sup>337</sup> as well as several important areas including agriculture, health and social affairs, etc.<sup>338</sup> The Party Standing Committee led discussions on issues arising from worksites, interrogation and arrests, and general living conditions throughout the country, and had the power to order immediate execution.<sup>339</sup>

### 2.3. OTHER ORGANS

118. The DK Constitution was adopted on 14 December 1975 by the 3<sup>rd</sup> National Congress and promulgated on 05 January 1976.<sup>340</sup> The constitution referred to the judiciary as the “**Judicial Committee**” which was elected and appointed by the Kampuchean People's Representative Assembly.<sup>341</sup> This Committee is the people's court, representing people's justice, defending people's justice and democratic rights and freedom and condemning any activities directed against the people's State or violating the laws of the State of workers and peasants and the Kampuchean Revolutionary Army.<sup>342</sup> However, in reality the Judicial Committee did not function during the DK period.<sup>343</sup>
119. Two other supreme organs which had legislative power were “**the Kampuchean People's Representative Assembly**”, and the executive power known as “**the Government of the DK regime**”.<sup>344</sup> During that regime, the DK Government was the executive body responsible for implementing the laws and political lines of the Kampuchean People's Representative Assembly and responsible before the Kampuchean People's Representative Assembly.<sup>345</sup> As for legislative power, the DK regime named as the **People's Representative Assembly**” which comprised of 250 members, who were secretly and directly elected for a five-year term<sup>346</sup> by the Kampuchean people and the Kampuchean Revolutionary Army. Out of the 250 members, 150 members represented peasants, 50 members represented workers and 50 represented the Kampuchean Revolutionary Army.<sup>347</sup>
120. Within its mandate, the Kampuchean People's Representative Assembly was responsible for making laws, passing laws, monitoring law enforcement pursuant to the political policies of the DK.<sup>348</sup> The Assembly consisted of one Standing Committee and other committees such as the Economic Committee, the Defence Committee, the Foreign Affairs Committee, and the Socio-Cultural and Health Committee, etc.<sup>349</sup>
121. Article 1 of the Kram on the Determination of the Functioning of the People's Representative Assembly of Kampuchea states that “*Each member of the Kampuchean People's Representative Assembly must continue to stay close to his/her constituency, sharing their difficulties and happiness, knowing the people's hearts, understanding their requests - that is, remaining close with unions and factories, cooperatives work sites, irrigation systems of his or her unit - and sharing efforts to build and defend the country with the people, workers and farmers, workers, male and female combatants and cadres of the Kampuchean Revolutionary Army in order to balance their status as real representatives of Kampuchean people, farmers, workers and Revolutionary Army.*”<sup>350</sup>

122. Regarding the leadership composition of the People's Representative Assembly, the Central Committee decision dated 30 March 1976 appointed NUON Chea as Chairman of the Standing Committee of the People's Representative Assembly.<sup>351</sup> It was noticed that in 1976, after the adoption of the constitution, the People's Representative Assembly once held a meeting to establish the National Assembly, and it seemed that the DK wanted to show the world that the National Assembly existed under the DK leadership.<sup>352</sup>
123. One witness, who was a member of the People's Representative Assembly, testified that *"As a representative of the people, I did not know what my duties were, did not even know who the Chairman of the Assembly was. I did not know the work of the Assembly."*<sup>353</sup> Former S-21 Security Office Chief KAING Guek Eav alias Duch said that *"Cambodia had a merely symbolic People's Representative Assembly."*<sup>354</sup>
124. The Kampuchean People's Representative Assembly seemed to have no real power since everything was under the control of the Party.<sup>355</sup> The regular duties of the Assembly were to transmit congratulatory messages to friendly countries who had diplomatic relations with the DK and to receive foreign delegations visiting Kampuchea.<sup>356</sup>
125. Proving the absence of the power of the People's Representative Assembly was that this body did not work on any draft laws or hold any sessions to pass any laws<sup>357</sup> although the DK Constitution clearly states that the Kampuchean People's Representative Assembly is responsible for making laws,<sup>358</sup> passing laws,<sup>359</sup> monitoring law enforcement and defining political policies of the DK.<sup>360</sup>

#### 2.4. COMMAND STRUCTURE

126. When there was a decision from the Central Committee or Standing Committee, the mechanism of dissemination was implemented by zone secretaries and autonomous sector secretaries whose roles were to disseminate policies and instructions decided by the top echelons to sector secretaries and district secretaries.<sup>361</sup>
127. Regarding report-back mechanisms, all communes had to report to district committees, and district committees reported to sector committees. The sector committees had to report to zone committees. The statutes of the CPK also stated that, *"The highest body at each zone is the zone committee."*<sup>362</sup>

#### 3. THE PURGE POLICIES IN THE NORTHWEST ZONE

128. The CPK policy to purge, screen<sup>363</sup> and purify<sup>364</sup> were implemented by the Party from early 1977<sup>365</sup> while it started since 1975 in some zones and autonomous sectors<sup>366</sup> throughout the country.<sup>367</sup> Former S-21 Security Office Chief KAING Guek Eav alias Duch said that, *"The decision dated 30 March 1976 on the authority to smash inside and outside rank was a role delegation to smash cadres. It was a document that the management asked to keep confidential. It was perhaps kept for the **Standing Committee** only."*<sup>368</sup> Duch

- asserted that, *“The Party Centre's decision dated 30 March 1976 to purge both inside and outside rank, was a key to ensure the Party, the army and the people were clean, and internal purge was the heart of this.”*<sup>369</sup> Duch described it as *“a historical document, which shows a turning point because it reveals the beginning of the internal purges.”*<sup>370</sup> Similarly, a witness who worked at the Zone Office read a document that was distributed to the Party members which stated that: we had to purge enemies who were hidden in the revolution and the CPK throughout the country.<sup>371</sup> In fact, the purge of enemies hidden in the revolution and the CPK was raised for discussion since the establishment of the revolution.<sup>372</sup>
129. The purge policy of the CPK was implemented from the upper level to lower level<sup>373</sup> by *Angkar*: **“Do whatever it takes to clean all traitors in the rank.”**<sup>374</sup> Witness KHIEU En said that, *“There were Party members and Youth League members who came together through a connection. When that connection was arrested, they would also be arrested.”*<sup>375</sup> Previously, former S-21 Chairman KAING Guek Eav alias Duch explained the term **“purge”**, to mean **“remove the enemies from our ranks, the army, the people, so that our ranks, the army, and the people are clean.”**<sup>376</sup> Duch also added that *the internal Party's purges and the purges among the people, the crimes against humanity, were the task of all of us. Each of us had to fulfil it according to our roles and responsibilities.*<sup>377</sup>
130. In this context, waves of arrests coincided with the rise of the radical left in the Central Committee of the CPK. Obviously, **“VORN Vet”**, who was Deputy Prime Minister in charge of the economy, was arrested.<sup>378</sup> Former President of the State Presidium, KHIEU Samphan alias Hem, said, *“He (VORN Vet) was arrested because he was one of the Vietminh bodies hidden in the CPK. Similarly, SAO Phim was arrested for the same reason.”*<sup>379</sup> In relation to the implementation of the purge policy, the CPK fully and ambitiously expected that this internal purge policy would help prevent the invasion of foreigners.<sup>380</sup>
131. The purge policy was implemented after POL Pot chaired a meeting about changes in old cadres who were no long trusted. After that meeting, some cadres went missing.<sup>381</sup> In mid-1977, the purge was first launched in Siem Reap province, followed by Kampong Thom province and subsequently throughout the entire Central Zone.<sup>382</sup> It increased substantially in 1978.<sup>383</sup> According to statements by Duch and other witnesses, the purges were subsequently implemented from the North Zone to the West Zone, then to the Northwest Zone and the East Zone where the people were accused of being traitors.<sup>384</sup> Duch said that in April 1978, there were subsequent arrests including the West Zone Secretary named CHOU Chet alias Sy, then ROS Nhim and KONG Sophal alias Keu, who were the Northwest Zone Secretary and Deputy Secretary.<sup>385</sup>
132. In the context of internal and external purges of the ranks, Duch asserted that *Ta Mok*, who was Party Third Secretary and Southwest Zone Secretary, was appointed as West Zone and Sector 801 Secretary.<sup>386</sup> Contents of the decision dated 30 March 1976 also clearly stated that, for purges at zone level, if in the base framework, these **“[had] to be decided by the Zone Standing Committee.”**<sup>387</sup>

133. The purge in the Northwest Zone seemingly started in 1976<sup>388</sup> or in January 1977,<sup>389</sup> when the zone cadres took control of the zone.<sup>390</sup> At this time ROS Nhim was the Zone Secretary,<sup>391</sup> and he continued to be so until the Southwest Zone cadres took control.<sup>392</sup> At that time, a meeting was held at the Northwest Zone in which they discussed the purge plan with the participation of the Zone Committee, Sector, district, commune Chief, cooperative Chief and Unit Chief.<sup>393</sup> Another witness testified that the West Zone cadres came in mid-1977 to replace and purge the Northwest Zone cadres step-by-step, and later the Southwest Zone cadres arrived and increasingly purged the Northwest Zone cadres in mid-1978.<sup>394</sup> Several witnesses asserted that *Ta Mok* came to control the Northwest Zone in January 1977<sup>395</sup> before ROS Nhim was arrested and he remained in power until the collapse of the Khmer Rouge regime.<sup>396</sup> In mid-1978, after ROS Nhim was arrested and detained at Tuol Sleng prison, and other senior cadres were removed from their positions, *Ta Mok* officially became the Northwest Zone Secretary.<sup>397</sup>
134. Many witnesses who were sent to the Northwest Zone participated in a meeting prior to their departure in Takeo where *Ta Mok* announced that Battambang was a “**newly liberated Sector**”, and the situation there was “**not good**”. Therefore, the zone needed assistance,<sup>398</sup> and *Ta Mok* accused the Northwest Zone people of being traitors.<sup>399</sup> According to the testimonies of many witnesses, the purges in the Northwest Zone were made against the Northwest Zone cadres. There were accusations that “**all the Northwest Zone cadres are traitors**”<sup>400</sup> or they had made an excuse to liberate the Northwest Zone<sup>401</sup> or had the intention to do an uprising,<sup>402</sup> being KGB, CIA agents<sup>403</sup> or Vietnamese spies or being Vietnamese heads on Khmer bodies,<sup>404</sup> or having fought against the Vietnamese,<sup>405</sup> or committed mistakes and not followed *Angkar's* path<sup>406</sup> or accused the Northwest Zone people of having private property and being materialists; they worked in an office without going to the fields<sup>407</sup> or had a slogan saying that the head doesn't connect with the sky and the feet don't connect with the earth,<sup>408</sup> or for the reason that the Northwest Zone lacked cadres.<sup>409</sup>
135. The purges also targeted anyone who was suspected of having relations with Vietnam or Vietnamese spies such as the Khmer Krom people<sup>410</sup> and ordinary people,<sup>411</sup> as well as the old Southwest Zone cadres who came from the Northwest Zone before accusing them of being traitors and not as being serious as the dictatorship regime required.<sup>412</sup>
136. At first, ROS Nhim, who was the Northwest Zone Secretary, arrested *Ta Hoeun*, who was Phnom Sampov district Secretary. This happened early in 1978. He accused him of being a CIA agent.<sup>413</sup>
137. In a meeting with the army, *Ta Hab* announced that *Ta Mok*, who was serious with the people and who killed people and soldiers,<sup>414</sup> was an active person and issued orders; and *Ta Mok* took control of three zones.<sup>415</sup> Witness PICH Chim said that after the purges were conducted in four zones, it was broadcast on the radio that POL Pot had appointed *Ta Mok* as Chief of General Staff controlling over SON Sen who was General Staff.<sup>416</sup> Duch similarly affirmed that POL Pot issued a direct order to appoint *Ta Mok* as the Party Third Secretary and

- Southwest Zone Secretary, and he then became West Zone Secretary, Northwest Zone Secretary and Sector 801 Secretary,<sup>417</sup> and was also appointed to purge the Northwest Zone cadres and people who were accused of being traitors.<sup>418</sup> In 1977 after a meeting chaired by *Ta Mok* in Veay Bekchan, near the airport in Battambang province, which was participated by the Northwest Zone cadres, *Ta Mok* removed the positions of ROS Nhim and *Ta Kao*.<sup>419</sup> A witness confirmed that after *Ta ROS Nhim* was arrested and then detained in Tuol Sleng prison, *Ta Keu* declared in the meeting that **Ta Tith** would become Sector Secretary and thereafter control the Northwest Zone as well.<sup>420</sup> Having heard only two senior persons named *Ta Mok* and **Ta Tith**, another witness concluded that **Ta Tith** was the Northwest Zone Deputy Secretary.<sup>421</sup> Witness LIM Tim attended a general assembly in Battambang University participated by only bodyguards and the military where it was announced that **Ta Tith** was the Zone Chief.<sup>422</sup>
138. Instead, only one witness testified with confusion in front of the Office of Co-Prosecutors that **Ta Tith** came to replace *Ta Pet* at the zone level after the Northwest Zone and sector cadres were purged<sup>423</sup> and that **Ta Tith** announced himself that he was the new Northwest Zone Chief during the last meeting held in 1978 and that *Ta Net* was no longer the chief.<sup>424</sup>
139. In order to implement the purge policy inside and outside the Party effectively, following the decision made by the Party Centre and POL Pot's order in early 1976 and until 1978, *Ta Mok*, who was Southwest Zone Secretary,<sup>425</sup> sent many cadres groups from the Southwest Zone to replace base cadres within the administrative structure of the Northwest Zone.<sup>426</sup> The meetings were held in 1976,<sup>427</sup> 1977<sup>428</sup> and 1978.<sup>429</sup> *Ta Mok* and other senior cadres appointed the Southwest Zone cadres to take positions and to go to various places when they arrived in the Northwest Zone.<sup>430</sup>
140. Regarding the plan to send people and cadres to the Northwest Zone, many witnesses did not indicate the participation of *Ta Tith* but instead indicated *Ta Mok*.<sup>431</sup> *Ta Mok* sent Southwest Zone cadres to the Northwest Zone three times.<sup>432</sup> It first happened in 1976 when a small group of Southwest Zone cadres were sent to the Northwest Zone. They were sent to work with them, not to replace or manage them.<sup>433</sup> The second sending was in 1977 and early 1978 when *Ta Mok* sent the Southwest Zone cadres and their families to arrest and replace the Northwest Zone at commune, cooperative and district levels.<sup>434</sup> The third sending was in mid-1978. At that time, the Southwest Zone group came to replace the Northwest Zone senior cadres by purging the Northwest Zone cadres at sector and zone levels. They also replaced the cadres at the lower level of district and commune levels who had worked under the zone and sector cadres before the purge started.<sup>435</sup> Other testimonies showed that *Ta Mok* denied the request to kill people in an event took place from 7 to 10 a.m. in 1978 in Toustouk village in which *Ta Loeuk* and *Yeay Chan*, who were so cruel, and assisted with guarding the army carrying weapons and bombs, wanted to kill the 1,400 people assembled using bombs.<sup>436</sup> Out of 1,400 people, *Ta Mok* suspected there were about 300 Vietnamese spies or persons whom he considered having Vietnamese heads on Khmer bodies.<sup>437</sup>

141. The order to complete the purges came from the zone level to the sector level, and then from the sector level to the district level.<sup>438</sup> Witness HEM Moeun, who was a soldier and relative of *Ta Mok* working closely with *Ta Mok* in the Northwest Zone, said that before his army division was sent to Battambang in 1978, *Ta Mok* ordered them to “*purge the Northwest group.*”<sup>439</sup> In this purge campaign, the civilian cadres did not have the right to kill people;<sup>440</sup> it was the military who had those rights. Another witness testified that in mid-1977, the West Zone cadres came to replace and purge the Northwest Zone cadres incrementally, and then the Southwest Zone cadres increasingly came to purge the Northwest Zone cadres in mid-1978.<sup>441</sup>
142. The purge was not announced because it was confidential.<sup>442</sup> In early 1978 SEK Sam At, who was sent to be a Bakan district Committee member following Ren’s strict orders, did not know about the plan to purge the Northwest Zone cadres.<sup>443</sup> In addition, the witness said that *Ta Nhan* had a list of people to be arrested. He accused the people in the Northwest and West Zones of cooperating with the Vietnamese army.<sup>444</sup>
143. Upon the arrival of the Southwest Zone cadres, the arrests were ongoing and became more serious. The purges targeted from the lower level to the upper level, i.e. from the levels of villages, communes or cooperatives, districts, sectors right up to the zone level.<sup>445</sup>
144. By having the group and military appointed to immediately replace them,<sup>446</sup> the Southwest Zone group arrested the Northwest Zone army and cadres even during the meetings and took them to be detained in security offices in the Northwest Zone and at S-21 in Phnom Penh. They were removed from their positions and appointed to work at work sites in the Northwest Zone in order to “refashion” them.<sup>447</sup> Some were brought for execution or disappeared after re-education. According to the S-21 prisoner list, there were 346 civilians and cadres from the Northwest Zone, of which 75 were military, 86 were zone civilians, 76 were sector people, 36 were district people and 73 were old and new people. They were arrested, detained, interrogated and killed at S-21.<sup>448</sup>
145. *Ta Mok* confiscated all weapons from the districts and sectors because the people there wanted to engage in an uprising.<sup>449</sup> Witnesses who were cadres who lived near the zone testified that upon *Ta Mok*’s arrival in the Northwest Zone, many Northwest Zone cadres and military were arrested, detained, and killed, and some others were transferred to be detained at Tuol Sleng prison.<sup>450</sup> Senior zone and sector cadres were not arrested; they were ordered to be re-educated.<sup>451</sup>
146. Obviously, at the zone level, ROS Nhim was the Zone Secretary<sup>452</sup> from July 1978 until he was arrested and transferred to be detained at Tuol Sleng prison in mid-1978. *Ta Mok* then officially became the Northwest Zone Secretary.<sup>453</sup> *Ta Keu* was Zone 2 Deputy Secretary, *Ta Pet* was Zone 3 Deputy Secretary; after the arrest of *Ta Keu* in 1977, then *Ta Pet* became the Zone 2 Deputy Secretary until the end of 1977.<sup>454</sup> *Ta Say*, who sat on the Zone Office Committee and was Sector 1 Secretary from the start until the end of 1975, was accused of being a traitor and thereafter arrested.<sup>455</sup> A zone cadre named *Ta Him* was also

- purged.<sup>456</sup> According to the S-21 prisoner list of September 1977, cadres working at offices and ministries in the Northwest Zone who were arrested to be detained at S-21 were as follows: SUN Tim, zone mobile unit regiment member; BOU Vim, Battalion 54 unit composition Member; KEO Kann *alias* Doeun, zone telecommunications Chief; NOB Soeun, zone commerce rice mill Chief; KHUON Kaeng, zone petroleum warehouse Chief; PHACH Phuoy *alias* Poch, zone rice mill Chief in Monkul Borei; HOY Touch *alias* Tha, zone rice analyst; POV Net, zone veterinarian combatant; KEB Sophon, zone art combatant; EM Morn, zone commerce Chief;<sup>457</sup> HAM Chhi *alias* Hoeum, zone mobile unit Chief;<sup>458</sup> NHIM Seth, zone agriculture Chief; TON Yeng, zone commercial transport Chief and CHHOEUN Sa Ngoeun, zone blacksmith group Chief.<sup>459</sup> During 1978, cadres from Sector 4 were arrested and brought to be interrogated at S-21. They included: UN Sam Eang, Zone rice mill Chief, LEAY Khuong, Zone Commerce Deputy Chief; LIM Na, Zone Commerce Deputy Chief; OCH Ros, Zone Telecommunications Chief; VEN Vean, Zone Medical Technology P-3 Chief; KHY Korn, Zone Security Deputy Chief; OEUM Thuom, Zone Security Unit - M-32 Chief; MA Oum Srey, Battalion 454 Zone Secretary; CHHIM Seap, Battalion 454 Zone Deputy Secretary; EAM Van, Zone Medical Committee P-1 member; MUONG Doeu *alias* Lim, Monkul Borei iron ring factory Chief;<sup>460</sup> POUK Eng *alias* Phann, Battalion 86, Zone Arsenal member;<sup>461</sup> YUN Peng Seng *alias* Sara, Zone tobacco production Deputy Chief;<sup>462</sup> KONG Sorn, Zone commerce member;<sup>463</sup> MON San *alias* Thong, Zone Hospital Chief;<sup>464</sup> OUK Chhat *alias* Ry, Zone Hospital P-2 Chief;<sup>465</sup> CHEA Pheav *alias* Kory, Zone Security Deputy Chief;<sup>466</sup> and CHHIN Khorn, Zone Security Deputy Chief.<sup>467</sup>
147. Other senior civilians and military personnel at the sector and district levels were also purged. In Sector 1, *Ta Saray* who sat on the Zone Office Committee and was the Sector 1 Secretary from the start until 1975 was accused of being a traitor and thereafter arrested.<sup>468</sup> CHEA Huon *alias Ta Vanh*, who was the Sector 1 Secretary and Sector Military Commander and Kanhort Dam controller from *Ta Saray Chhnam* in September 1977, was purged, arrested and detained at S-21 under the order issued by the Party Centre on the allegation that he had collected weapons to hide on the east of Thepadin mountain in order to do an uprising after the announcement that POL Pot was the Party Secretary.<sup>469</sup> Then, *Ta HENG Teav alias Ta Pet* came to replace *Ta Vanh* as the Sector 1 Secretary.<sup>470</sup> After that, when HENG Teav *alias Ta Pet* and his wife were arrested in August 1978 by the Southwest Zone and transferred to break rocks and cut bamboo trees in Kampong Speu province following *Ta Mok's* order,<sup>471</sup> ***Ta Tith*** came to replace *Ta Pet* on the Sector 1 Committee, and as Zone Assistant<sup>472</sup> three days after the arrival of the Vietnamese.<sup>473</sup> In Kas Krolor district, senior and lower cadres were arrested at Kas Krolor Security Office; some cadres survived.<sup>474</sup> The Southwest Zone conducted purges by arresting family members and killing the base people, and the Northwest Zone cadres in Sector 1, including their family members, especially the cadres at commune and district levels.<sup>475</sup> Many cadres of Sector 1 were arrested and detained at S-21 in 1977. They included the following: UY Ol *alias Thoeum*, Sector Office Chief; KOY Sam, Zone Commerce Chief; ROS Kchuong *alias Van*, Sangkae district

- cotton plantation Assistant; SO Youm alias Roth, Zone cotton plantation combatant<sup>476</sup> and OEUN Leng, Kors Krolor district Deputy Secretary.<sup>477</sup>
148. The Sector 2 Commander named *Ta Nov* was purged in 1977 and was later replaced by Kan who came from the Southwest Zone.<sup>478</sup> Before SEK Sam Ath arrived in Bakan district, *Ta Ven* was the Bakan district Secretary, and *Yeay Yann* was the district Deputy Secretary, later Ven, and then replaced by Peng.<sup>479</sup> Between 1977 and 1978, many cadres were arrested and detained for interrogation at S-21. They were as follows: SREY Sam Oeun or SREY Oeum, Sector 2 Secretary;<sup>480</sup> IM Chhav, Battalion 350 Zone Secretary;<sup>481</sup> Ms. LAV Kiev *alias* Khim, Pursat Hospital Chief; wife of Vanh, who was Sector 1 Secretary;<sup>482</sup> OUNG Chin *alias* Chol or Phal, assistant to Kdat district Assistant;<sup>483</sup> HONG Em *alias* Em or Im, Krokor district Office Assistant,<sup>484</sup> CHEA Oeun, Krokor district Deputy Secretary<sup>485</sup> and OUCH Phon, Mong Russei district Secretary.<sup>486</sup>
149. In Sector 3, *Ta Chham* came to replace *Ta Hoeun*, *Ta Chheng* and *Ta Mon* were on Sampov Meas district Committee;<sup>487</sup> then *Ta Chham*, who sat on the Sampov Meas district Committee, disappeared and was replaced by *Ta Mao* who came from the Southwest Zone.<sup>488</sup> Many Sector 3 cadres were arrested and sent to S-21 between 1977 and 1978. They were as follows: RIN Chet *alias* Kou, Sector Deputy Secretary;<sup>489</sup> CHHENG Chhorn, Bavel district Secretary;<sup>490</sup> RITH Norl, Ampil district Secretary;<sup>491</sup> VEN Moek, Sector 3 Regiment Secretary;<sup>492</sup> HAN Chorn *alias* Yun, Sector 3 Hospital Chief;<sup>493</sup> SVAY Oeut, Poi Pet district Secretary,<sup>494</sup> PHE Lob, commerce Deputy Chief, and SVAY Oeut, Poi Pet district Secretary, etc.<sup>495</sup>
150. In Sector 4, many cadres at the sector and district levels were arrested and detained at S-21 between 1977 and 1978. There were as follows: MINH Thoeum *alias* Heang, the Sector Secretary;<sup>496</sup> KHEK Pin *alias* Ta Sou, Sector Secretary; SUN Kun *alias* Suy, Sector Deputy Secretary; TOUCH Mouch, Sector member; SENG Simoeun *alias* Thol, Sector Office member; SUY Khoeun, responsible for the iron ring factory at Daunteav district; YOV Chhom responsible for statistics at Dauntry district; CHHUNG Pha responsible for statistics at Daunteav district; THANG Rath responsible for statistics at Daunteav district; LEAT Leanhour responsible for dike system statistics at Daunteav district; Chhuon Nhoy, Sector messenger; EM Sim, Daunteav district Deputy Secretary;<sup>497</sup> MAK Vay, Dauntry district Deputy Secretary; CHHIM Chorn, Daunteav district Deputy Secretary; SREY Chham, battalion sector military Secretary;<sup>498</sup> KHONG In, Sector Office Chief<sup>499</sup> and RAO Han, Sector 4 commerce member, etc.<sup>500</sup>
151. As for Sector 5, the Southwest Zone cadres came to replace the Northwest Zone cadres, and they were accused of being traitors and thereafter were arrested and killed. Hoeung, the Secretary of Sector 5, and *Ta Cheal* sat on the Preh Netpreah district Committee; ORN MOUNG and Sam Ath, commune Committee and district Committee members, were arrested (Sector 5).<sup>501</sup> Many cadres of Sector 5 and at district level were arrested and detained at S-21 between 1977 and 1978. They were as follows: NEN Tuy *alias* Phy, of Battalion 513 Sector Secretary; SOEU Sanhonn, Sector Company Secretary; MEN Chun *alias* Hing,



- Sector 5 Secretary; KHIM Huot, Thma Pouk district Secretary, SUON Sorn, Serei Sophorn district Secretary; VEN Ruth, Svay Sisophon district member; Smoth Smorn, Phnom Sruoch Commerce Chief; KUY Koeun, Sector Hospital Chief; LEOM Lom, Sector Agriculture Chief; SVAY Sien *alias* Hong, Sector Art Chief; MAK Loeng *alias* Ngeat, Preah Netpreah district mobile unit Chief; LOAK Chhot, Sector commerce assistant; YAV Yeuy, Serei Sophorn district mobile unit Assistant; MEN Chou, Sector cotton plantation Assistant; ROEUT Out, Sector Economy Deputy Chief;<sup>502</sup> HEM Moeun responsible for the land registration list of the Sector;<sup>503</sup> Saran, Sector commerce; CHHAM Chhat, Pouk district Secretary; SANN Leng, cotton plantation Chief; CHOY Kheam, Sector commerce member;<sup>504</sup> HENG Rin *alias* Mey, Sector 5 Assistant and his wife named SO Rang<sup>505</sup>; CHHOEUN Vat, Sector worksite member<sup>506</sup>; NGAN Yem *alias* Hat, Phnom Srok district Secretary;<sup>507</sup> DIM Saroeun *alias* Men, Sector Hospital Deputy Chief<sup>508</sup> and SAB Thi *alias* Thaong, Phnom Srok district member, etc.<sup>509</sup>
152. In Sector 7, KE Kimhuot *alias* Sot, the Secretary and OUM Toy, the Deputy Secretary, were arrested and detained for interrogation at S-21.<sup>510</sup> Later, *Ta* Try came and replaced *Ta* Sot until the liberation in 1979.<sup>511</sup>
153. As for ***Ta Tith***, there were witnesses that testified that he had been to Kanghort dam and chaired a meeting with military guards about searching for Yuon enemies or those who had joined the Vietnamese in order to prevent them from attacking him; and he announced: please do not join the Yuon, instead unite with the Southwest Zone.<sup>512</sup> As a consequence, those who spoke Vietnamese or had blood relations with the Vietnamese were arrested and killed.<sup>513</sup>
154. It should be noted that the uprising movement and the resistance against the Vietnamese became stronger during the period from the second quarter until the end of the regime in 1978 when ***Ta Tith*** was there.<sup>514</sup> A witness named RY Phann testified that in a meeting participated in by *Ta* Pet also, *Ta* Tith encouraged attendees to fight the Vietnamese army and the Free Khmer movement who were destroying the internal structure.<sup>515</sup>
155. Thus, when ***Ta Tith*** arrived at the Northwest Zone, the purge policy had already been implemented and crime sites also existed. Roles and official powers of ***Ta Tith*** at the Northwest Zone should be looked upon in the context of at least the socio-economic aspect; the purge policy that was issued by the CPK for implementing in order to build and protect the socialist revolution, especially in relation to the forced transfers of general people throughout the country; the economy at the Northwest Zone and the transfer to the Northwest Zone (including from the Southwest Zone to the Northwest Zone), and the purges that had already occurred before ***Ta Tith*** arrived.
156. There were many consequences as a result of the implementation of the purge policy. Witness CHOUK Rin, a former cadre, said, “the reasons for the breakage were POL Pot's policies and the principles of the CPK which were known as the great leap forward; this eventually led to such a breakage.”<sup>516</sup> The purges led to an internal breakage of the CPK as some Khmer Rouge cadres fled to Vietnam and the others went into the jungle.<sup>517</sup> Facing these consequences that resulted

from the implementation of purge policies, the Khmer Rouge cadres put the blame on POL Pot.<sup>518</sup>

157. During and after the purges, *Ta Mok* and other senior cadres appointed the Southwest Zone cadres to take positions and go to other places when they arrived at the Northwest Zone.<sup>519</sup> Many witnesses testified that *Ta Mok* selected people close to him to lead the Southwest Zone cadres to go to the Northwest Zone.<sup>520</sup> The Northwest Zone cadres were worried about their personal security.<sup>521</sup>

#### 4. ADMINISTRATIVE STRUCTURE AT BASE AND ZONE LEVELS

158. The DK regime had six zones:<sup>522</sup> the Southwest Zone,<sup>523</sup> the West Zone,<sup>524</sup> the Northwest Zone,<sup>525</sup> the Central Zone<sup>526</sup> (former the North Zone)<sup>527</sup>, the Northeast Zone<sup>528</sup> and the East Zone<sup>529</sup>. In addition, there were some autonomous sectors:<sup>530</sup> Kampong Som<sup>531</sup>, Mondulkiri (Sector 105)<sup>532</sup>, Preah Vihear (Sector 103)<sup>533</sup>, and Kratie (Sector 505)<sup>534</sup>. The administrative structure was a top-down hierarchy which included<sup>535</sup>: zones<sup>536</sup>, sectors<sup>537</sup>, districts<sup>538</sup>, communes<sup>539</sup>, villages<sup>540</sup>, cooperatives, groups<sup>541</sup>, and units.<sup>542</sup>
159. At the zone level, the Zone Congress was the highest organisation.<sup>543</sup> Each zone was led by a zone secretary,<sup>544</sup> a zone deputy secretary,<sup>545</sup> and members of the zone committee<sup>546</sup>. The same structure applied to autonomous sectors.<sup>547</sup> The majority of the zone secretaries and above were members of the CPK's Central Committee<sup>548</sup> and only a small number of the members of the zone committees were members of the Party's Standing Committee.<sup>549</sup>
160. Zones had an administrative hierarchy to oversee sectors, districts, commune, villages and cooperatives<sup>550</sup>. Therefore, a zone was divided into sectors while each sector was divided into districts, and each district was subsequently divided into villages and cooperatives at the base level.<sup>551</sup> Each district mobile unit had around 3,000 people.<sup>552</sup>

##### 4.1. THE NORTHWEST ZONE

161. The Northwest Zone was one of the six zones of the DK after April 1976.<sup>553</sup> Geographically, this zone covered the provinces of Battambang and Pursat, and was divided into Sectors 1, 2, 3, 4, 5, 6 and 7.<sup>554</sup> The leader of this zone was MOUL Sambath *alias* ROS Nhim, who was the Zone Secretary. Later, in mid-1978 he was replaced by *Ta Mok* who was the Southwest Zone Secretary.<sup>555</sup> KONG Sophal was the Zone Deputy Secretary. In addition, **Ta Tith** was confirmed as the Northwest Zone Committee in mid-1978.<sup>556</sup> The Northwest Zone Commander-in-Chief was *Ta Klaing*.<sup>557</sup> The of Sector 1 First Secretary was *Ta Kok*, *Ta Sou* and *Ta Say* were members, later *Ta Vanh*, and *Ta Nop* were members, and eventually **Ta Tith** came to replace them.<sup>558</sup> Sarun was the Sector 2 Secretary.<sup>559</sup> The Sector 3 Secretaries were *Ta Hea*<sup>560</sup>, *Ta Pet*, *Ta Toum*,<sup>561</sup> *Ta Chham*<sup>562</sup> and *Ta Tom*<sup>563</sup>. The Sector 4 Secretaries included KHEK Pen *alias* *Ta Sou*, who was arrested in 1977<sup>564</sup>; MINH Thoeum or MINH Theum *alias* Heang, who was arrested in 1978<sup>565</sup>, and also *Ta Vann* and *Ta Vay*, who sat on the Sector Committee.<sup>566</sup> SUN Kun *alias* SUY Chea was the Sector Deputy

Secretary, TOUCH Muoch was a Sector member and SENG Simoeun *alias* Thol was a Sector Office member.<sup>567</sup> *Ta* Cheal was the Sector 5 Secretary<sup>568</sup> and later he was replaced by MEN Chun *alias Ta* Hing.<sup>569</sup> Sector 6 had *Ta* Phou, *Ta* Suy were the Secretaries,<sup>570</sup> and *Ta* Kok, *Ta* Loeuk, *Ta* Pheng, and *Ta* Roeung were the Deputy Secretaries.<sup>571</sup> Sector 7 of the Northwest Zone covers Bakan district, Pursat province. Sector 7 had a leadership structure, in which *Ta* Soth (KE Kimhuot) was Secretary and *Ta* Toy was Deputy Secretary.<sup>572</sup> Witnesses asserted that *Ta* Soth and Pheng sat on Sector 7 Committee.<sup>573</sup> Later, *Ta* Try came to replace *Ta* Soth until the arrival of the Vietnamese to liberate Cambodia in 1979.<sup>574</sup>

#### 4.1.1. POWER STRUCTURE AT SECTOR 1 DURING THE DK PERIOD

162. Sector 1 was divided into five districts including Kors Krolor, Moug Russei, Sangkae<sup>575</sup>, Ratanakmondul,<sup>576</sup> and Samlot.<sup>577</sup>
163. Sector 1 was controlled by the Northwest Zone cadres and they were later arrested by the Southwest Zone group.<sup>578</sup> Only three people were chiefs of this sector.<sup>579</sup> The first manager of Sector 1 between 1975 was *Ta* Kok, who was of Por ethnicity.<sup>580</sup> Later, *Ta* Peang *alias Ta* Say sat on the Zone Office Committee and was Sector 1 Secretary from early to the end of 1975. He was later accused of being a traitor and thereafter arrested.<sup>581</sup> *Ta* Say had three deputies; *Ta* Nop, *Ta* Kop and *Ta* Sou, and *Ta* Sean who was a Sector Committee member.<sup>582</sup> *Ta* Veng was Sector 1 Deputy Secretary,<sup>583</sup> *Ta* Nim was a Sector 1 Member,<sup>584</sup> but the date when they were in power is unknown.
164. *Ta* Vanh, Sector 1 Secretary, was Sector Military Commander-in-Chief and a Kanhort Dam manager continuously from the time of *Ta* Say, and perhaps from late 1975 until end of 1976, was purged prior to the arrival of the Southwest Zone group for a period of four to five months due to the fact that *Ta* Vanh had collected weapons to hide to the east of Tipadei mountain<sup>585</sup> under orders from the Party Central Committee.<sup>586</sup> *Ta* HENG Teav *alias Ta* Pet who was the Northwest Zone Deputy Secretary became Sector 1 Secretary replacing *Ta* Vanh.<sup>587</sup> Later, as HENG Teav *alias Ta* Pet and his wife were arrested in August or November 1978 by the Southwest Zone group and sent to break rocks and cut bamboo trees in Kampong Speu province following *Ta* Mok's order.<sup>588</sup> *Ta* Tith came to replace *Ta* Pet in the position as Sector 1 Committee until the end of the Khmer Rouge regime.<sup>589</sup>
165. At Sangkae district, *Ta* Vay was district secretary<sup>590</sup> and *Ta* Yean was deputy secretary.<sup>591</sup> Later, SUN Kun became the district secretary. He was killed by the Southwest Zone group at the end of 1977.<sup>592</sup> When arriving at Sector 1, the Southwest Zone group called Banan 'Sangkae district',<sup>593</sup> and Ren was a cadre from the Southwest Zone who acted as district secretary.<sup>594</sup> *Ta* Yoeun Moug Russei district Secretary, and *Ta* Leng was Deputy Secretary.<sup>595</sup> Yoeun was Kors Krolor district Secretary.<sup>596</sup> *Ta* Nen and *Ta* Thon sat on the district Committee.<sup>597</sup> Yeay Leng was Samlot district Secretary.<sup>598</sup> Korn sat on Ratanak Mondul district.<sup>599</sup>

## 4.2. THE SOUTHWEST ZONE

166. The Southwest Zone was divided into four sectors: Sector 35<sup>600</sup> (Kampot province)<sup>601</sup>, Sector 13<sup>602</sup> (Takeo province)<sup>603</sup>, Sector 33 (Samraong Tong district and Kong Pisey district of Kampong Speu province)<sup>604</sup> and Sector 25 (one part of Kandal province).<sup>605</sup> At the Southwest Zone, OUNG Chhoeun or CHHITH Chhoeun *alias Ta Mok* was appointed as the Zone Secretary from its establishment until the collapse of the DK regime.<sup>606</sup>
167. Geographically, the Southwest Zone was located to the north of National Road No. 4 and consisted of four sectors, namely: Sector 13 (Takeo province), Sector 25 (one part of Kandal province), Sector 33 (Kampong Speu province) and Sector 35 (Kampot province)<sup>607</sup>. Sector 13 was located in Takeo province and was divided into eight districts namely: Tramkak (district 105), Kiri Vong (district 109), Kaoh Andaet (district 10), Prey Kabbas, Samraong Tong, Treang (district 107), Angkor Chey (district 106) and Tani.<sup>608</sup> Sector 25 was located in one part of Kandal province and was divided into four districts: S'ang, Kaoh Thum, Leuk Daek and Kien Svay.<sup>609</sup> Sector 33 was located in Kampong Speu province and consisted of six districts, namely: Srang or Borsat (district 51), Bourei Cholsar, Prey Kabbas (district 55), Samraong (district 54), Bati (district 56) and Kong Pisei (district 52).<sup>610</sup> Sector 35 was located in Kampot province and included five districts: Koh Sla, Kampot, Toukmeas, Kampong Trach and Chhuk.<sup>611</sup>
168. After MA Meng, who was the Southwest Zone Secretary, died in 1968, OUNG Choeun or CHHITH Choeun *alias Ta Mok* or Ta 15 became the Southwest Zone Secretary.<sup>612</sup> KANG Chap *alias Se* and CHOU Chet *alias Sy* were the Zone Deputy Secretaries.<sup>613</sup> In 1978, after ROS Nhim *alias Ta Nhim*, the Northwest Zone Secretary, was arrested; *Ta Mok* was appointed as the Northwest Zone Secretary while he was also the Southwest Zone Secretary.<sup>614</sup> After the arrest of *Se*, *Ta Mok* became Secretary of four zones namely; the Southwest Zone, the West Zone, Northwest Zone and the new North Zone.<sup>615</sup>

### 4.2.1. SECRETARY OF SOUTHWEST ZONE

169. Geographically, Sector 13 was divided into five districts, namely: Tramkak (district 105), Angkor Chey (district 106), Treang (district 107), Kaoh Andaet (district 108) and Kiri Vong (district 109)<sup>616</sup> located in the Southwest Zone.<sup>617</sup>
170. After the Khmer Rouge came to power in 1975, *Ta Saom alias Thorn*<sup>618</sup> was Secretary of Sector 13. Perhaps in 1976, *Ta Saom* was replaced when he could not work any longer.<sup>619</sup> The Secretary of Sector 13 was often replaced; obviously, *Ta Saom alias Thorn* was the Secretary of Sector 13 between 1974 and 1976; later he was replaced by *Ta Prak* between 1976 and 1977.<sup>620</sup> *Ta Phen* was the Deputy Secretary and MEAS Muth *alias Ta Muth* was a member.<sup>621</sup>
171. Witnesses who were soldiers in Sector 13 asserted that *Ta Saom* and *Ta Phen* sat on the Sector 13 Committee in October or November 1977.<sup>622</sup> Another witness named PICH Chim confirmed that in February 1977, *Ta Saom* sat on the Sector 13 Committee while he was leaving the Southwest Zone at that time.<sup>623</sup> Other

- witnesses similarly said that *Ta Saom* was the Sector 13 Committee Chief until September 1978.<sup>624</sup> Witness MAO Chhaom asserted that *Ta Muth* was the Sector 13 Secretary and the Sector Committee was composed of *Ta Muth*, *Ta Saom*, and *Ta Phea*.<sup>625</sup>
172. TIM Phuon, ***Ta Tith's*** nephew, said that ***Ta Tith*** became the Sector 13 Secretary in early 1978 and he was in that position for a period of about six months.<sup>626</sup> But witness TIM Phuon in a later interview said that he did not know ***Ta Tith's*** position at Sector 13 but knew that when the Vietnamese fought and came in to Kiri Vong district perhaps in late 1977 or early 1978, ***Ta Tith*** was transferred from Kiri Vong district to Takeo province.<sup>627</sup> Witness TIM Phuon said that ***Ta Tith*** was in Takeo for about six months and he was later transferred to Kratie for a short period and then moving from Kratie to Battambang and stayed there until 1979 when the Vietnamese arrived.<sup>628</sup>
173. Another witness named MOENG Vet said that ***Ta Tith*** became the Sector 13 Secretary for a while in 1978 before the arrival of the Vietnamese.<sup>629</sup> Another witness named NUTH Nov who was a Southwest Zone cooperative Chief also, like the above-named witness, said that ***Ta Tith*** was announced as the new Sector 13 Secretary perhaps seven to eight months prior to the arrival of the Vietnamese in 1979.<sup>630</sup> A witness named HEM Chhuon, who was a 17 April person or a new person, was sent to grow rice in Tramkak district, said that ***Ta Tith*** was promoted after 1977.<sup>631</sup> Two other witnesses, UOL Hoeun and DOK Chan, said similarly that ***Ta Tith*** was transferred to the Sector in early 1976.<sup>632</sup>
174. The witness said that he met with ***Ta Tith*** when he came to participate in a meeting held in Phnom Penh perhaps in 1976, 1977 or 1978 which was normally only for the sector-level cadres and above.<sup>633</sup> Witness KHIEU Nov said that ***Ta Tith*** was the Kiri Vong district Secretary and later was transferred to work with *Ta Mok* at the Southwest Zone Office.<sup>634</sup> Another witness who was growing dry-season rice in Treang district of Sector 13 said that he saw a bald man sitting in a car perhaps in 1977 or 1978, and he was told that that person was named ***YIM Tith*** and he heard people saying that he was the Sector Secretary.<sup>635</sup>
175. Witness PICH Chim said that in late 1978 he heard a radio broadcasting saying that ***YIM Tith*** was the acting Sector 13 Secretary and welcomed guests at the Sector 13 Committee located in *Ta Mok's* house in Takeo province, and he added that only those who were secretaries or deputy secretaries could welcome guests.<sup>636</sup> Other witnesses similarly asserted that ***YIM Tith*** was the Sector 13 Deputy Secretary as he always saw leaders sitting on the stage when there were sector committee meetings or congresses. Generally, deputy secretaries sat on the right hand of the chief and members sat on the left. According the witness's observations, ***Ta Tith*** always sat on the right hand of *Ta Saom* who was the Sector 13 Secretary.<sup>637</sup>
176. Witness CHAN Vichet contradicted the above assertions, saying that ***Ta Tith*** did not have a clear role, he just acted symbolically on *Ta Mok's* tasks once in a while, "it would disappear either it worked or did not work."<sup>638</sup>

## 4.2.2. POWER STRUCTURE OF SECTOR 13 DURING DK PERIOD

177. Sector 13, located in Takeo province<sup>639</sup> in the Southwest Zone had *Ta Mok* as Secretary.<sup>640</sup> This Sector was to the west of National Road 3. The Sector 13 Office was located near Ang Tasaom Pagoda, and approximately 300 to 400 metres to the north of Ang Tasaom market.<sup>641</sup>
178. Many witnesses expressed inconsistent statements on who was Sector Secretary and during which periods they held that position. Many witnesses said that *Ta Saom* and *Ta Mok* were the first persons who sat on the Sector 13 Committee.<sup>642</sup> In addition, another witness testified that *Ta Mok* also held the position as Sector 13 Secretary.<sup>643</sup> Many other witnesses testified that *Ta Saom* also held the position as the Sector 13 Secretary before 1975 until perhaps in 1976 or October or November 1977<sup>644</sup>, and was later replaced because he was sick.<sup>645</sup> *Ta Prak* came from Sector 25 to replace *Ta Saom* as the Sector Secretary between 1976 and 1977 until *Ta Prak* was purged together with other two or three commune committees.<sup>646</sup>
179. In contrast, another witness gave the contradictory testimony that **Ta Tith** came to replace *Ta Saom* as the Sector Secretary<sup>647</sup> and this was consistent with other witnesses who said that perhaps seven or eight months prior to the arrival of the Vietnamese in 1979 **Ta Tith** took the position as the Sector 13 Secretary, replacing *Ta Ran* who had had a traffic accident<sup>648</sup>. Only two witnesses, who testified differently from others, said that **Ta Tith** was on the Sector 13 Committee in 1975 and held this position for one year only<sup>649</sup> and he was later transferred to the Northwest Zone with *Yeay Chaem* in 1977.<sup>650</sup> After **Ta Tith** moved to the Northwest Zone, *Ta Kith* was selected to be the Sector 13 Secretary for one year only.<sup>651</sup> *Ta Phen* was the Sector 13 Committee Deputy Secretary until October or November 1977;<sup>652</sup> he was later transferred to Sector 35,<sup>653</sup> and *Seang*<sup>654</sup>, MEAS Muth (second person)<sup>655</sup>, *Ta Kiv* (third person)<sup>656</sup>, IM Chaem (perhaps throughout 1975)<sup>657</sup>, *Yeay Chen*<sup>658</sup>, SAM Bith (for a while)<sup>659</sup> replaced by *Ta Ran*<sup>660</sup> as a Sector 13 member. *Ta Ngoy* and *Ta Khim*, who were assistants of *Ta Kiv*, were accused of being KGB agents and thereafter were arrested.<sup>661</sup> Perhaps in 1976, *Yeay Chaem* replaced *Ta Kiv* after he was taken to work at a rock-breaking worksite at Phnom Chrey O Phnov.<sup>662</sup> A woman named Cheat was responsible for controlling women in Sector 13<sup>663</sup>, while *Yeay Chaem* controlled children, women and men section in that sector.<sup>664</sup>
180. San was the Tramkak district Secretary,<sup>665</sup> and later, Khom was the Tramkak district Secretary<sup>666</sup>. *Ta Kiv*, PICH Chim, Nhev, *Yeay Boeun* (from 1978) sat as district members or as Deputy Secretary.<sup>667</sup> Phy, *Ta Kith*, Chheun and Chay sat on Tramkak district Committee.<sup>668</sup> But witnesses were not sure what position CHAY Kab held. Later, he was transferred to Battambang, the Northwest Zone with *Yeay Chaem* perhaps in mid-1976.<sup>669</sup>
181. In Kaoh Andaet, *Ta Seang* was the district Secretary.<sup>670</sup> A witness said that *Ta San* sat on the district Committee<sup>671</sup> in 1975<sup>672</sup>.
182. Nhen was the Angkor Chey Secretary between 1976 and 1977 and Choeun and Chaem (*Ta Nhen's* wife) was the Deputy-Secretary.<sup>673</sup> *Yeay Chaem* and *Yeay*

Phorn were women leaders in the district.<sup>674</sup> Mon, Pen Yorn (re-educated by *Angkar*) and *Yeay* Ran (from 1978) sat on the Angkor Chey district Committee.<sup>675</sup>

183. Other witnesses testified that Tani district, called district 106, had *Ta* Nhen as the Chief<sup>676</sup> and *Yeay* Chaem was the Secretary.<sup>677</sup>
184. Treang district had Khem as the Secretary,<sup>678</sup> *Ta* San was also the district Secretary<sup>679</sup> and according to PICH Chim, Sim may have been Treang district Deputy Secretary.<sup>680</sup>

#### 4.2.3. POWER STRUCTURE IN KIRI VONG DISTRICT (SECTOR 13)

185. Kiri Vong district, called district 109<sup>681</sup>, had an office in Tonleab.<sup>682</sup> There were a few communes, such as: Ream Andek,<sup>683</sup> Ochar,<sup>684</sup> Prey Rumdeng,<sup>685</sup> Kampeng,<sup>686</sup> Saom<sup>687</sup>, and Tnaut Chang<sup>688</sup>. *Ta* Khieu was the Kiri Vong district Secretary in 1975 but he was arrested on the accusation that he was dishonest; ***Ta Tith*** was the Deputy Secretary;<sup>689</sup> later, *Ta* Seang was the Secretary and ***Ta Tith*** remained as Deputy Secretary.<sup>690</sup> ***Ta Tith*** was the district Secretary in 1976<sup>691</sup>, KONG Nam was in 1977<sup>692</sup>, *Ta* Toeun *alias* *Ta* Tom were arrested on the accusation that they joined the KGB<sup>693</sup>; *Ta* Sean<sup>694</sup> and *Yeay* Bou<sup>695</sup> sat on the district Committee when the regime came close to an end.<sup>696</sup> Another witness said that *Ta* Soeun or *Yeay* Khoeun may have sat on the Kiri Vong district Committee until the arrival of the Vietnamese.<sup>697</sup>

#### 4.2.4. SECRETARY OF KIRI VONG DISTRICT (DISTRICT 109)

186. Kiri Vong district Office was located in Trapeang Run village, Ream Andek commune, Kiri Vong district.<sup>698</sup> Kiri Vong district, called district 109, was located in Takeo province, a part of Sector 13 in the Southwest Zone.<sup>699</sup> Kiri Vong district had two offices; one was located at *Ta* Tith's house in Trapeang Run village and the other one was located at *Ta* Mok's house, a building in front of Soben Pagoda located in Chen village, Ream Andek commune.<sup>700</sup> But other witnesses testified that Kiri Vong district Office was located in between Soben Pagoda and Preah Theat Pagoda, which was a cement house of KONG Theuk located in Kbal Damrei village.<sup>701</sup> Witness HENG Prel said differently from the above-mentioned witnesses that Kiri Vong district Office belonged to ***Ta Tith*** and *Ta* Tom at Bour Pagoda located in Bour village, Prey Rumdeng commune, Kiri Vong district.<sup>702</sup>
187. The secretaries of Kiri Vong district were *Ta* Nim, *Ta* Teun, *Yeay* Bo and ***Ta Tith***.<sup>703</sup> *Ta* Tom was arrested on the accusation that he was a KGB agent.<sup>704</sup> ***Ta Tith*** was the Kiri Vong district Secretary between 1976 and 1977; later he was transferred to Battambang, perhaps in mid-1977<sup>705</sup>; then, *Yeay* Khoeun sat on the district Committee, replacing ***Ta Tith***<sup>706</sup>, and *Ta* Tom was the Deputy Secretary.<sup>707</sup> Another witness said that ***Ta Tith*** was the Kiri Vong district Secretary; he was arrested and detained at Phnom Sanlong Security Office.<sup>708</sup>

## CHAPTER IV. ROLE AND AUTHORITY OF THE CHARGED PERSON

## 1. PERSONAL DETAILS OF THE CHARGED PERSON

188. **Yim Tith**, alias **Ta Tith** or **Ta 17**<sup>709</sup>, male, born on 30 December 1936, with Khmer nationality and Khmer citizenship, and a pensioner<sup>710</sup>, was born in Trapeang Kul (ត្រពាំងគល់) or Trapeang Thum (ត្រពាំងធំ) village, Trapeang Thum (Tboung), Tram Kak district (Former district 105), Takeo province<sup>711</sup>, which was part of Sector 13 in the Southwest Zone<sup>712</sup>. He is 1.70 metres tall, with a large frame, dark complexion and a partially bald head<sup>713</sup>.
189. Many witnesses claimed that **Ta Tith** was ordained as a monk in Tram Thum (ត្រាំធំ) Pagoda in the early 1950s before he went to study at Wat Moha Montrei (មហាមន្ត្រី) Pagoda in Phnom Penh.<sup>714</sup> A witness said that **Ta Tith** was one of the "strongest" men<sup>715</sup>, but other witnesses clarified that **Ta Tith** was gentle, good and honest.<sup>716</sup>

## 2. INVOLVEMENT WITH CRIME SITES

## 2.1. FACTUAL FINDINGS FOR THE CHARGE

## 2.1.1. WAT PRATHEAT SECURITY OFFICE

190. Wat Pratheat (វត្តប្រជាតិ) Security Office was located in Kbal Damrei (ក្បាលដំរី) village, Kouk Prech (គោកព្រេច) commune, Kiri Vong (គិរីវង់) district (district 109)<sup>717</sup>, Sector 13, in the Southwest Zone<sup>718</sup>. Wat Pratheat Security Office was initially established in July 1975, and was operational until the end of the Democratic Kampuchea regime.<sup>719</sup> Some witnesses claimed that this security office was established prior to 1975.<sup>720</sup> Wat Pratheat Security Office was a district-level security office and was also called "Kiri Vong district Police Office".<sup>721</sup>
191. Wat Pratheat Security Office was located near Wat Pratheat Pagoda.<sup>722</sup> This security office was inside a one-hectare compound surrounded by palm trees and other trees.<sup>723</sup> Inside the compound of Wat Pratheat Security Office, there were three buildings. The first building, which was a long building, was the prison and was approximately 40 metres long.<sup>724</sup> The second building was the detention building, which measured approximately 8 metres in width and 12 metres in length. The third building was the dining hall, comprising a chicken farm, a milled rice warehouse, and a sleeping hall for the personnel of the security office.<sup>725</sup>
192. As regards the administrative structure of this security office, the first Security Office chairperson was Chăn (ចាន់).<sup>726</sup> Chhim (ឈឹម) and Pring (ព្រីង) were the Security Office Vice-chairpersons<sup>727</sup>. Later, Pring was promoted to Security



- Office chairperson, and he held this position until the collapse of the Democratic Kampuchea regime.<sup>728</sup> Whilst Pring was the Prison chairperson<sup>729</sup>, Chhim and Bēn (ប៉ែន) were the Security Office Vice-chairpersons<sup>730</sup>. According to the statements of some witnesses, in practice, Pring, Chhān, and Chhim frequently worked together as if they were chairpersons.<sup>731</sup> Witnesses testified that before orders were issued to arrest and transfer prisoners to Wat Pratheath Security Office, reports had to be made to the district Security chairperson in advance.<sup>732</sup> As regards the reports submitted to upper echelons, only Pring, the Wat Pratheath Security Office chairperson, was authorised to report to the Kiri Vong district Committee.<sup>733</sup>
193. In this security office, another important person was Born (ប៉ែន), who was a district soldier and later became a zone soldier in April 1975<sup>734</sup>. A witness testified that Born and Chan were the district Militia Unit Chiefs and were in charge of security throughout Kiri Vong district.<sup>735</sup> Several witnesses stated that they never saw Born visiting Wat Pratheath Security Office.<sup>736</sup> On the contrary, one witness stated that Born was cruel and vicious, and he always issued orders to arrest and transfer people to Wat Pratheath Security Office.<sup>737</sup> Because of his level of authority, some witnesses mistook Born for the Wat Pratheath Security Office chairperson.<sup>738</sup>
194. Wat Pratheath Security Office was used for detaining the people and Khmer Krom who had been arrested from villages, communes, and cooperatives in Kiri Vong district, Takeo province, Sector 13 of the Southwest Zone.<sup>739</sup> In some cases, arrests were made only after the district sent lists of the people to be arrested to the commune, who had to implement the orders.<sup>740</sup>
195. Prisoners at Wat Pratheath Security Office were classified into two categories: “serious offenders” and “light offenders”.<sup>741</sup> “Serious offenders” were those who had connections with previous regimes; whereas “light offenders” referred to those who committed minor mistakes.<sup>742</sup> As regards the minor mistakes which caused people to be arrested and sent to the commune, these included things such as breaking plates, stealing food, stealing potatoes, stealing milled rice, stealing chickens, etc.<sup>743</sup> However, one witness stated that the prisoners in this security office were not classified into different categories.<sup>744</sup>
196. Prisoners were kept in leg shackles attached to a long iron bar, and one hand of each prisoner was cuffed with one hand of another prisoner.<sup>745</sup> Those shackled and handcuffed prisoners had to lie in two rows with their legs opposite one another. In the detention hall, there were two to three rows of shackles. One row of shackles could hold around 50 prisoners. After some prisoners were taken for execution, more people were brought in to be placed in the shackles.<sup>746</sup>
197. A witness who was detained in Wat Pratheath Security Office for 12 months in 1977 testified that during his detention, he was detained in the prison for three months and later he was sent to the 'education' place for nine months where he was ordered to look for firewood and climb palm trees.<sup>747</sup> Some of the prisoners at Wat Pratheath Security Office were released.<sup>748</sup> The prisoners at Wat Pratheath

- Security Office were brutally tortured. For example, their heads were covered with plastic bags until they almost suffocated; they were beaten with clubs and were forced to swallow a large amount of salt, etc.<sup>749</sup> DUCH Chan (ឌុច ចាន់) was responsible for recording prisoners' confessions.<sup>750</sup> Some detainees were violently interrogated before they were taken for execution;<sup>751</sup> whereas other prisoners were taken for execution without being interrogated. Prisoners were taken for execution in rice fields south of Wat Pratheat during quiet periods such as at midday or dusk.<sup>752</sup>
198. In addition, it is rumoured that beautiful women were raped, and if those women were found to be pregnant, they were taken for execution.<sup>753</sup> Some prisoners at Wat Pratheat died from torture, starvation, or illness<sup>754</sup>, whereas others were taken out to be smashed to death and thrown into pits which were located around 100 metres away from Wat Pratheat.<sup>755</sup> A witness added that if a large number of people were for execution, they would request assistance from the district.<sup>756</sup> One witness testified that he saw the person in charge of the prison beheading people.<sup>757</sup> At the end of the period, only four prisoners survived the killings at Wat Pratheat security office.<sup>758</sup>
199. After the collapse of the Khmer Rouge regime, tall piles of human bones and skulls and pits<sup>759</sup>, were found. Wat Pratheat Security Office was regarded as the biggest detention facility and killing site in Kiri Vong district.<sup>760</sup> Several witnesses estimated that between 5,000 and 6,000 victims were killed at Wat Pratheat Security Office.<sup>761</sup> However, other witnesses stated that up to 16,000<sup>762</sup> people were killed at Wat Pratheat Security Office, but some of them were killed during the LON Nol regime.<sup>763</sup> In the compound of Wat Pratheat Security Office, after the collapse of the Democratic Kampuchea regime, between 200 and 300 pits with tall piles of human bones and scattered human skulls were found.<sup>764</sup>
200. Some witnesses stated that in perhaps late 1975 or early 1976, **Ta Tith** was seen coming to inspect the prisoners at Wat Pratheat Security Office.<sup>765</sup> Two witnesses who were former prisoners at Wat Pratheat Security Office stated that **Ta Tith** visited Wat Pratheat Security Office at least twice<sup>766</sup>. However, other witnesses stated that they never saw **Ta Tith** visiting Wat Pratheat Security Office.<sup>767</sup>
201. There have been suggestions that **Ta Tith** was aware of the arrests and killings at Wat Pratheat Security Office.<sup>768</sup> Meanwhile, other witnesses stated that **Ta Tith** issued orders to release prisoners after he visited the security office.<sup>769</sup> One witness stated that whilst he was walking towards Wat Pratheat, he saw **Ta Tith** riding a motorbike to visit the communes.<sup>770</sup>

#### 2.1.2. KRAING TA CHAN SECURITY OFFICE

202. Kraing Ta Chan (ក្រាំងតាចាន់) Security Office was known as the district 105<sup>771</sup> Education Office or the district Security Office.<sup>772</sup> This security office was

- located in Trapeang Lean (ត្រពាំងលាន) village, Kus (គុស) commune, Tram Kak (ត្រាំកក់) district (district 105)<sup>773</sup>, Takeo province.<sup>774</sup>
203. The compound of Kraing Ta Chan Security Office was rectangular, and within it, there was a building for the prison chairperson and vice chairpersons<sup>775</sup>, and a big pit in the middle. There were three other pits in different directions, with one pit located in the north-west section, another one in the east/south-east section, and the other one in the western section.<sup>776</sup> At Kraing Ta Chan Security Office, there were also dark prisons underground.<sup>777</sup>
204. As regards the establishment of Kraing Ta Chan Security Office, some witnesses stated that this office was established in 1972 or 1973 for meeting purposes, and in mid-1973, Kraing Ta Chan was converted into a detention centre under the control of the district 105 Committee.<sup>778</sup> Some witnesses stated that Kraing Ta Chan Security Office was established in early 1975 or in 1975 and was located within a forest<sup>779</sup> or near Wat Angk Ponnareay (អង្គពណ្ណារាយ) Pagoda.<sup>780</sup> One witness, UK Him (អ៊ុក ហ៊ឹម), stated that prior to 1976, Kraing Ta Chan Security Office was not a real prison, but an education centre where people were sent to be educated and was a killing site. In 1976 halls began to be built to convert it into a prison.<sup>781</sup> Other witnesses also stated that Kraing Ta Chan Security Office was established both for educating and interrogating people.<sup>782</sup> Kraing Ta Chan Security Office was operational until the collapse of the Democratic Kampuchea regime.<sup>783</sup>
205. Several witnesses stated in the same manner that PHAN Chhēn (ផាន់ ឆេន), alias *Ta Chhēn* (ឆេន), was the Kraing Ta Chan Education Office chairperson prior to 1973.<sup>784</sup> Later, *Ta Chhēn* was transferred from this office, and his Vice-chairperson, LENG An (ឡេង អាន់), alias *Ta An* (អាន់), became the chairperson<sup>785</sup>, and *Ta Khhorn* (យ៉ន) was *Ta An*'s Vice-chairperson. Later, Duch Thom (ឌុច ធំ), a former Kraing Ta Chan Security Office guard, was promoted as Vice-chairperson, and later *Ta Penh* (ពេញ) replaced Duch Thom as the Vice-chairperson.<sup>786</sup> *Ta Chēng* (ចេង) was a member, and there were several other guards.<sup>787</sup> This security office had a total of approximately 12 or 13 personnel,<sup>788</sup> with some of them working in the office and at least six of them working as guards.<sup>789</sup>
206. The people evacuated from Phnom Penh were sent to Kraing Ta Chan Security Office.<sup>790</sup> All the other prisoners were sent from communes and districts throughout Takeo province, prisoners from other provinces,<sup>791</sup> people who had just moved to Kiri Vong district<sup>792</sup>, and former officials of previous governments.<sup>793</sup> They were all sent to Kraing Ta Chan Security Office.<sup>794</sup>

207. Witnesses stated that the Khmer Krom people were continually sent to Kraing Ta Chan Security Office during the period of 1975 to 1978. Most of the Khmer Krom people were sent to Kraing Ta Chan Prison in 1977 because, in that year, Vietnam launched fierce attacks into the country and, consequently at that time, the Khmer Krom people were considered as Yuon.<sup>795</sup> Actually, the reports sent between commune offices, the district office, and Kraing Ta Chan Security Office mentioned the arrests of Khmer Krom people from 1975 to 1978.<sup>796</sup> A witness stated that after the Khmer Rouge liberated Phnom Penh, three Khmer Krom families were sent to live in his village, and were later sent to Kraing Ta Chan.<sup>797</sup> A victim named YĂN Pet (យ៉ាន់ ប៉ែត) was arrested and sent to Kraing Ta Chan.<sup>798</sup>
208. Kraing Ta Chan Security Office was also a killing site.<sup>799</sup> Witness RIEL Săn (រឿល សន) stated that he attended two meetings in the middle of and at the end of the Khmer Rouge regime, and he heard the Tram Kak district Committee announcing to participants about the types of people to be purged, and the people having connections with the LON Nol regime, all of whom were for execution, such as government officials, police officers, and soldiers with the rank of adjutant upwards.<sup>800</sup> Other witnesses stated that many 17 April people, Phnom Penh evacuees, and former officials of the LON Nol regime were screened and sent to Kraing Ta Chan Security Office.<sup>801</sup>
209. People were arrested by village chiefs<sup>802</sup>, militiamen<sup>803</sup>, and messengers.<sup>804</sup> Children, women, young and old people<sup>805</sup> were arrested and sent to Kraing Ta Chan every day or once every three or five days.<sup>806</sup> The number of people sent to Kraing Ta Chan Security Office was not constant<sup>807</sup>; some times between 20 and 30 people<sup>808</sup> were arrested and sent to Kraing Ta Chan at once. A witness saw the Khmer Rouge tying up people from an ethnic minority in six lines and escorting them to Kraing Ta Chan. There were children among them.<sup>809</sup> The witness added that at that time he saw between 59 and 68 people, excluding children.<sup>810</sup> Different statements have been made about the number of detainees at Kraing Ta Chan. Some people said that there were over 200<sup>811</sup>; whereas others claimed that there were at most only 30 detainees, and these people clarified that, if the number was bigger, it may have been the number during the period of *Ta Chhên*, prior to and in 1975.<sup>812</sup> Witnesses stated that people were arrested and sent to Kraing Ta Chan prison because those people asked for cooked rice to eat<sup>813</sup>, they were against the revolution<sup>814</sup>, or they firmly refused to get married.<sup>815</sup>
210. Prisoners were interrogated, tortured<sup>816</sup>, and beaten during interrogations<sup>817</sup>; they were scolded and looked down on; and their legs were shackled.<sup>818</sup> One witness heard a chaotic noise and when he looked through the prison fences he saw them beating prisoners and forcefully opening the mouths of the prisoners who did not answer. The interrogator was the Kraing Ta Chan Security Office Vice-chairperson.<sup>819</sup>
211. A witness who was a former prisoner at Kraing Ta Chan Security Office stated that every day he saw letters written in red which were sent from upper *Angkar*

- and listed the names of those to be destroyed, and later the people whose names were written in such letters were gathered and advised “to implement the plan of *Angkar*, not to betray *Angkar* so that they would be released and sent back to their cooperatives on the condition that they had to follow the plan”. In fact, those prisoners were taken for execution.<sup>820</sup> Witness SET Yem (ស៊ែត យ៉ែម), a former prisoner at Kraing Ta Chan, stated that his child, SET Khem (ស៊ែត ខែម), who was detained with him, was taken for execution, and he was forbidden to cry.<sup>821</sup>
212. At Kraing Ta Chan Security Office, there were approximately 127 Khmer Krom prisoners, excluding children, who were sent to Kraing Ta Chan to study; however, in fact, all of them were taken for execution. First, the Khmer Rouge smashed all the parents and pushed their bodies into pits, even those who were still alive, and later they smashed and killed the children.<sup>822</sup> Other witnesses who saw the killings first hand once or twice<sup>823</sup> stated that the Khmer Krom people were not detained for a long period; they were detained for only one or two days, and then they were taken for execution, and sometimes three four, or five of them were taken for execution at a time. Some other witnesses stated that the Khmer Rouge killed between 50 and 60 or 100 people at a time.<sup>824</sup> A witness stated that the person who took the people for execution was *Ta An*, the Kraing Ta Chan Security Office chairperson, but the witness did not see how the people were killed. He only saw piles of corpses.<sup>825</sup>
213. Some witnesses stated that the leadership of Kraing Ta Chan Security Office did not have the authority to make arrests without orders from upper echelons.<sup>826</sup> They stated that those lower-level people had to follow the instructions from the upper echelons.<sup>827</sup> In general, the district received reports sent from the communes, and those reports were aimed to inform upper echelons about suspicious elements, traitorous activities of enemies, the general situation in the area, arrests of enemies, or to request instructions or decisions from upper *Angkar*.<sup>828</sup> Those arrested by the commune were sent to the district; they were further sent to Kraing Ta Chan Security Office along with the reports.<sup>829</sup> Meanwhile, the district also sent reports to the sector<sup>830</sup>, and the decisions of upper echelons. These were sent back to be implemented by *Ta An*, the Kraing Ta Chan Security Office chairperson.<sup>831</sup> *Ta An* reported to his upper echelons about the confessions of those prisoners, and all the decisions, including the decisions to continue searching for enemy networks, to continue spying on prisoners, or to destroy prisoners, were sent from the upper echelons.<sup>832</sup>
214. A witness heard from others that the chairperson, vice chairpersons, and all the militiamen at Kraing Ta Chan Security Office took all the female prisoners for execution after they raped them.<sup>833</sup> One witness stated that the Kraing Ta Chan Security Office typist<sup>834</sup> brutally killed many women from mobile units by inserting M-79 grenades inside their vaginas after he raped them.<sup>835</sup> However, other witnesses stated that, while people were killed at Kraing Ta Chan, there were no cases of rapes in the prison.<sup>836</sup> If there were such cases, the victims and the perpetrators would have been killed for committing moral offences.<sup>837</sup>

215. Witness YIN Tēng (យិន តេង) stated that the Kraing Ta Chan Security Office chairperson communicated with *Ta* Mok by sending letters through a messenger named Moeun (ម៉ឺន) (a young child).<sup>838</sup> Some witnesses stated that they saw *Ta* Mok coming to Kraing Ta Chan compound once every three to four days or each week.<sup>839</sup> However, some other witnesses who were former prison guards and former prisoners at Kraing Ta Chan stated that they neither heard of nor knew **YIM Tith** or **Ta Tith**.<sup>840</sup>

### 2.1.3. PREIL VILLAGE EXECUTION SITE

216. Preil (ព្រៃល្អ) village Execution Site was located in Prel (ព្រៃល្អ) village, Saom (សោម) commune, Kiri Vong district, Takeo province<sup>841</sup>, close to the border with Vietnam.<sup>842</sup> It was unclear when the execution site was established and closed. However, most witnesses claimed that this site was in operation in approximately late 1978. In Preil village, there was a pagoda which was surrounded by bamboo forests.<sup>843</sup>
217. *Ta* Prachnha (ប្រាជ្ញា) was in charge of the military unit there.<sup>844</sup> Some witnesses stated that Hēng (ហេង) was in charge of the Khmer Krom in Preil Pagoda.<sup>845</sup>
218. The Khmer Rouge coaxed the Khmer Krom people to come to Preil Pagoda.<sup>846</sup> The Khmer Rouge threatened to shoot to kill anyone who refused to do so.<sup>847</sup> 30 Khmer Krom people fled when they were instructed to move to Preil village.<sup>848</sup> Many witnesses stated that in late 1978, Khmer Krom people from Vietnam, including children and women<sup>849</sup>, were gathered to stay in a pagoda in Preil village.<sup>850</sup> Some of them were mobilised to join the army<sup>851</sup> in order to fight against Vietnam.<sup>852</sup> Besides the Khmer Krom people, monks were also evacuated from various pagodas to Preil Pagoda, where they were subsequently disrobed.<sup>853</sup> Young monks were sent to join the army; abbots were sent to Kampeang Kouk Prech (កំពែងគោកព្រឹច).<sup>854</sup>
219. Those Khmer Krom people were not allowed to leave Preil Pagoda.<sup>855</sup> A civil party applicant stated that any Khmer Krom people who left Preil Pagoda without permission from the Khmer Rouge would disappear, and in fact Khmer Krom soldiers also disappeared at night.<sup>856</sup> In late 1978, the Khmer Rouge killed the Khmer Krom people because they tried to flee back into Vietnam.<sup>857</sup> In addition, people, including women and children, were killed<sup>858</sup> because they could not speak Khmer well<sup>859</sup> or because their spouses had Vietnamese connections.<sup>860</sup> An eyewitness stated that the family of a Yuon wife and four children who could not speak Khmer well were all taken for execution.<sup>861</sup> Nevertheless, some witnesses stated that they were not aware of any killings.<sup>862</sup> Some witnesses only noticed that people there disappeared.<sup>863</sup>

220. A witness stated that he saw mass graves of the Khmer Krom people who had been taken for execution in Preil village, Saom commune.<sup>864</sup> More than 1,000 Khmer Krom people were smashed and pushed into the caves in the mountain.<sup>865</sup> Witness SAN Touch (សាន់ តូច), who is now living in that village, stated that in Preil village there was only one pit, which was the hole or cave in the mountain which was around 1.5 kilometres away from Preil village.<sup>866</sup>
221. According to the statements of civil party applicants, the Khmer Krom people were killed in accordance with the policy of POL Pot, and they added that they did not know nor had heard of *Ta Tith*.<sup>867</sup>

#### 2.1.4. WAT ANGKUN EXECUTION SITE

222. Wat Angkun (វត្តអង្គុណ) Execution Site was located in Prasat (ប្រាសាទ) village, Kampeang (កំពង់) commune, Kiri Vong district (district 109)<sup>868</sup>, Takeo province, Sector 13, the Southwest Zone.<sup>869</sup> Wat Angkun Execution Site was established after 1975.<sup>870</sup>
223. Wat Angkun was a small pagoda surrounded by vast rice fields.<sup>871</sup> Wat Angkun Pagoda was not a detention facility nor a killing site, but a sleeping place for male and female youth units and children's units.<sup>872</sup> Wat Angkun Execution Site was located outside the compound of Wat Angkun Pagoda, in the high ground areas and termite mounds outside Wat Agnkun Pagoda. There were many areas of termite mounds near Wat Angkun Pagoda<sup>873</sup>, with some of them located around 50 metres, 100 metres and 200 metres away from Wat Angkun Pagoda.<sup>874</sup>
224. *Ta Pos* (ប៉ូស) was the Kampeang commune cooperative chairperson in Kiri Vong district, and Chhēng (ឃឹង) was the Vice-chairperson.<sup>875</sup>
225. One witness saw many corpses at the termite mounts near Wat Angkun Pagoda.<sup>876</sup> The witness added that “there were no work sites, nor battle fields near Wat Agnkun Pagoda”.<sup>877</sup> On the contrary, some witnesses stated that some killings were carried out at Wat Angkun, and other killings were carried out at the worksites.<sup>878</sup>
226. The prisoners who were arrested and sent to Wat Angkun included educated people, those having connections with previous governments, former soldiers, and Khmer Krom people.<sup>879</sup> Many witnesses who were arrested and sent to Wat Angkun survived and returned after the collapse of the Democratic Kampuchea regime.<sup>880</sup> Some prisoners were detained at different locations, but when those prisoners were for execution, they were taken for execution at Wat Angkun Execution Site.<sup>881</sup>
227. The people staying at Wat Angkun Pagoda were required to dig ditches, and during breaks they were assigned to sing revolutionary songs to ease the

- atmosphere. Actually, one singer who, confused, unintentionally sang a foreign song was arrested and taken for execution in front of all the audience.<sup>882</sup>
228. Pits were found outside the compound of Wat Angkun Pagoda, and each pit measured around 2 metres in width and 4 metres in length.<sup>883</sup> A witness stated that he saw many mass graves of Khmer Krom people who had been taken for execution at Wat Angkun Pagoda.<sup>884</sup>
229. The Khmer Krom people who were gathered to stay at Wat Angkun Pagoda were arrested and taken for execution at termite mounds and bushes outside the compound of Wat Angkun Pagoda, with two or three of them being taken for execution in one week.<sup>885</sup>

#### 2.1.5. SLAENG VILLAGE FOREST EXECUTION SITE

230. Slaeng (ស្រែង) village was located in Kouk Prech commune, Kiri Vong district, Takeo province.<sup>886</sup> One civil party applicant stated that in Slaeng village there was a pagoda known as Wat Slaeng.<sup>887</sup> A civil party applicant stated that near Slaeng village there were mountains, forests, and many bushes<sup>888</sup>, all of which were also killing sites.<sup>889</sup> However, one witness stated that there was no forest in Slaeng village; there were only rice fields.<sup>890</sup> A civil party applicant clarified that in late 1978 Slaeng village was a meeting site of the Khmer Rouge.<sup>891</sup>
231. Witness HOK Chân (ហុក ចាន់) said that in 1975 in Slaeng village there was an underground detention facility in Wat Slaeng Pagoda; however, in 1976 that detention facility was moved to another location.<sup>892</sup> However, other civil party applicants who were arrested and sent to live in Slaeng village stated that in Slaeng village there was neither a pagoda, nor a detention centre, nor a collective dining hall. There were only school buildings.<sup>893</sup>
232. Witnesses who travelled to Slaeng village once every 10 days in order to attend meetings stated that *Ta Sokh*, (សុខ) *Ta Rou* (រូ) and *Ta Poh* (ប៉ៅ) were in charge of Wat Slaeng.<sup>894</sup> *Ta Poh* was the chief of Slaeng village and he was responsible for inspecting cooks and the people whilst they were doing their work such as ploughing and transplanting rice seedlings in rice fields.<sup>895</sup> These three people were in charge; they gathered people to attend meetings; and they allocated work to people.<sup>896</sup> Other civil party applicants stated that SÈM Khum (សែម គុម), from Vietnam, was the chairperson and was in charge at Wat Slaeng.<sup>897</sup>
233. A witness stated that in 1978 the Khmer Krom people were coaxed into coming to live in Cambodia<sup>898</sup>, and they were taken to stay in the compound of Wat Slaeng Pagoda, whereas local people lived in Slaeng village.<sup>899</sup> According to this witness, all the people who lived in Slaeng village were Khmer Krom when he arrived in 1978.<sup>900</sup> A civil party applicant stated that the Khmer Krom people were forced by the Khmer Rouge to move from Preil village to Slaeng village, after being told that the Vietnamese enemies would soon invade.<sup>901</sup> Two civil



- party applicants stated that some people were transferred from the pagoda or other locations to Slaeng village as well.<sup>902</sup> During such transfers, those people had to travel on foot<sup>903</sup> quietly and slowly and were not allowed to rest.<sup>904</sup> The journey took up to three days in some cases.<sup>905</sup> A witness stated that she, her elder brother, and two children were also transferred to Slaeng village after she lived in Kampeaeng village for approximately two or three months.<sup>906</sup>
234. A civil party applicant stated that he and between 20 and 30 other people in the same unit were assigned to stay in Wat Slaeng after the old unit were taken out of that place for an unknown reason, and the people were only told that the old unit were moved to a new location.<sup>907</sup> A witness stated that the Khmer Krom people who lived in Slaeng village in late 1977 disappeared one by one and were never seen again.<sup>908</sup> A witness who was transferred from Kampeaeng to Slaeng village stated that her two children and her elder brother were transferred by the Khmer Rouge to work in new locations and disappeared around one month after their arrival in Slaeng village.<sup>909</sup>
235. In 1978, during meetings at Wat Slaeng, the Khmer Rouge told the people in the meetings about the events in which some Khmer Krom people had fled to Vietnam and the Khmer Rouge considered those Khmer Krom people as having **“Yuon heads with Khmer bodies”**, who had for execution so that they would not dare to flee to Vietnam any more.<sup>910</sup> A witness SĂN Tauch (សាន់ តូច) stated that whilst he was building a bridge he saw the Khmer Rouge transporting Khmer Krom people in many horse carts from various villages, such as Angk Khtov (អង្គក្រវិល) village, Kampeang village, Angkun village, Kouk Prech village, and Slaeng village in Kampeaeng commune for execution in the forests in Slaeng village.<sup>911</sup>
236. If anyone made any mistake, the Khmer Rouge would take that person for execution and thrown into the existing pits in Slaeng village.<sup>912</sup> The Khmer Krom people were taken for execution and buried at various killing sites in Kiri Vong district, including the forests in Slaeng village.<sup>913</sup> According to a witness, Three Khmer Krom who tended cattle were arrested by the Khmer Rouge and sent to Wat Slaeng because those people had secretly slaughtered cattle for food.<sup>914</sup>
237. A civil party applicant stated that he witnessed the killings at Wat Slaeng, and some people died from starvation.<sup>915</sup> However, some witnesses stated that between 1975 and 1979 they did not see any killings in Slaeng village; they saw only corpses.<sup>916</sup> A civil party applicant gave a similar statement.<sup>917</sup>
238. The civil party applicant added that he saw piles of human bones behind Wat Slaeng.<sup>918</sup> A pond located west of Wat Slaeng Pagoda was full of human skulls.<sup>919</sup> Other civil party applicants stated that they came across fresh and dried human skulls whilst they were looking for their cattle.<sup>920</sup>

## 2.1.6. PREY SOKHON AND WAT ANGK SEREI MUNI EXECUTION SITE

239. Wat Angk Serei Muni (អង្គសិវីវិមុត្តិ) Pagoda or Samphli (សំភ្លី) Pagoda or Thmei (ថ្មី) Pagoda<sup>921</sup> was located in Samphli (សំភ្លី) village, Prey Khla (ព្រៃខ្លា) commune, Kaoh Andaet (កោះអណ្តែត) district (district 108), Sector 13 of the Southwest Zone.<sup>922</sup> Wat Angk Serei Muni Pagoda was located on the right side of a path leading to the north from Samphli village, Prey Khla commune towards Si Sla (ស៊ីស្លា) village, Thlea Prachum (ធ្លាប្រជុំ) commune.<sup>923</sup> During the Khmer Rouge regime, inside the compound of Wat Angk Serei Muni there was only the main Buddhist temple and a wooden school building. The compound was not surrounded by walls.<sup>924</sup> A witness stated that the two buildings were used for detaining people.<sup>925</sup> Perhaps in 1976, inside the compound of Wat Angk Serei Muni Pagoda, there was a detention facility near a Khmer Rouge military base which measured 9 metres in length and 7 metres in width.<sup>926</sup>
240. Prey Sokhon Execution Site was north of Wat Angk Serei Muni and was located between Samphli village and Si Sla village, which was approximately 2.5 kilometres away from the two villages.<sup>927</sup> During the Khmer Rouge regime, people were forbidden to enter Prey Sokhon.<sup>928</sup>
241. Wat Angk Serei Muni and Prey Sokhon execution sites were in operation from 17 April 1975 to November 1978, when the Vietnamese forces entered that area.<sup>929</sup> Wat Angk Serei Muni was a detention facility.<sup>930</sup> Prey Sokhon was a killing site.<sup>931</sup> Some witnesses stated that Prey Sokhon was a big execution site where there were many big pits for burying corpses.<sup>932</sup>
242. From 1975 through to the end of the Democratic Kampuchea regime, Wat Angk Serei Muni was under the control of Kaoh Andaet district military.<sup>933</sup> The district military used this pagoda compound as their base.<sup>934</sup>
243. Witness VORNG Nob (វង់ ណុប), who lived in Samphli village throughout the Democratic Kampuchea regime, stated that Maong (ម៉ោង), the Security Guard Chairman, decided to send the people from the school building inside the pagoda compound to the execution site.<sup>935</sup> The same witness also added that Maong held the role of Sector 108 Police Chairman.<sup>936</sup>
244. The Kaoh Andaet district Military Commander was Soeun (សៀន), who was in charge of the military base in Wat Angk Serei Muni<sup>937</sup>; however, evidence shows that Ta Ouch (តូច), alias San (សាន)<sup>938</sup>, served on the first Kaoh Andaet district Committee for two years, beginning from 17 April 1975.<sup>939</sup> Later, Soeun, alias Ov A Chhlous (ខីអាណូស)<sup>940</sup>, was promoted to serve on the district Committee until the arrival of the Vietnamese in November 1978.<sup>941</sup> The witness added that the new district Committee was announced by the Khmer

- Rouge through the village and commune chiefs.<sup>942</sup> However, other witnesses who were transferred to Tuol Kouk Srok (ត្នោតក្បាលស្រក) near Si Sla village stated that no Khmer Rouge cadres came to convene meetings in order to deliver any speech or to make any announcement. Instead, it was Khmer Rouge soldiers who did that.<sup>943</sup>
245. Other witnesses stated differently that IM Chaem<sup>944</sup> (អ៊ឹម ចែម) was in charge of the district military, and Soeun (សៀន) was the division commander who was above IM Chaem.<sup>945</sup> The witnesses added that IM Chaem was in charge of Kaoh Andaet district military from 1972 or 1973.<sup>946</sup> Other witnesses stated that Sovän (ស៊ីវណ្ណ), who was both the chairperson of a mobile unit and the chairperson of a youth unit, was in charge of the entire Kaoh Andaet district.<sup>947</sup> However, other witnesses stated that *Ta Mon* (ម៉ុន) was the military chairperson who supervised the 17 April people.<sup>948</sup>
246. The people who were transferred from Phnom Penh to Si Sla village had to travel on foot<sup>949</sup> for around five days.<sup>950</sup> Other evidence shows that the people transferred to Si Sla village and Samphli village were gathered from different places in Kaoh Andaet district; for example, Khmer Krom were transferred from Trapeang Kak (ត្រពាំងកក់) village in Thlea Prachum commune to Si Sla village, whereas the people in Si Sla village were transferred to Trapeang Kak instead.<sup>951</sup>
247. Witnesses stated that upon their arrival the evacuees were assigned by Khmer Rouge soldiers to build shelters themselves and they were divided into groups of 15 families.<sup>952</sup> Those people were assigned to work; adults were assigned to strengthen rice field dikes, and those with young children were assigned to dig termite mounds and remove rice field dikes near villages. Old people were assigned to chop *tuntrean khet* (ទន្លេខេត្ត) plants to make fertiliser, and babies were cared for by babysitters.<sup>953</sup> At that time, people were told to work hard to oppose the capitalists and the feudalists, and to be committed to produce five tons of rice per hectare.<sup>954</sup>
248. People were assigned to work day and night without rest from 4 a.m. to 7 p.m. People were allowed to take a break from 12 p.m. to 1 p.m., and at 5 p.m. for one hour.<sup>955</sup> As regards food rations, one person was given only half a can of cooked rice per day or one can of rice gruel per day.<sup>956</sup>
249. The people evacuated from Phnom Penh and Takeo were taken to stay in the compound of Wat Angk Serei Muni Pagoda, and at least 1,000 families with an average of four members, were detained in a school building and a detention hall inside the compound of Wat Angk Serei Muni.<sup>957</sup> Hundreds of families were evacuated from Takeo and Phnom Penh<sup>958</sup>; those people were of different ethnicities such as Khmer, Khmer-Chinese, and Khmer Krom; those people

- were ordinary citizens, businesspeople, government officials and soldiers of the LON Nol regime.<sup>959</sup>
250. Witnesses stated that approximately 400 families from Phnom Penh and Takeo of an average size of three to six members<sup>960</sup> and around 400 other non-Khmer Krom families were transferred to Wat Angk Serei Muni.<sup>961</sup> Other witnesses stated that many people from other villages in Kaoh Andaet district were also detained in Wat Angk Serei Muni.<sup>962</sup> However, other evidence shows that between 10 and 20 Khmer Krom families were taken by the Khmer Rouge to be temporarily detained in Wat Angk Serei Muni.<sup>963</sup>
251. One witness described how the people who were taken to be detained in Wat Angk Serei Muni were not cuffed, but those people were not allowed to move freely in the compound.<sup>964</sup> The witness added that the detention and the detention conditions of the people in Wat Angk Serei Muni were based on the decision of the security chairperson, Maong.<sup>965</sup>
252. Many witnesses stated that the Khmer Krom and 17 April people from Takeo and Phnom Penh who were detained in Wat Angk Serei Muni were taken for execution at Prey Sokhon based on the accusation that they were enemies.<sup>966</sup> All the Khmer Krom families who were detained in Wat Angk Serei Muni were taken in groups for execution at Prey Sokhon<sup>967</sup> within 10 or fewer days of their arrival until none of them remained.<sup>968</sup> Other evacuees were transferred to different villages or were accused of being enemies and were also killed like the Khmer Krom people.<sup>969</sup> Witness VORNG Nob stated that he saw soldiers walking at least 10 prisoners every day past his house towards Prey Sokhon during the two or three month period from May or June 1975.<sup>970</sup> Many prisoners who were walked to Prey Sokhon were never seen again.<sup>971</sup> One witness stated that around four months before the Vietnamese arrived, he saw the Khmer Rouge killing many men using clubs from Sangkae (សង្កែ) and Sdau (ស្តៅ) trees to smash them and then they pushed their bodies into pits at Prey Sokhon.<sup>972</sup>
253. Three witnesses saw pits at Prey Sokhon after the end of the Democratic Kampuchea regime.<sup>973</sup> A witness estimated that approximately 4,000 people were killed at Prey Sokhon.<sup>974</sup> Another witness estimated that only around 1,000 families lived at Tuol Kouk Srok and 300 families at Tuol Phum (ទួលភូមិ) when Vietnamese forces arrived in late 1978.<sup>975</sup>

#### 2.1.7. WAT KOAS KRALA SECURITY OFFICE

254. Koas Krala (គោសក្រា) Security Office was located in Koas Krala (គោសក្រា) village, Koas Krala commune, Kaos Krala district, Battambang province, Sector 1, the Northwest Zone.<sup>976</sup> This security office was located in the compound of Wat Koas Krala Pagoda<sup>977</sup>, comprising a dining hall which was used as a rice warehouse and a detention hall<sup>978</sup>, a sleeping hall for Khmer Rouge cadres, a study hall, and two detention halls.<sup>979</sup> At Koas Krala Security Office, one

- pagoda's dining hall was used as a rice mill, and a Pali study hall was used as a detention hall and the house of Khmer Rouge soldiers.<sup>980</sup>
255. Before the Democratic Kampuchea regime, Koas Krala Pagoda was used by LON Nol soldiers as their base,<sup>981</sup> which was surrounded by Khmer Rouge forces during battles.<sup>982</sup> Koas Krala Pagoda was used as a security office when the Southwest cadres arrived.<sup>983</sup> This office was operated by the Southwest cadres in late 1978 before the arrival of the Vietnamese forces.<sup>984</sup> Many witnesses clarified that this security office was established upon the arrival of the Southwest cadres,<sup>985</sup> approximately four to six months before the liberation by the Vietnamese forces.<sup>986</sup> Another witness stated that Koas Krala Security Office was in operation until late 1978.<sup>987</sup> Another witness, PEI Poeut (ប៊ី ពៀត), who was arrested and sent to Koas Krala Pagoda, stated that Koas Krala Security Office was dissolved at the end of the Khmer Rouge regime.<sup>988</sup>
256. Koas Krala Security Office was under the control of the district.<sup>989</sup> Witness SĂO Choab (សៅ ជាប់), who was a former Khmer Rouge soldier in Koas Krala district, stated that Koas Krala Security Office was under the responsibility of Phên (ហែន), who was appointed by the military, and was under the control of the district.<sup>990</sup> Witness CHHAN Launh (ឆន ឡួញ) heard from others that *Ta Yan* (យ៉ាន) was the chairperson of Koas Krala cooperative for approximately one year before he was arrested and taken for execution in 1976 or 1977.<sup>991</sup> Witness SĂO Choab stated that *Ta Yeun* (យ៉ែន) was in charge of the cooperative in Koas Krala district until 1978<sup>992</sup>, and later *Ta Kim* (គីម), a Southwest cadre, replaced *Ta Yeun* as the chairperson of Koas Krala village cooperative.<sup>993</sup> Kim (គីម) and Paong (ហៀង) issued orders to soldiers to arrest and take people to be kept at Koas Krala Pagoda.<sup>994</sup>
257. Witness SĂO Choab clarified that Koas Krala Security Office was established to detain the Northwest cadres who made mistakes.<sup>995</sup> Another witness stated that serious offenders were taken to be detained at Koas Krala Security Office.<sup>996</sup> The offenders who were arrested included the people who were considered as “traitors with Yuon heads and Khmer bodies”,<sup>997</sup> former LON Nol soldiers or teachers and their families,<sup>998</sup> as well as former Northwest cadres and their relatives.<sup>999</sup> Another witness PEI Poeut stated that her father was arrested and sent to Koas Krala Security Office after the Khmer Rouge announced that people should “select only good rice grains and good milled rice grains and remove bad grains”.<sup>1000</sup>
258. Actually, the Northwest cadres such as *Ta Yan*, who was the Koas Krala cooperative chairperson, were arrested in probably 1976 or 1977<sup>1001</sup> after the

- arrival of the Southwest cadres.<sup>1002</sup> Witness TUM Pheuy (តុំ ភើយ) saw the Southwest cadres arresting and transporting the family of the chairperson of the dining hall of Punley (ព្រៃនៃ) village, who was a Northwest cadre, and tying up other people in rows to be taken to Koas Krala Security Office.<sup>1003</sup> Other witnesses consistently stated that they saw the Northwest cadres being arrested, tied up, and escorted in lines<sup>1004</sup> of around 10 people to Koas Krala Pagoda whilst militiamen were pointing their rifles at them.<sup>1005</sup>
259. Most of the people arrested were transported on ox carts to be detained at Koas Krala Security Office.<sup>1006</sup> A witness who used to work in a mobile unit described how shortly before the arrival of the Vietnamese, he saw a couple who could not speak Khmer well, had fair complexions and had a Vietnamese appearance, transported in a cart to be kept at Koas Krala Security Office.<sup>1007</sup> Another witness who was a former cart driver stated that perhaps in June or July 1978 he was assigned by the Southwest cadres to transport four people including *Yeay Soeum* (យ៉ៃស៊ែម) and her two children, and later to transport *Ta Yat* (យ៉ាត) to Koas Krala Pagoda; however, when he reached Doun Ba (ដូនបា) Pagoda, he was stopped by soldiers, and those soldiers drove the ox cart onwards.<sup>1008</sup> Witness TUM Pheuy clarified that in late 1978 Am (អំ), the Deputy village Chief, ordered him to use an ox cart to transport the family members of *Ta Haul* (ហ្លួល) and *Ta Hi* (ហ៊ី), totalling around 12 people, to Koas Krala Pagoda.<sup>1009</sup>
260. Witness PEI Poeut, who was detained in Koas Krala Security Office, estimated that at least 200 to 300 prisoners were detained in this security office.<sup>1010</sup> Each time prisoners were killed, those prisoners were tied up by soldiers in lines of 10, and then they were walked out for execution.<sup>1011</sup> Soldiers came in to take prisoners out of the detention facilities of Koas Krala Security Office, and they returned with blood stains on their hands.<sup>1012</sup> None of the people taken to Koas Krala Security Office survived; Khmer Rouge soldiers arrested all the family members including children, and all of them were taken for execution.<sup>1013</sup> The witness added that around 100 prisoners were taken from Koas Krala Security Office for execution, and almost half<sup>1014</sup> of those prisoners were his relatives because the Southwest cadres considered his family as traitors.<sup>1015</sup>
261. Many witnesses stated that at the end of the Democratic Kampuchea regime, people discovered corpses in different stages of decomposition, human bones, and the clothes of those corpses when those people excavated pits in order to search for gold,<sup>1016</sup> and there were many pits in the compound of Koas Krala pagoda.<sup>1017</sup> The witness stated that there were around 10 pits, each of which contained approximately 20 to 30 corpses.<sup>1018</sup> The witness estimated that hundreds of corpses were discovered there.<sup>1019</sup>
262. Evidence shows that there were pits outside the pagoda compound.<sup>1020</sup> Each pit measured around 5 metres in width and around 6 metres in length,<sup>1021</sup> but other

witnesses stated that each pit measured around 3 metres in width, around 4 metres in length, and around 1 metre in depth.<sup>1022</sup> Among those pits, there were many small pits, and mass graves, and bomb craters outside the compound of Koas Krala Pagoda which were all used for burying corpses.<sup>1023</sup> In those pits, human bones and human skulls of both adults and children were found.<sup>1024</sup>

263. No witness confirmed that there were reports or orders by **Ta Tith**, or that they knew **Ta Tith** even if OCIJ mentioned his name.<sup>1025</sup>

#### 2.1.8. THIPAKDEI COOPERATIVE (INCLUDING WAT THIPAKDEI SECURITY OFFICE)

264. The security office was located in Wat Thipakdei (ធិបតី) Pagoda on the top of the mountain in Damnak Angsaeng (ដំណាក់អង្សៀង) village, Thipakdei commune, Koas Krala district, Battambang province, in Sector 1 of the Northwest Zone of Democratic Kampuchea.<sup>1026</sup> This security office was established by the Northwest cadres;<sup>1027</sup> in contrast, the detention facility was established after the arrival of the Southwest cadres in late 1977 in Phnom Thipakdei Pagoda<sup>1028</sup> and was in operation until the arrival of the Vietnamese forces.<sup>1029</sup> However, a witness living in a forest near Phnom Thipakdei believed that Phnom Thipakdei was a village, not a security office.<sup>1030</sup> Another witness who stayed at the monks' dining hall at Phnom Thipakdei did not know whether Phnom Thipakdei was a security office.<sup>1031</sup>
265. Thipakdei cooperative covered hundreds of hectares,<sup>1032</sup> bordering Châk Kâkoh (ចកកកោ) cooperative to the east, Koas Krala to the south, Keu (កើ) cooperative to the north, and Tuol Mtes (ទួលម្តៅស) to the west.<sup>1033</sup> Phnom Theipakdei cooperative covered the rice fields in Svay Sa (ស្វាយស), Cheung Tenh (ជើងទិញ), Ta Thok (តាថុក), Phnom Thipakdei, and Tuol Mtes.<sup>1034</sup> Phnom Thipakdei cooperative was under the control of Koas Krala district.<sup>1035</sup>
266. Three witnesses stated that initially the Southwest cadres worked with the Northwest cadres normally without announcing any changes; however, later the Northwest cadres<sup>1036</sup> disappeared and were replaced by the Southwest cadres.<sup>1037</sup> A witness living in Thipakdei commune clarified that the Southwest cadres arrived in early 1977.<sup>1038</sup>
267. In 1977, in perhaps February, LĒKH Phiv (លេខ ភីវ) was appointed by Ta Pet (ប៉ែត) as the of Thipakdei cooperative chairperson,<sup>1039</sup> and at that time Yeun (យ៉ែន) was the secretary of Koas Krala district.<sup>1040</sup> However, after the arrival of the Southwest cadres, Ta Son (សុន) was appointed to replace on the order of Ta

Nēn (ណែន) and *Ta* Thon (ថុន), who served on the district Committee.<sup>1041</sup> *Ta* Khloeb (ខ្លឹប), *Ta* Khoeun (ខៀន), and *Ta* Phān (ផាន) served on the commune Committee; *Ta* Yān (យ៉ាន) was a commune soldier; *Ta* Lēng (ឡេង) served on the district Committee; *Ta* Pak (ប៉ាក់) was the district Military chairperson; and *Ta* Vanh (វ៉ាញ) was the Sector 1 Secretary.<sup>1042</sup>

268. In approximately February 1977, the Thipakdei cooperative chairperson stated that the cooperative had over 30,000 people, including Phnom Penh evacuees; Cham, Chinese and Vietnamese people; and the people of other ethnicities.<sup>1043</sup> The witness added that 10 people were given three cans per meal.<sup>1044</sup> villagers did not have sufficient food, but workers were given sufficient food.<sup>1045</sup>
269. A witness who was sent to live at Phnom Thipakdei stated that the living conditions of the people there were harsh, and those people were assigned to do different work such as harvesting rice, doing rice field work, transplanting rice seedlings, and building dikes without rest,<sup>1046</sup> without sufficient food,<sup>1047</sup> and without medical treatment.<sup>1048</sup> The witness added that such conditions continued until the arrival of the Vietnamese forces.<sup>1049</sup>
270. People disappearances occurred normally in Thipakdei cooperative during the Khmer Rouge regime. In fact, a civil party applicant stated that perhaps in mid-1978, during the ploughing season, he saw that a young man in the ploughing unit was told by the Khmer Rouge to plough at other places, and he disappeared.<sup>1050</sup> A witness stated that after the arrival of the Southwest cadres, three women were taken to thresh rice in a village near Phnom Thipakdei, and the three women never returned. Based on the inference by the witness, those women were all taken for execution.<sup>1051</sup>
271. A witness stated that in late 1978, he and approximately 30 and 40 people were transferred from the flooded forests to work at Phnom Thipakdei in order to produce natural fertiliser by mixing human faeces with the soil from termite mounds and *tuntreat khet* (ទ្រុឌ្រុតខ្មែរ) plants.<sup>1052</sup> The witness added that whilst he was making natural fertiliser at Phnom Thipakdei, he was arrested and detained at Phnom Thipakdei, which was around 30 to 40 metres away from the dining hall.<sup>1053</sup> He did not know the number of the detainees there because the detainees were kept separately.<sup>1054</sup> The witness was released by the unit chairperson, Yang (យ៉ាង), who told him that all the detainees there would be taken for execution.<sup>1055</sup> Another witness stated that in late 1978 he was arrested by Southwest militiamen and sent to be detained in Phnom Thipakdei Pagoda because they considered him an enemy.<sup>1056</sup>



272. A witness who used to work in a mobile unit near Thipakdei Pagoda stated that the Northwest cadres assigned people to do hard labour and mistreated people,<sup>1057</sup> and he also saw people being arrested, and human livers being hung up.<sup>1058</sup> A witness saw prisoners' heads covered with plastic bags and their legs were shackled, and those prisoners were taken away at night and, as a result, the number of prisoners declined.<sup>1059</sup> All the remaining prisoners were released from this office before the arrival of the Southwest cadres.<sup>1060</sup> The victim was arrested and detained by the Northwest cadres; however, 10 days later the Southwest cadres released him.<sup>1061</sup> The witness further stated that around 100 prisoners, both male and female, were detained in the detention hall which was located at the foot of Phnom Thipakdei.<sup>1062</sup>
273. The prisoners in Thipakdei Security Office periodically disappeared or were killed. Witness KHIN Khien (ឃីន ឃៀន) stated that in late 1978 the prisoners there fell ill, and most of them died,<sup>1063</sup> and only few of them survived. The other prisoners were taken for execution in groups of two or three at a time. Equal numbers of new prisoners were brought in to replace the 'old' prisoners.<sup>1064</sup> The witness added that the Khmer Rouge killed those prisoners by smashing them with clubs and pushing them into the pits dug by the prisoners which were located around 500 metres from that warehouse.<sup>1065</sup> The same witness noticed that a total of around 100 prisoners were killed in a period of four months.<sup>1066</sup>
274. Witness UY Chenda (ឃុយ ចិន្ដា) stated that, in general during the Khmer Rouge regime, those who were arrested and sent to Phnom Thipakdei Security Office were killed. Many corpses were buried in one mass grave near Phnom Thipakdei.<sup>1067</sup> The witness added that more people were killed after the Southwest cadres arrived.<sup>1068</sup> He saw pits near the foot of the mountain behind Thmei village; however, he did not see corpses. He only saw the graves which had just been newly covered and smelled of those corpses.<sup>1069</sup> The witness added that all the prisoners were taken for execution behind Thmei village and all the villagers near that area were aware of the killings.<sup>1070</sup> The witness stated that most of the people who lived in Thmei village were Khmer Krom people, and the Khmer Rouge treated Khmer Krom people in the same way as other ordinary people.<sup>1071</sup>
275. Many witnesses, including Yean (យ៉ែន), who did rice field work in a mobile unit near Phnom Thipakdei, stated that they had heard of **Ta Tith**,<sup>1072</sup> but they did not know about his role. A witness clarified that he did not see any Southwest cadre visiting his worksite.<sup>1073</sup>

#### 2.1.9. KANG HORT DAM WORKSITE

276. Kang Hort (កង់អ៊ុត) or Ka Hort (កាហ៊ុត) Dam worksite<sup>1074</sup> was located in Kang Hort village, Kang Hort commune (now Kantueu Muoy (កង់ត្នើម) commune), Sangkae district, Sector 1 of the Northwest Zone.<sup>1075</sup> Some people called Kang

- Hort Dam worksite “Kang Hort Sluice Gate”.<sup>1076</sup> Kang Hort Dam worksite was established around mid-1976,<sup>1077</sup> and was operational until the collapse of the Democratic Kampuchea regime.<sup>1078</sup> Kang Hort Dam worksite was under the control of Sector 1.<sup>1079</sup>
277. Initially, *Ta Say* (សាយ) was the Sector 1 Secretary and was the first person to be in charge of Kang Hort Dam.<sup>1080</sup> The subsequent cadres to be in charge included: *Ta Vanh* (វ៉ាញ), *Ta Saman* (សាម៉ាន), *Ta Pet* (ប៉ែត), and *Ta Tith*.<sup>1081</sup> Whilst *Ta Vanh* was in charge, he stayed and worked at the 40-pillar house, located around 150 metres east of Kang Hort worksite.<sup>1082</sup> Later, *Ta Vanh* was accused of rebelling and disappeared. *Ta Pet*, alias Heng Teav (ហេង ទាវ), was in charge over there for around one year before the arrival of *Ta Tith*.<sup>1083</sup> It was suggested that under the control of *Ta Pet* people were given cooked rice to eat and not mistreated.<sup>1084</sup> *Ta Tith* stayed at Kang Hort dam and was in charge of Sector 1.<sup>1085</sup> After *Ta Tith* arrived, no cadre were changed.<sup>1086</sup>
278. Kang Hort dam was used to distribute water to almost all the important areas in Sector 1, such as Tuol Andaet (ទួលអណ្តែត), Spung (ស្បុង), Koah Savat (កោះសាវាត), and Kang Hort.<sup>1087</sup> Based on the geographical features of Kang Hort dam, east of the dam was a long canal, which was around 2 kilometres long, stretching up to Kraloeng Dom<sup>1088</sup> (ក្រឡឹងដុំ) and beyond to connect with Tuol Mtes<sup>1089</sup> and another canal extended up to Cheung Tenh.<sup>1090</sup>
279. Initially, Kang Hort dam was under the direct the authority of Northwest cadres.<sup>1091</sup> However, later they were replaced by the cadres sent from the Southwest Zone in late 1978.<sup>1092</sup> When the Southwest groups arrived, large numbers of Northwest cadres were continually arrested, including from unit chief level up to sector level cadres, and the arrests were made almost every night.<sup>1093</sup>
280. Kang Hort dam was a dam across the Sangkae river which was over 20 metres high, 70 metres wide, and 100 metres long.<sup>1094</sup> Some witnesses stated that Tuol Andaet was also a part of Kang Hort Dam worksite.<sup>1095</sup> Tuol Andaet was used as a sleeping place<sup>1096</sup> for the workers at Kang Hort Dam and for storing materials and broken machinery from Kang Hort dam.<sup>1097</sup> In approximately May 1977, a 10-metre-long<sup>1098</sup> section of the top layer of the newly built Kang Hort Dam collapsed whilst people were working downstream near the dam.<sup>1099</sup> VĂN Chea (វ៉ាន់ ជ័រ), a former mobile unit worker, stated that “around 10 to 20 workers were killed at that time ... I saw the fierce flow of water through the collapsed section of the dam. The dam collapse occurred at around 4 p.m. or 5 p.m.”<sup>1100</sup> Another witness stated that “the (Kang Hort) dam collapse occurred twice”.<sup>1101</sup>

281. At Kang Hort Dam worksite, some mobile unit workers did not have any building to stay in; thus, they used plastic sheets to build makeshift roofs to sleep under; whereas some others slept in hammocks, and some other mobile unit workers stayed in halls made from wood and zinc sheets.<sup>1102</sup> Men and women had to stay separately to avoid moral offences. Meanwhile, some mobile unit workers also stayed only around 40 metres away from Kang Hort sluice gate.<sup>1103</sup>
282. The work at Kang Hort dam was done day and night.<sup>1104</sup> Workers worked from 7 a.m. to 11 a.m., when they had lunch, and then they worked from 1 p.m. to 5 p.m., when they had dinner, and at night they worked from 7.30 p.m. to 11 p.m.<sup>1105</sup> As regards food rations, at Kang Hort Dam worksite, each worker received two meals per day, and for one meal each worker was given thick rice gruel, and for the other meal each worker was given thin watery rice gruel.<sup>1106</sup> Actually, the food rations were insufficient,<sup>1107</sup> and as a consequence many workers at this worksite died from starvation. Nevertheless, the workers at Kang Hort worksite never complained about the hardships, and if anyone dared to complain, that person would be arrested and sent to Banan Detention Centre.<sup>1108</sup> Most of the people who were arrested and sent to be detained in Banan prison died; a small number of them were released.<sup>1109</sup>
283. Many witnesses stated that many people were arrested and sent to work at Kang Hort Dam worksite.<sup>1110</sup> Whilst people were working, soldiers armed with rifles stood guard at the worksite.<sup>1111</sup> The working conditions at the site prior to and after the arrival of the Southwest cadres were not significantly different.<sup>1112</sup> In fact, at the beginning, upon the arrival of the Southwest cadres, they worked together with the Northwest cadres; however, subsequently, the Southwest groups led the Northwest groups<sup>1113</sup> because, after the arrival of the Southwest cadres, the Northwest cadres ranging from unit chief cadres to sector level cadres were continually arrested and sent to study and disappeared; only those who were believed to be useful survived.<sup>1114</sup> Even though workers at Kang Hort Dam worksite really disappeared, no witness saw killings first hand.<sup>1115</sup> The Northwest group did not like the Southwest group, and a witness stated that “*during that period, many Southwest cadres were lost because the Northwest cadres did not like them*”.<sup>1116</sup>
284. After the arrival of the Southwest cadres, the Northwest cadres gradually disappeared; they were often arrested and taken away in lines at night.<sup>1117</sup> Meanwhile, a witness stated that all those who were arrested and escorted away were probably killed because he saw corpses near a termite mound in a forest whilst he was looking for firewood, and those corpses belonged to both men, women, and children, and the hands of some corpses were tied up.<sup>1118</sup>
285. If a person was lazy, they would be reported to the 50-member unit and that the unit would report to the 100-member unit which would report to another upper level and then they received orders which they would implement.<sup>1119</sup> A witness described an instruction given to those committing mistakes, “*if you fall ill, you must inform us that you have fallen ill, and if you wish to visit your family, you must ask for permission from your chairperson in advance.*”<sup>1120</sup> If anyone dared to visit her family secretly and was discovered by *Angkar*, that person would be

- taken for execution.<sup>1121</sup> Another witness who was a former unit chairperson at Kang Hort dam stated that “*sometimes, mobile unit workers needed to take milled rice or cooked rice to their parents, and they asked for permission from us, and we provided permission upon their request*”.<sup>1122</sup> If a person frequently fell ill, that person was considered as an enemy; however, that person was not arrested, they were just advised and educated to refashion themselves and to work hard for *Angkar*.<sup>1123</sup>
286. There was no specific data about the number of workers at Kang Hort dam; however, some witnesses stated that thousands of people worked at Kang Hort dam,<sup>1124</sup> and others stated that tens of thousands of people worked there.<sup>1125</sup> The workers who participated in building Kang Hort dam included the members of adult units, male and female youth units, and children's units.<sup>1126</sup> Members of absolute units also worked at the dam worksite; absolute units were different from normal mobile units in that “*absolute units had to complete the work that they were assigned to do*”<sup>1127</sup>. In addition, absolute units had the authority to arrest any mobile unit workers who committed mistakes.<sup>1128</sup>
287. Between 1977 and 1978, at Kang Hort Dam worksite, Khmer Krom were also killed. According to the estimate by a witness, around two to three Khmer Krom people were taken for execution almost every day.<sup>1129</sup> In late 1978, approximately three months prior to the collapse of the Democratic Kampuchea regime, people were arrested and detained at the 40-pillar house near Kang Hort Dam and such arrests continued on a full scale.<sup>1130</sup> In some cases, when a young man talked to a girl, that could lead to an arrest and killing on the pretext of committing a moral offence.<sup>1131</sup>
288. As regards the young people working at Kang Hort dam, if at night they were requested to attend meetings or to study, they were never seen again.<sup>1132</sup> Even though the Democratic Kampuchea regime was on the brink of collapse, the killings at Kang Hort Dam worksite continued.<sup>1133</sup> In some cases, if they caught a person stealing food such as picking oranges, that person was sent to dig around 30 pits before that person was released.<sup>1134</sup>
289. Shortly after **Ta Tith** came to Kang Hort Dam worksite, *Ta Prum* (ប្រុំ) was arrested. Witness CHHOEUN Bean (ឈឿន ហ៊ុន) stated that “two weeks after **Ta Tith** was in power, *Ta Prum* was arrested”.<sup>1135</sup> Later, in August or September 1977, in a meeting **Ta Tith** introduced himself as the Sector 1 Committee chairperson.<sup>1136</sup> In a meeting at Kang Hort Dam worksite attended by around 800 people, village chairpersons, commune chairpersons, and district chairpersons, an announcement was made about the presence of **Ta Tith** and his role to help lead Sector 1.<sup>1137</sup> **Ta Tith** also spoke about encouraging people and about the attacks by hidden enemies.<sup>1138</sup>
290. According to a witness, **Ta Tith** came to take charge of Kang Hort Dam worksite in November or December 1977.<sup>1139</sup> Several witnesses stated that **Ta Tith** came to inspect Kang Hort Dam worksite.<sup>1140</sup> Under **Ta Tith**'s tenure, a witness estimated that around 70 percent of all the people in villages died from

- starvation and illness.<sup>1141</sup> On the contrary, a witness who was a former worker at Kang Hort dam stated that “we had sufficient food and they also fed us well”.<sup>1142</sup>
291. Many witnesses who worked at Kang Hort Dam said that they neither saw nor knew **Ta Tith**.<sup>1143</sup> At the same time, some other witnesses claimed that **Ta Tith** was gentle.<sup>1144</sup> Whilst **Ta Tith** was there, they did not see any arrests.<sup>1145</sup> Even when the regime was about to collapse, **Ta Tith** continued to encourage people to work hard to build dams and grow rice in order to develop the country in order “to prevent enemies from attacking or starving us”.<sup>1146</sup>
292. Witness CHHOEUN Bean stated, “I saw **Ta Tith** inspecting the work (at Kang Hort Dam worksite) at that time, and sometimes, he walked to inspect the work with Ta Mok, who visited once in a while”.<sup>1147</sup> As regards the presence of **Ta Tith** at Kang Hort Dam worksite, witness CHHOEUN Bean added, “as regards the number of visits, it was countless because he inspected the work at Kang Hort Dam worksite every day”.<sup>1148</sup>

#### 2.1.10. BANAN SECURITY OFFICE

293. Banan (បាណន់) Security Office was located in Chhay Rompoat (ឆាយរំពាក់) village, Kanteu Pir (កង្កើត) commune, Sangkae district, Battambang province, Sector 1 of the Northwest Zone.<sup>1149</sup> Banan Security Office was surrounded with barbed wire, located outside the compound of Banan Krom (បាណន់ក្រោម) Pagoda, and right in front of the path down from Banan temple.<sup>1150</sup> Initially, the location of Banan Security Office was the police office during the Khmer Republic regime.<sup>1151</sup> Banan Security Office was established in 1975 and was operational until mid-1978.<sup>1152</sup> It was a district-level security office.<sup>1153</sup>
294. According to witness testimonies, initially Banan Security Office was under the control of the district military,<sup>1154</sup> however, in 1978, this security office was placed under the control of the sector.<sup>1155</sup> Witness CHHEANG Hea (ឈាង ហ៊ឹម), a former bodyguard of **Ta Pet**, said that he heard that Banan district Security Office was changed into a sector-level security office after the arrival of the Southwest cadres.<sup>1156</sup>
295. Inside the compound of Banan Security Office, there were four buildings: three detention buildings and one interrogation building.<sup>1157</sup> The offenders at Banan Security Office were classified into two categories: light offenders and serious offenders.<sup>1158</sup> Light offenders were detained in a long hall with a roof of zinc sheets measuring around 5 metres in width and around 10 metres in length. Serious offenders were detained in an underground prison measuring around 3 metres in width and 4 metres in length, and those offenders never saw sunlight.<sup>1159</sup> The interrogation hall, including its walls and roof, was fully covered with zinc sheets, measured around 3 metres in width and 6 metres length, and was located around 30 metres away from the detention hall.<sup>1160</sup>

- Around 1 kilometre away from the foot of Phnom Banan there was a killing site.<sup>1161</sup>
296. The conditions for detainees at Banan Security Office were not sanitary at all, and there was not even a toilet.<sup>1162</sup> When detainees needed to relieve themselves, they had to defecate into metal boxes or buckets, and took the faeces to be dumped nearby, which created an overpowering stink.<sup>1163</sup>
297. The prisoners at Banan Security Office included former government officials, soldiers, and cadres of the Northwest Zone.<sup>1164</sup> Witness VOR Ruom (វ៉ែន រួម), a former guard at Banan security office, stated that the security office held four types of prisoners: (1) those who fled from various provinces, (2) those who committed moral offences, (3) those who stole potatoes, chickens and ducks, and (4) serious offenders who had connections with LON Nol soldiers.<sup>1165</sup>
298. There were both male and female prisoners at this security office, but they were detained separately.<sup>1166</sup> The workers at Kang Hort Dam who made mistakes were arrested and sent to Banan security office as well.<sup>1167</sup> As regards the killings at Banan, even inside the moats of Phnom Banan, many people were killed over there.<sup>1168</sup> There were between 50 and 350 prisoners.<sup>1169</sup> Most of the prisoners at Banan Security Office were adults who had been arrested and sent to this security office.<sup>1170</sup> The prisoners at Banan were arrested and brought into this security office almost every day.<sup>1171</sup>
299. The food rations for detainees were insufficient. Prisoners were given watery rice gruel two times per day, in the morning and in the evening, but they were given no food at night.<sup>1172</sup> The prisoners at Banan Security Office were mistreated and tortured, being given nothing to eat but potato plants.<sup>1173</sup> In sum, the food rations for the prisoners at Banan consisted of only milled rice mixed with unboiled water and rotten vegetables, and watery rice gruel with potato plants.<sup>1174</sup> In addition, sometimes the Khmer Rouge gave only watery rice gruel and they added rotten vegetables which contained worms.<sup>1175</sup>
300. Prisoners were shackled around their legs to tether them to one place.<sup>1176</sup> Prisoners were tortured in many ways; for example, they were beaten with clubs and their heads were covered with plastic bags to be suffocated before they were interrogated.<sup>1177</sup> It was estimated that hundreds of prisoners in this security office were placed in leg shackles.<sup>1178</sup>
301. When the upper echelons visited the security office, they told the prisoners to lie down, not to sit or to talk to one another, and if any prisoner did not follow the orders, that prisoner was tortured by being beaten with clubs or bike locks.<sup>1179</sup> The prisoners at Banan were interrogated once per week.<sup>1180</sup> Some prisoners were also released; however, those prisoners were required to swear that they would not take revenge.<sup>1181</sup>
302. Many people were considered as offenders and were detained and killed at Banan security office.<sup>1182</sup> Mostly, the killings at Banan Security Office were conducted at night with the people being transported away on horse carts and

- trucks with their hands cuffed.<sup>1183</sup> Mostly they killed people by using axes (to cut their throats), bayonets, and hoes.<sup>1184</sup> In addition, many detainees at Banan died from starvation.<sup>1185</sup> Witness testimonies show that under the control of the Northwest cadres many female prisoners were raped before being killed; however, after the arrival of the Southwest cadres, the discipline was strengthened; if they knew that anyone or any group committed such acts, they would be taken for execution.<sup>1186</sup>
303. When the Khmer Rouge took the prisoners at Banan Security Office for execution, they tied up those prisoners in lines and escorted them out of Banan Security Office and those prisoners disappeared.<sup>1187</sup> At times, prisoners were taken for execution almost every day.<sup>1188</sup> On the contrary, witness VOR Ruom stated that there were no killings at Banan Prison, but prisoners died from starvation.<sup>1189</sup> Actually, many corpses were seen north of Phnom Banan because those corpses were left scattered on the ground without being buried.<sup>1190</sup> Because of such a situation, some prisoners at Wat Banan Security Office were required to work with their hands cuffed and to take part in carrying the corpses of the prisoners who had just been killed to be properly buried.<sup>1191</sup> As regards the killings at Banan Security Office, after the collapse of the Democratic Kampuchea regime, many human bones and skulls were left scattered around Wat Banan Pagoda.<sup>1192</sup>
304. In early 1977, there was an incident in which 12 serious offenders fled the security office; however, only two of them were recaptured and were taken for execution.<sup>1193</sup> Later, in mid-1978, the killings at Banan Security Office increased dramatically.<sup>1194</sup>

#### 2.1.11. KHNANG KOU SECURITY OFFICE

305. Khnang Kou (ខ្នងក្បូ) Security Office or Khnang Kou Prison was located in Banan village, Kanteu Pir commune, Sangkae district, Battambang province.<sup>1195</sup> This security office was located east of Sangkae river, and was on the other side of the river, opposite Banan Security Office.<sup>1196</sup> Khnang Kou Security Office was around 40 to 50 metres away from the bridge across the river.<sup>1197</sup> This security office was around 30 kilometres south of Battambang town.<sup>1198</sup>
306. Khnang Kou Security Office was 100 metres long, in an east-west direction, and 60 metres to 70 metres wide, in a north-south direction, and the compound of this security office was surrounded with bamboo fences.<sup>1199</sup> People could enter the compound through those fences; however, no-one dared to get close to that place, and the bamboo fences were around 1.5 metres high.<sup>1200</sup> Inside the compound of this office, there was a detention building which was around 30 to 50 metres in length, in an east-west direction, and around 15 to 20 metres in width, in a north-south direction.<sup>1201</sup> The detention hall was a wooden building with a roof of zinc sheets; its floor was covered with floor sheets; and its doors were at the eastern and western ends of the hall.<sup>1202</sup> In addition, there was a dining hall,<sup>1203</sup> a milled rice warehouse,<sup>1204</sup> an office house,<sup>1205</sup> a sleeping hall for guards, and an interrogation hall.<sup>1206</sup> Evidence shows that outside the compound of Khnang Kou Security Office was an execution site known as Kou

- Kandal (គូរកណ្តាល) which comprised of two killing sites,<sup>1207</sup> and there were two other execution sites west of Khnang Kou prison.<sup>1208</sup>
307. Khnang Kou Security Office was established probably in mid-1976<sup>1209</sup> or in 1977.<sup>1210</sup> This security office was established because Banan Prison was moved to this location during the tenure of the Northwest cadres.<sup>1211</sup> Nevertheless, some witnesses stated that Khnang Kou Security Office was established after the arrival of the Southwest cadres in late 1977<sup>1212</sup> or in mid-1978, and at that time the prisoners at Banan Security Office were transferred across the river to be kept at Khnang Kou, which was on the eastern side of Sangkae river.<sup>1213</sup> This security office was operational until the end of the Democratic Kampuchea regime.<sup>1214</sup>
308. Khnang Kou Security Office was under the control of the district,<sup>1215</sup> and later this security office was placed under the control of the sector.<sup>1216</sup> The different justifications for the claim that this prison was a sector-level security office include the fact that sector cadres came to take charge and district soldiers were transferred away,<sup>1217</sup> or many people were detained in that prison,<sup>1218</sup> or prisoners were brought in from different areas in the sector.<sup>1219</sup> Witness PHOEUK Lam (ហៀក ឡាម), a former prisoner at Khnang Kou Security Office, stated that Suom (ស្នួម) was the Khnang Kou Security Office chairperson.<sup>1220</sup> Another witness CHHOEUNG Bean, who used to be in the same military unit with Suom, stated that Suom was the Khnang Kou Security Office Vice-chairperson; however, the witness did not remember the name of the chairperson of Khnang Kou even though Suom told the witness the name of his chairperson.<sup>1221</sup> The Security Office Interrogator was Soeun<sup>1222</sup> (សៀន), and most of the arrests were made by militiamen.<sup>1223</sup>
309. Witness VOR Ruom clarified that Khnang Kou Security Office was larger than Banan Prison, and there were both farmers and offenders and young babies aged from 1 month to 10 years old who were brought in with their parents.<sup>1224</sup> There were four types of offenders: the offenders who fled from other provinces, the offenders who committed moral offences, the offenders who stole food, and former soldiers of the LON Nol regime.<sup>1225</sup>
310. Khnang Kou Security Office could hold between 100 to 200 prisoners<sup>1226</sup> who were Northwest cadres,<sup>1227</sup> local people from Tuol Mtes cooperative in Sector 1,<sup>1228</sup> farmers from Kdaong (ក្តោង) cooperative in Sector 3,<sup>1229</sup> as well as Vietnamese people from Banan district.<sup>1230</sup> Actually, witness PHOEUK Lam, a former prisoner at this security office, described how from mid-1978 to late 1978 militiamen from Banan district gathered and arrested all the Vietnamese families in all the villages in Chheu Teal (ឈើទាល) commune, Banan district.<sup>1231</sup> Another witness stated that he saw prisoners being transferred from Banan Prison across the river to be kept at Khnang Kou.<sup>1232</sup>



311. The prisoners in this security office were shackled by their legs,<sup>1233</sup> and male and female prisoners were detained separately, being separated by walls made from sacks.<sup>1234</sup> Prisoners were tortured every day<sup>1235</sup> by being beaten and being forced to do hard labour<sup>1236</sup> or being beaten during interrogations to confess about their actions; some prisoners were beaten until they died.<sup>1237</sup> Witness KIM Chat (គឹម ចាត), a former prisoner at Khnang Kou Security Office, stated that prisoners were tortured. With their heads and faces being covered with plastic bags, they were beaten until they fainted, and when regaining consciousness, those prisoners were taken to be interrogated.<sup>1238</sup>
312. Prisoners were forced to work from 8 a.m. until a lunch break and resumed working from 1 p.m. to 5 p.m.<sup>1239</sup> However, the food rations for prisoners were insufficient as they were given only watery rice gruel mixed with salt; whereas the food rations for the guards at the detention centre consisted of cooked rice, beef or pork.<sup>1240</sup> Some prisoners were so hungry that they picked up the skins of cassava that had been thrown away to eat.<sup>1241</sup> Ill prisoners did not receive any medical treatment.<sup>1242</sup> This caused many prisoners to die in the detention centre.<sup>1243</sup> Witness PHOEUK Lam added that she was arrested and detained in Khnang Kou Security Office from when she was two months pregnant until she gave birth to her child.<sup>1244</sup>
313. Evidence shows that the Khmer Rouge took prisoners for execution once every two to three days, and subsequently new prisoners were brought into this security office.<sup>1245</sup> A witness stated that he had heard that people were arrested and sent there; however, those people were never seen again.<sup>1246</sup>
314. The witness added that perhaps prior to the arrival of the Vietnamese, she saw over 30 prisoners being escorted out of Khnang Kou Security Office for execution in rice fields near this security office.<sup>1247</sup> The witness added two days later she saw the corpses of those prisoners lying in a circle in the rice fields where the prisoners had been taken for execution.<sup>1248</sup>
315. Witness VY Phăn (វី ផាន់) stated that shortly before the arrival of the Vietnamese forces, around 60 prisoners at Khnang Kou Security Office were taken by the Khmer Rouge for execution at a pond nearby.<sup>1249</sup> The witness added that among those prisoners only one man survived; all the corpses were cremated by the people.<sup>1250</sup> The witness was aware of the killings of those prisoners because of the order from Phan (ផាន់), who served on the Kanteu Pir commune Committee, to the security office personnel to take all the prisoners for execution.<sup>1251</sup>
316. Three witnesses stated that when the Vietnamese arrived in Battambang many prisoners at Khnang Kou Security Office were taken for execution at Kou Kandal.<sup>1252</sup> The witnesses added that there were four sites where prisoners were taken for execution, with three sites located at Kou Kandal, which was located around 600 (six hundred) metres east of Khnang Kou prison, and two other sites in the west.<sup>1253</sup>

317. One witness who lived near Khnang Kou probably in 1976 or 1977 stated that he had heard that people were arrested and sent there, but they were never seen again; this implied that those people were killed and he did not know how those people were killed; however, because he had never heard gun shots, those people might have been killed with hoes.<sup>1254</sup> The witness stated that some prisoners died from starvation and illness because it was very hot inside the detention centre.<sup>1255</sup>
318. The witness stated that there were many pits near the prison compound, with each pit containing three to five corpses.<sup>1256</sup> In addition, some witnesses saw piles of corpses outside the security office compound, which were approximately between 200 to 600 metres away.<sup>1257</sup> Some piles contained hundreds of corpses lying on one another, some other piles contained four to five corpses, and some other piles contained 10 corpses lying on one another.<sup>1258</sup> Witness SUM Voeut (ស៊ុំ វៀត) added that most of the corpses were adults, both male and female, and only a few were children.<sup>1259</sup> Witness HIM Chhongly (ហ៊ឹម ឆុងលី) believed that all those corpses were taken out of Khnang Kou Security Office, and he noticed that those corpses were not killed with bullets.<sup>1260</sup> The witness noticed that the throats of some corpses were cut, and the heads of some others were beaten from behind.<sup>1261</sup>
319. The witness estimated that around 200 corpses were found at all the four killing sites, and those corpses were left over there.<sup>1262</sup> The witness added that he did not see the killings first hand, and he knew about this because he was assigned to burn the clothes of those corpses and was told by the people living near the killing sites.<sup>1263</sup>
320. Witness PHEOUK Lam stated that no females were raped there.<sup>1264</sup> One witness stated that he did not know nor see what happened at Khnang Kou Security Office.<sup>1265</sup> Another witness who was a former wood transporting truck driver stated that he transported a disabled person who could not work from Banan Prison, but he did not know the whereabouts of Khnang Kou Prison.<sup>1266</sup> Witness PREN An (ព្រីន អន) was told by others that Khnang Kou was a prison, but he himself never saw people being sent to Khnang Kou Prison.<sup>1267</sup>

#### 2.1.12. KAMPONG KOL SUGAR FACTORY WORKSITE

321. Kampong Kol (កំពង់គុល) Sugar Factory worksite was located in Tamiek (តាមៀក) village, Kampong Kol (កំពង់គុល) commune (current Chaeng Mean Chey (ចែងមានជ័យ) commune), Banan district (current Sangkae district), Battambang province, in Sector 1 of the Democratic Kampuchea regime;<sup>1268</sup> this factory was a sugar-producing location and was established by the Northwest cadres and was operational until the collapse of the regime in 1979.<sup>1269</sup>

322. Located in an area of around 1 kilometre square,<sup>1270</sup> this factory was around 100 metres to 150 metres<sup>1271</sup> or 200 metres<sup>1272</sup> long, comprising a house for guards; an administrative building measuring 15 metres by 20 metres; a generator building where two generators were kept which measured 15 by 30 metres; a building housing sugar cane squeezing machines and a garage which measured 50 square metres; a lathe workshop measuring 15 metres by 20 metres; a sugar mill measuring 15 metres by 20 metres; a sugar warehouse measuring 40 metres by 20 metres; a machinery warehouse measuring 40 metres by 20 metres; truck scales; huts; a water reservoir;<sup>1273</sup> and four houses for workers and Chinese technical advisers, each of which measured 15 by 20 metres.<sup>1274</sup>
323. Witness LIM Tim (លីម ទឹម), a former guard at Kampong Kol sugar factory, stated that initially Kampong Kol sugar factory was under the control of the Northwest cadres who held the following roles on the factory's committee: *Ta Met* (ម៉ែត) was the factory chairperson, *Ta Nob* (ណុប) was the vice chairperson, and *Ta Bav* (បាវ) was a member.<sup>1275</sup> *Ta Met*, *Ta Nob*, and *Ta Bav* were arrested by *Ta Mok*'s group and disappeared in mid-1978.<sup>1276</sup> *Ta Yan* (យ៉ាន) became the factory chairperson, and *Yeay Sari* (សារី), a Southwest cadre, became the vice-chairperson.<sup>1277</sup> The witness added that a few days later *Ta Yan* was also arrested, being accused of betrayal,<sup>1278</sup> and *Yeay Sari* continued to hold the position of vice-chairperson.<sup>1279</sup> *Aeng* (អៀង) and *Phin* (ភិន) replaced *Ta Yan* only a few months before the Vietnamese arrived.<sup>1280</sup>
324. A former guard in the factory stated that Kampong Kol factory was probably under the control of the Centre of the Party, not under the control of the sector.<sup>1281</sup> This is because when there were meetings, *Ta Mok* from the Centre and *Ta Sien* (សៀន) from the zone also attended the meetings.<sup>1282</sup> He further stated that he did not see cadres from the sector attending the meetings.<sup>1283</sup> Besides *Ta Mok* and *Ta Sien*, *Aeng* and *Phin*, who came with *Ta Mok*, also attended the meetings, but their roles were not known.<sup>1284</sup> A witness stated that when *Ta Mok* did not visit the factory, *Aeng* visited the factory on *Ta Mok*'s behalf.<sup>1285</sup> He added that each time *Aeng* came to visit, sometimes he stayed there for two or three nights before going back to Battambang.<sup>1286</sup> The witness stated that he had heard of **Ta Tith** in a meeting in Battambang, but he never saw **Ta Tith** after *Ta Mok* came to the factory.<sup>1287</sup>
325. This factory had a total of around 100 workers, who were divided into four or five groups.<sup>1288</sup> A witness who used to be a worker at Kampong Kol factory from 1976 to 1979 stated that the factory was operational 24 hours per day. In case of urgent work, workers had to work throughout the night.<sup>1289</sup> Another worker stated that workers began working from 5 p.m. to 8 p.m., and workers had to work and eat simultaneously without a break because *Angkar* rushed to meet the plan of producing between three and five tons of sugar.<sup>1290</sup> The same witness stated that if a worker committed a mistake at daytime, that worker was

- taken away that night.<sup>1291</sup> A witness who was a worker at this factory from 1976 observed that many people disappeared from the factory.<sup>1292</sup>
326. Witness KHAY Chhauy (ខាយ ឆ្មាយ), who was a worker at the factory probably in late 1976, stated that prior to 1978 people were arrested once in a while; however, after 1978 people were arrested very frequently.<sup>1293</sup> The witness further stated that after 1978, people were arrested once every two or three days, and on one occasion, people were arrested and kept at the administration building<sup>1294</sup> and he was assigned to guard those people.<sup>1295</sup>
327. A witness who was a worker at Kampong Kol sugar factory in probably late 1976 stated that *Ta* Kuon (គួន) and his family, who were Khmer Krom, were taken away by Southwest cadres led by *Yeay* Sari and disappeared.<sup>1296</sup> The witness added that many male workers were arrested and taken away, and their wives remained at their work places,<sup>1297</sup> and later those wives were gathered and taken to live in a village known as “Phum Memay” (widows' village).<sup>1298</sup>
328. The witness stated that around three months before the arrival of the Vietnamese, around 30 Khmer Krom and Vietnamese people were gathered in a hall measuring 8 metres by 30 metres, located next to the house which he guarded for one or two nights.<sup>1299</sup> The witness added that the Khmer Rouge arrested those Khmer Krom and Vietnamese people because they considered those people as “having Yuon connections”,<sup>1300</sup> and those people could be identified because they had fair complexions and spoke Khmer with Vietnamese accents.<sup>1301</sup> The arrests occurred after the witness attended a meeting in Battambang probably in March 1978, when *Ta Tith* was announced as the Northwest Zone Secretary,<sup>1302</sup> and later probably in mid-1978, *Ta Mok* came to visit Kampong Kol sugar factory.<sup>1303</sup>
329. Those Khmer Krom and Vietnamese were transported away in trucks, and when those trucks returned, only clothes were seen inside those trucks.<sup>1304</sup> The witness believed that those Khmer Krom and Vietnamese people were arrested and taken to do rice field work at Boeng Trav (បឹងត្រាវ); however, he heard from soldiers that all those people had been transported for execution.<sup>1305</sup>
330. A civil party applicant SAM Lēng (សំ ឡេង) clarified that he saw corpses and clothes around 500 metres away from the factory.<sup>1306</sup> He added that some of those corpses had just been killed and some others had been killed long ago, and those copses were piled up in a state of severe decomposition, and there was an overpowering stink.<sup>1307</sup> The witness stated that there were around 20 to 30 corpses at each site, and the corpses belonged to both children and adults.<sup>1308</sup> A worker said that when he fled the factory in January or February 1978, he saw a pile of 20 to 30 corpses in a rice field which was 500 metres away from the factory.<sup>1309</sup>
331. The two workers above provided similar statements, with one of them stating that he saw a forced marriage ceremony in which 10 couples were married in

this factory, and Yan (យ៉ាន) made the announcement during the ceremony and those couples were led to their respective rooms, which were guarded by militiamen on the wedding night. The other worker said that at least 10 couples were forced to get married, and the chairperson of the factory chaired the wedding, and such forced marriages began from 1976 until the collapse of the Khmer Rouge regime.<sup>1310</sup>

332. A witness who worked in the zone military fishing unit during the period of the Northwest's control heard from zone soldiers that **Ta Tith** personally led forces to inspect the situation at Kampong Kol factory and assigned Yan to be in charge of the factory.<sup>1311</sup> Another witness who was a worker at this factory stated that he had heard of **Ta Tith**, but he never saw him, nor knew about his role.<sup>1312</sup> Witness LIM Tim, a former guard protecting the Chinese at that factory, clarified that prior to the arrest of *Ta Yan* in 1978, in a meeting at Battambang University which was attended by around 200 guards and soldiers, **Ta Tith** was introduced as the Northwest Zone Committee.<sup>1313</sup> At that time, **Ta Tith** said that the Southwest cadres had come to protect the factory to prevent the Yuon from coming to burn down the factory.<sup>1314</sup> The witness added that **Ta Tith** never visited Kampong Kol factory; only *Ta Mok* did.<sup>1315</sup>

#### 2.1.13. FORCED MARRIAGES IN SAMLOUT DISTRICT

333. Samlout (សំឡូត) district was located in Sector 1 of the Northwest Zone.<sup>1316</sup> According to the testimonies of two witnesses, forced marriages occurred in Samlout district.<sup>1317</sup>
334. A witness who was a disabled soldier from Takeo got married in a wedding ceremony held on 20 August 1978.<sup>1318</sup> A female witness stated that on 20 August 1978 she was also forced to marry a disabled soldier.<sup>1319</sup> The witness also clarified that at the end of the Khmer Rouge regime many forced marriages were held.<sup>1320</sup>
335. One of the purposes of forced marriages was to provide incentives for the disabled cadres from the east, Kampong Chhnang, the Southwest Zone or Takeo province.<sup>1321</sup> Those who got married were not aware of the ceremonies in advance,<sup>1322</sup> and even *Yeay Lēng*, who was the secretary of Samlout district,<sup>1323</sup> did not know in advance that she had to get married at that time either.<sup>1324</sup> Some women did not love their future husbands.<sup>1325</sup>
336. *Ta Mok* called cadres to attend a meeting and told them not to go anywhere on that day but to bathe because in the afternoon he had arranged marriages for them.<sup>1326</sup> Another witness said that *Ta Mok* arranged marriages for the disabled and told the disabled to point at any women whom they liked,<sup>1327</sup> and *Ta Mok* used a club to point at the man and the woman who had to marry each other.<sup>1328</sup>
337. The ceremony was held in the old Samlout district office at 2 p.m.<sup>1329</sup> for 40 combatants; however, only 38 combatants got married because two women fled from the ceremony.<sup>1330</sup> The witness added that the two women were not arrested

- nor mistreated because *Ta Mok* ordered not to harm them because they were too young.<sup>1331</sup>
338. Before the ceremony, the witness saw **Ta Tith** talking with *Ta Mok* but did not know about the contents of their discussion.<sup>1332</sup> *Ta Mok* attended the wedding ceremony on 20 August 1978.<sup>1333</sup> *Ta Mok* ordered **Ta Tith** to transport beds, mosquito nets, and hammocks to be distributed to the disabled who had just got married, and three days later **Ta Tith** implemented *Ta Mok*'s order by signing a letter listing these pieces of equipment with a phrase '*From Sector 1 Committee, Tith*'.<sup>1334</sup>
339. The wedding ceremony was comprised of six stages: in the first stage, the participants had to stand for the Party's flag for three minutes in front of a big banner bearing the phrase '*Wedding Ceremony*'.<sup>1335</sup> In the second stage, the master of ceremonies commenced the ceremony by announcing that the participants had reached the marriage age. The master of ceremonies was *Yeay Lēng*, the secretary of Samlout district.<sup>1336</sup> In the third stage, *Ta Mok* announced the names of the couples, calling out the names of one couple at a time.<sup>1337</sup> In the fourth stage, **Ta Tith**, in the capacity of Sector 1 representative, gave advice to newly married couples;<sup>1338</sup> **Ta Tith** told the newlyweds to love their spouses, to be united, and to work hard to increase agricultural production.<sup>1339</sup> In the fifth stage, the newly married couples stood up to make their vows, and in the sixth stage, *Yeay Lēng* announced closing the ceremony,<sup>1340</sup> with all the participants standing quietly for the Party's flag for three minutes.<sup>1341</sup> There was no reception for that wedding ceremony. At the end of the ceremony, *Ta Mok* said, "Comrade **Tith**, the Sector Chairman, please speak to the newly married couples".<sup>1342</sup>
340. The witness did not know whether the Khmer Rouge spied on the newly married couples.<sup>1343</sup> Another witness stated that 'no one spied on us'.<sup>1344</sup>

#### 2.1.14. PHUM VEAL SECURITY OFFICE

341. Phum Veal (ភូមិវាល) Security Office was located in Ta Lou (តាឡូ ឬ តាលោ) commune, Bakan district, Pursat province.<sup>1345</sup> At Phum Veal, many pits were dug in the middle of rice fields.<sup>1346</sup>
342. Many Khmer Krom people were arrested, detained, tortured, and interrogated in order to discover whether they were Vietnamese.<sup>1347</sup> A witness who was detained there stated that he was arrested and detained by the Khmer Rouge without any reason, and *Ta Vanh* (វ៉ាញ), Khmer Krom, and Vietnamese people were arrested and taken to Phum Veal Prison because Khmer Krom were considered as having "Yuon heads and Khmer bodies".<sup>1348</sup> Phum Veal Security Office was guarded by soldiers.<sup>1349</sup>

343. A witness stated that Khmer Krom prisoners were killed, especially at night, and their corpses were pushed into pits.<sup>1350</sup> However, the witness did not see the killings first hand, but saw the water which had turned red and saw corpses.<sup>1351</sup>
344. Many witnesses mentioned the involvement of *Ta* Mok, but no witness mentioned the involvement of *Ta* Tith. There are many written records of witness statements about Phum Veal Security Office; however, among those written witness interviews, none of the statements show the involvement of *Ta* Tith.<sup>1352</sup>

#### 2.1.15. SVAY CHRUM SECURITY OFFICE

345. Svay Chrum (ស្វាយជ្រំ) Security Office was located in Svay Chrum (ស្វាយជ្រំ) village, Boeng Bat Kandal (បឹងបាតកណ្តាល) commune, Kdat (ក្តាត) district (Bakan district), Sector 2 of the Northwest Zone.<sup>1353</sup> A witness stated that initially this prison was known as Trapeang Chong (ត្រពាំងជង).<sup>1354</sup> Others called it Thkoul (ថ្កល) Security Office<sup>1355</sup> or *Ta* Khin (តាឃីន) Office.<sup>1356</sup>
346. A witness also showed the location of Prey Pheak (ជ្រៃព្រាត) Execution Site, which was several hundred metres west of Svay Chrum prison and was located in Svay Chrum village.<sup>1357</sup> Pits measuring 10 metres by 10 metres were found in this area.<sup>1358</sup> According to witness LIM Sat (លីម សាត), Thkoul Office had 10 pits, each of which measured 10 metres by 10 metres.<sup>1359</sup> Big pits which contained human bones were found at Thkoul Office after 1979.<sup>1360</sup> The prison was divided into the eastern section; the western section, both of which were separated by a stream;<sup>1361</sup> the northern building,<sup>1362</sup> and the southern windowless building.<sup>1363</sup> In the eastern section, there was a wooden building measuring 6 metres by 30 metres.<sup>1364</sup> In the western section, there was a wooden house measuring 5 metres by 30 or 40 metres.<sup>1365</sup>
347. This security office was operational from June or July 1976 to the rainy season in late 1978.<sup>1366</sup> After Thkoul Prison was dissolved, the prisoners were transferred to Boeng Kul (បឹងគល់) Prison in Boeng Khnar (បឹងខ្នារ) village, Bakan district,<sup>1367</sup> and Trach Kraol (ត្រាចក្រាវ) Security Office.<sup>1368</sup>
348. Two witnesses who were detained in Svay Chrum from 1976 to 1978 said that *Ta* Khin (ឃីន) was the prison chairperson and he later disappeared when Southwest cadres arrived.<sup>1369</sup> *Ta* Kim (គីម) was *Ta* Khin's deputy.<sup>1370</sup> Mei (មី) was the military chairperson and was in charge of killing people in the security

- office.<sup>1371</sup> Female comrade Sam (សាម) was the chief of the youth unit,<sup>1372</sup> and Hieng (ហៀង) was a prison guard.<sup>1373</sup>
349. There is no clear evidence showing whether there were Khmer Krom people detained in Svay Chrum Security Office. While LAY Bony (ឡាយ បូនី) agreed on the presence of Khmer Krom people,<sup>1374</sup> LIM Sat stated that none were detained in Svay Chrum Security Office<sup>1375</sup> and added that the Khmer Krom people were sent back to their native villages in 1976.<sup>1376</sup> Witness MOUL Văn (មូល វ៉ាន) stated that people from Svay Rieng were detained in the prison with soldiers, 17 April people, and people from Kampong Speu, and most of the people were from Phnom Penh.<sup>1377</sup>
350. Some prisoners were transported in ox carts<sup>1378</sup> or military trucks<sup>1379</sup> to be detained. When prisoners first arrived at the prison, their belongings and clothes were seized, except for the clothes they were wearing.<sup>1380</sup> The building was locked and guarded by militiamen at night, and prisoners slept in 20 rows.<sup>1381</sup> The room was in a very bad and miserable condition; the room was full of people and their faeces and urine; thus, there was no space for them to sleep.<sup>1382</sup> The eastern section could keep 30 to 40 light offenders at one time.<sup>1383</sup> The western section could keep 50 to 60 serious offenders at a time.<sup>1384</sup> Prisoners were shackled.<sup>1385</sup> Serious offenders or political prisoners or mad prisoners were detained in the southern windowless<sup>1386</sup> building which was locked and guarded.<sup>1387</sup> Light offenders were detained in the northern hall.<sup>1388</sup> Both light and serious offenders were chained.<sup>1389</sup> Light offenders had to work to refashion themselves and if they committed any mistake, they would be re-classified as serious offenders.<sup>1390</sup> A witness stated that nearly 2,000 prisoners were detained in the northern hall comprising the building and an unlocked room for five families.<sup>1391</sup> Men and women were detained separately, and couples were detained in a separate hall.<sup>1392</sup> LIM Sat estimated that around 400 prisoners to 500 prisoners were detained in the prison in 1978.<sup>1393</sup> Those who were detained in the dark prison were always in the prison both when they ate, and when they relieved themselves.<sup>1394</sup>
351. The prisoners who did not work were given only watery rice gruel to eat only twice per day.<sup>1395</sup> The prisoners who did some work were given rice gruel which was cooked with four cans of rice in one pot for 30 people or vegetable soup.<sup>1396</sup> Some prisoners received one can of rice for four people.<sup>1397</sup> Serious offenders were chained up or forced to dig a pond near the office.<sup>1398</sup> Light offenders dug ditches and strengthened rice field dikes.<sup>1399</sup> They worked from 7 a.m. to 5 p.m.,<sup>1400</sup> having a lunch break for two hours, and a 15-minute break in the morning. There was only Khmer traditional medicine.<sup>1401</sup>
352. Prisoners were beaten and tortured when they were interrogated,<sup>1402</sup> and the witness said that a female prisoner in her room was tortured by having her nails pulled off and her head submerged in water.<sup>1403</sup> According to LIM Sat's testimony, upon their arrival at the prison, prisoners were interrogated by KHIN



- Kim (ឃឹន គឹម) and Chhaok (ផោក), but they were not tortured.<sup>1404</sup> A civil party applicant named KHĒK Chăn (ខេក ចាន់), a member of a mobile unit in Sector 7, stated that a prisoner from Kdei Chhnuol (ក្តីឆ្នួល) village was accused of being Yuon and were tortured.<sup>1405</sup> His head was covered with a plastic bag, and water was poured into the bag to suffocate him.<sup>1406</sup>
353. Little evidence is available about the killings of Khmer Krom people at Svay Chrum Prison. However, LAY Bony stated that those who spoke with Khmer Krom accents were taken for execution,<sup>1407</sup> and all the Khmer Krom in her group disappeared.<sup>1408</sup> She said that around 100,000 people were killed at Svay Chrum and clarified that she learned about this from a Khmer Rouge soldier who was detained with her.<sup>1409</sup> She was the only witness who provided information about the number. She further stated that in late 1976 once every three days around 200 people including adults and children were taken to the zone (Phum Pheak (ភូមិភាគ)) at lunch time, and those people were never seen again. Only later did she know that those people were taken for execution at the zone (Phum Pheak).<sup>1410</sup>
354. Witness SAT Lim testified that detainees were taken into the wooded areas in the commune and were beaten to death around half a month after they arrived at the prison. Some prisoners were forced to dig pits by themselves before they were killed.<sup>1411</sup> KHĒK Chăn learned that his uncle and two former LON Nol soldiers were beaten to death with hoes by militiamen.<sup>1412</sup> Another former prisoner named TOAM Cheah (ទាំ ជន) stated that most of the people who were taken to the southern section of the security office were killed.<sup>1413</sup> Only one witness mentioned one incident in which one detainee was shot to death at the end of a self-criticism meeting.<sup>1414</sup> Witnesses were not aware of sexual violence in Svay Chrum prison.<sup>1415</sup>
355. Witnesses provided inconsistent and unclear statements about the number of prisoners. According to three prisoners, between June or July 1976 and 1977, at least 2,000 to 3,000 people were arrested and taken to Svay Chrum Security Office.<sup>1416</sup> There is no evidence showing that the charged person visited Svay Chrum Prison.

#### 2.1.16. TUOL SEH NHAUV EXECUTION SITE

356. Tuol Seh Nhauv (ត្នូលសេះញ៉ូវ) Execution Site, which contained nearly 10 pits,<sup>1417</sup> was located in Bak Meaek (បាក់ម៉ែក) village, Khnar Totueng (ខ្នារទូទឹង) commune, Bakan district, Pursat province.<sup>1418</sup> According to the testimony of a Civil Applicant, Tuol Seh Nhauv Execution Site was in operation from 1977<sup>1419</sup> to 1978.<sup>1420</sup>

357. The prison chairperson was Nēm (ណែម).<sup>1421</sup> Yeay Phan (ផាន) said that Mei (មី), Sun (ស៊ុន), Poch (ប៉ុច), and SAY Sambath (សាយ សម្បត្តិ) were executioners,<sup>1422</sup> and Ta Pech (ប៉ិច) was the militia chairperson in Khnar Totueng.<sup>1423</sup> KUNG Sam Oeun (គង់ សំអឿន) served on the Bakan district Committee.<sup>1424</sup>
358. A civil party applicant stated that over 200 Khmer Krom families or 1,000 Khmer Krom people were sent to Tuol Seh Nhauv.<sup>1425</sup> A witness stated that in 1977 Khmer Krom,<sup>1426</sup> or the people who were suspected of being Khmer Krom,<sup>1427</sup> or those who were suspected of having connections with Vietnam,<sup>1428</sup> or those who were mistaken as evacuees from the east because they wore blue scarves,<sup>1429</sup> were sent to Tuol Seh Nhauv and subsequently killed.<sup>1430</sup>
359. A civil party applicant said that he was detained for 10 days.<sup>1431</sup> Detainees were tortured by being starved, but not being beaten.<sup>1432</sup> The Khmer Rouge killed the capitalists among those Khmer Krom first; subsequently they killed the petty bourgeoisie; and in early 1978 they killed all the Khmer Krom people.<sup>1433</sup> The testimonies about the Khmer Krom killings at Tuol Seh Nhauv were based on the clothes, watches, and other personal belongings of the Khmer Krom which were collected and brought back by Khmer Rouge cadres.<sup>1434</sup> The Khmer Krom were divided into three groups: the first group which consisted of physically strong people, and the second group which was comprised of women and children, who were sent to Prey Krabau (ប្រៃក្របៅ) for execution, and the third group which comprised children and ill people and those who married Khmer Krom who were taken for execution at Tuol Seh Nhauv.<sup>1435</sup> Other Civil Parties stated that the third group, which consisted of old people and Khmer Krom men, were mostly sent for execution at Tuol Seh Nhauv.<sup>1436</sup> A witness saw 100 Khmer Krom people from Rung Ta Kok (រូងតាកុក), Rumlech village, Bak Meak village, and Khnar Totueng village being taken for execution at Tuol Seh Nhauv.<sup>1437</sup> Another witness said that one of her relatives was accused of being Khmer Krom and was killed at Tuol Seh Nhauv together with her family.<sup>1438</sup> Another witness stated that after the killings of Khmer Krom, thousands of people from Svay Rieng were killed at Tuol Seh Nhauv and Prey Krabau.<sup>1439</sup> A civil party applicant stated that the Khmer Rouge held meetings to select Khmer Krom people to harvest corn, and those Khmer Krom were killed in groups of around 20 at a time.<sup>1440</sup> The people from the east were tied up<sup>1441</sup> and escorted to rice fields for execution by being beaten with clubs,<sup>1442</sup> being stabbed under their armpits with short knives, beaten from behind on the necks,<sup>1443</sup> or being shot.<sup>1444</sup>
360. Many witnesses provided different and unclear numbers of the victims who were killed. Some witnesses claimed that 100 people<sup>1445</sup> were killed, and a witness claimed that there were between 6,000 and 7,000 corpses in pits, and most of the corpses were Khmer Krom and the evacuees from the east.<sup>1446</sup> In one meeting, the Khmer Rouge announced that 3,000 Vietnamese enemies had

- been destroyed.<sup>1447</sup> Only one witness survived because he was saved by *Ta Suon*, who told the Khmer Rouge that he was not from Svay Rieng.<sup>1448</sup>
361. Probably in 1983 or 1984, the chairperson of Rumlech village, Mr. MEAS Chānthān (ម៉ាស ចាន់ថន), collected the human bones in those pits to be kept in Wat Rumlech Pagoda.<sup>1449</sup> Another witness said that he saw only pits full of water; he could not see corpses nor human bones.<sup>1450</sup>
362. As regards sexual violence, women were raped by militiamen before they were killed.<sup>1451</sup> A witness whose husband was Khmer Krom was forced by the Khmer Rouge to remarry, together with five other couples.<sup>1452</sup> She was threatened by a militiaman named Sun (ស៊ុន), who was armed with a knife and told her that if she refused to get married, *Angkar* would not distribute a 2.5-metre plot of land to her, and thus she agreed to remarry.<sup>1453</sup> The newly married couples were spied on by militiamen in order to make sure that the couples agreed to live with each other.<sup>1454</sup>
363. Among all the testimonies, no evidence shows that the charged person visited Tuol Seh Nhauv. None of the many witness statements give information about his control over or his orders concerning the above site.<sup>1455</sup>

#### 2.1.17. PREY KRABAU EXECUTION SITE

364. Prey Krabau (ព្រៃក្របៅ) Execution Site was located in rice fields within Prey Krabau village, Khnar Totueng commune, Bakan district, Pursat province,<sup>1456</sup> and contained pits which measured 10 metres in length, 10 metres in width, and 1 metre in depth.<sup>1457</sup>
365. According to the statement of one witness, Prey Krabau Execution Site was in operation from late 1975 or early 1976<sup>1458</sup> to 1978.<sup>1459</sup> The secretary of Bakan district, *Yeay Rim* (រឹម) gave orders to take people for execution at Prey Krabau.<sup>1460</sup> Sun (ស៊ុន), Sai (សៃ), Rim (រឹម), Huot (ហ្វុត), and Sok (សុក) took people for execution.<sup>1461</sup>
366. Two civil party applicants stated that the Khmer Krom people were sent to Prey Krabau to harvest potatoes and corn.<sup>1462</sup> In addition, some witnesses saw the Khmer Krom people being sent to the execution site,<sup>1463</sup> and evidence also shows that Khmer Krom prisoners at Phum Veal Prison were also sent to that site.<sup>1464</sup> A civil party applicant stated that he saw the Khmer Rouge transporting Khmer Krom to that site one morning, and when the Khmer Rouge returned, he saw only an ox cart full of the belongings of those Khmer Krom, and he inferred that those people had been killed.<sup>1465</sup> A civil party applicant testified that 10 Khmer Krom families comprising 60 people were sent to Phum Veal Security Office for execution.<sup>1466</sup>

367. Mass killings of Khmer Krom people occurred in Rumlech commune, and Khnar Totueng commune, and the victims were killed and buried in the pits at Seh Nhauv and Prey Krabau.<sup>1467</sup> Evidence shows that in 1978 many Khmer Krom people were killed at Prey Krabau, Ta Lou commune.<sup>1468</sup> The Co-Investigating Judge has some testimonies which show that the witnesses did not see any killing first hand, but saw the corpses at the killing site.<sup>1469</sup> Around 200 to 300 corpses were found at this site after the collapse of the Democratic Kampuchea regime.<sup>1470</sup> A witness testified that over 300 Khmer Krom families were kept at a corral at Prey Krabau and were killed at Prey Krabau and buried in mass graves.<sup>1471</sup> The corpses were not fully buried.<sup>1472</sup>
368. A civil party applicant stated that she saw and heard *Yeay Rim*, the secretary of Bakan district, ordering UN Aun (អ៊ុន អ៊ុន) to take people from Veal village for execution at Prey Krabau.<sup>1473</sup> Another civil party applicant clarified that for the families whose children had moved far away, the children survived, but the parents were taken by the Khmer Rouge for execution.<sup>1474</sup> The civil party applicant believed that she survived because she had chosen to live with her mother, who came from Kampot, whereas her father, who was Khmer Krom, was taken for execution at Prey Krabau.<sup>1475</sup>
369. In addition, two witnesses testified that they saw corpses of the evacuees from the east because they recognised the blue scarves at the killing site which had been provided to those people by *Angkar*.<sup>1476</sup> In addition, one witness stated that thousands of Khmer Krom people and Svay Rieng people were killed at Tuol Seh Nhauv and Prey Krabau.<sup>1477</sup> Furthermore, one witness added that some of his relatives who were LON Nol soldiers were killed at Prey Krabau in 1976.<sup>1478</sup>
370. A civil party applicant stated that probably one month after the third killings of Khmer Krom, they forced widows and widowers, whose spouses were Khmer Krom, including his mother, to remarry.<sup>1479</sup> This statement is consistent with the statement of one witness who said that her husband was killed at Tuol Seh Nhau, and she was forced to get married immediately after that incident.<sup>1480</sup>
371. Many witnesses did not give any information about *Ta Tith's* control over or orders concerning the above site.<sup>1481</sup>

#### 2.1.18. CHANREANGSEI PAGODA EXECUTION SITE

372. Chanreangsei (ចន្ទរង្សី) Pagoda, also called Rumlech Pagoda,<sup>1482</sup> was located in Pralay Rumdeng (ប្រឡាយរំដេង) village<sup>1483</sup> (located between Rumlech village and Pralay Rumdeng village),<sup>1484</sup> Rumlech commune, Bakan district,<sup>1485</sup> in Sector 2 of the Northwest Zone.<sup>1486</sup> A witness stated that Rumlech Pagoda was not a prison.<sup>1487</sup> In contrast, Chanreangsei Pagoda was used as a killing site only once.<sup>1488</sup>

373. Witness UK Soeum (អ៊ុក សៀម), the former Rumlech cooperative chairperson, stated that around 300 eastern people living in Sector 7 were taken by Khmer Rouge soldiers to be kept at the road in front of Rumlech Pagoda.<sup>1489</sup> However, later the same witness stated that those 300 people were detained in Rumlech Pagoda.<sup>1490</sup> The arrests were made when the Khmer Rouge forces were fighting against the Vietnamese forces at Pursat and the civilians from the east fled towards the Vietnamese and they were arrested by the Khmer Rouge soldiers on the road.<sup>1491</sup>
374. A civil party applicant stated similarly that in 1979 Vietnamese forces entered Pursat town.<sup>1492</sup> At that time, the eastern people in cooperatives rebelled in order to return to their native villages.<sup>1493</sup> Khmer Rouge soldiers came to arrest those people, but they were not allowed to shoot them.<sup>1494</sup>
375. Those eastern people stood up one by one and shouted “*Long Live! The Bright Communist Party of Kampuchea. Please look at me carefully as to whether I am Khmer or Yvon, whether I have Yvon blood and a Yvon head. I ask the Party to look at me carefully and judge whether if I am Khmer. I ask the Party to judge. If I am Yvon, I allow the Party to kill me.*”<sup>1495</sup> At that time, one eastern person threw an axe towards a Khmer Rouge soldier; as a consequence, those soldiers opened fire to kill all those eastern people.<sup>1496</sup> Around 300 eastern people from Kandieng (កណ្តៀង) district in Sector 7 were killed in front of Rumlech Pagoda on the road to Rumlech village at Damnak Trach (ដំណាក់ត្រាច) Bridge near Rumlech Pagoda.<sup>1497</sup> A witness who was carrying water near the road by Rumlech Pagoda stated that those who rebelled were shot to death by the Khmer Rouge near Rumlech Pagoda because those people fled to join the army of HENG Samrin (ហេង សំរិន).<sup>1498</sup> A witness heard from others that eastern people were killed at Rumlech<sup>1499</sup> by the soldiers who had been well prepared.<sup>1500</sup>
376. Later the same night, those corpses were transported in ox carts by villagers to be buried in mass graves in Koun Tnaot (កូនត្នោត) village, Rumlech commune, and it took the whole night to transport and bury all the corpses.<sup>1501</sup>
377. Many witnesses did not show the information about **Ta Tith's** control over or orders concerning the above site.<sup>1502</sup>

#### 2.1.19. WAT KIRIRUM SECURITY OFFICE

378. Based on the administrative map of the Khmer Rouge, Wat Kirirum (វត្តគិរីរម្យ) Security Office was located on Phnom Sampeou (ភ្នំសំពៅ) mountain in Phnom Sampeou (ភ្នំសំពៅ) commune, Phnom Sampeou district, Battambang, Sector 3, the Northwest Zone.<sup>1503</sup> A witness who came back to Phnom Sampeou Kaet

(ភ្នំសំពៅកើត) village in probably May 1979 stated that around 20 metres northeast of the pagoda was a dining hall and a monk's hall nearby, and said that La-ang Teng Khluon (ល្អាងតែងខ្លួន) was located at the northern pagoda of Wat Kirirum, and just west of the road to La-ang Teng Khluon was a path to La-ang Lakhaon (ល្អាងល្លោន), and in front of La-ang Lakhaon was another La-ang (ល្អាង) (cave) located on the left which was called La-ang Kangkep (ល្អាងកង្កែប).<sup>1504</sup>

379. Wat Kirirum Security Office was in operation prior to the arrival of the Southwest cadres and remained operational under the control of the Southwest cadres.<sup>1505</sup> From early 1976 to the end of the Khmer Rouge, eight witnesses saw Khmer Rouge soldiers escorting prisoners up the stairs to the pagoda.<sup>1506</sup> In contrast, a witness stated that only when the Southwest cadres arrived during the rice harvesting season (January or February) in 1978 did they take prisoners for execution at Wat Kirirum.<sup>1507</sup> Another witness stated that when the Southwest cadres arrived, they used La-ang Lakhaon on the top of Phnom Sampeou mountain as a killing site.<sup>1508</sup> A witness stated that the Southwest cadres took people for execution in La-ang Lakhaon only two or three months before the Khmer Rouge regime collapsed because when he worked in the textile unit at Phnom Sampeou there was no killing site over there.<sup>1509</sup>
380. A Police chairperson named Eng (អៀង) was the executioner on Phnom Sampeou mountain.<sup>1510</sup> The militiamen, soldiers, and high-ranking leaders who controlled people were responsible for arresting and taking people to Phnom Sampeou.<sup>1511</sup> A witness stated in an unconvincing manner that militiamen or security forces who might have come from the sector took people away quietly,<sup>1512</sup> and he did not know where those people were taken.<sup>1513</sup> According to another witness, the Southwest cadres and the people in that village who wanted to be the leaders and who feared death were the ones who arrested people.<sup>1514</sup> Those people were detained in a house near the house where the witness is residing, which was formerly Phnom Sampeou market.<sup>1515</sup> In mid-1978, the Northwest cadres were considered as traitors and were arrested.<sup>1516</sup> The Southwest cadres announced that the Northwest cadres were traitors<sup>1517</sup> and they replaced those Northwest cadres.<sup>1518</sup> The Northwest cadres were removed from their positions, and were arrested or disappeared,<sup>1519</sup> and many of them were detained at Wat Kirirum Security Office.<sup>1520</sup> People were detained in a cave<sup>1521</sup> for two to three days, and some of them were released after their family members provided gold in exchange for their release, and those without gold were killed.<sup>1522</sup> The prisoners from Sampeou village and Kouk Ampil (គោកអំពិល) village<sup>1523</sup> and from Banan district<sup>1524</sup> were arrested because those people said that they were too ill to work.<sup>1525</sup> Ta Rāk (តាក់) screened the local people and arrested 10 people who were accused of plotting to overthrow *Angkar*, and the witness saw the arrests only once in 1976.<sup>1526</sup>

381. A monk said that when he arrived at the pagoda, he saw small detention cells and there were many blood stains there.<sup>1527</sup> A witness who stayed at Phnom Sampeou in May 1979 said that at the mouth of a cave there were food containers, drinking water containers and clubs.<sup>1528</sup>
382. A witness stated that the killings occurred on Phnom Sampeou both before and after the arrival of the Southwest cadres.<sup>1529</sup> Many people were killed and pushed into the caves at Wat Kirirum.<sup>1530</sup> He did not know where those victims were brought from.<sup>1531</sup> Those who were killed in the first stage were the soldiers and cadres whose names were in lists, but later the general people who committed mistakes were killed.<sup>1532</sup> A monk witness stated that he heard from people in nearby villages that they cut the throats of prisoners and took the corpses to be thrown into a cave which was located 20 to 30 metres away from the main temple.<sup>1533</sup> A witness could see the Khmer Rouge cutting open the victims' abdomens to remove their intestines and livers.<sup>1534</sup> The witness stated that it occurred right at the main Buddhist temple of Kirirum Pagoda, stressing that the crime site was the main Buddhist temple of Kirirum Pagoda.<sup>1535</sup> The witness described how the Khmer Rouge hanged handcuffed prisoners by their necks and cut open their abdomens to remove their livers, and there was a gutter draining the blood into a large basin.<sup>1536</sup> This last witness added that people were tied up with ropes as big as wrists and hanged them by their necks until their legs were around 10 centimetres above the ground. The witness added that eight people were hanged with one rope, and there were four ropes.<sup>1537</sup> All the hanged people were men wearing only shorts without shirts or trousers, and below them were around 30 or 40 other handcuffed prisoners comprising men and women, young and old people. The prisoners below were handcuffed in four rows, sitting with their backs against one another and their legs opposite one another. Their legs were shackled, and their hands were tied behind their backs.<sup>1538</sup>
383. A witness estimated, based on the human bones in the caves of Kirirum, that there were hundreds of victims.<sup>1539</sup> "After 1979, the commune chief assigned me to collect the human skulls at Wat Kirirum to be kept at Phnom Sampeou; in one cave, I counted between 20 and 30 human skulls, but there were corpses in other caves."<sup>1540</sup> A witness who arrived at Wat Kirirum probably in May 1979 stated that there were corpses in La-ang Teng Khluon, and just west of the path to La-ang Teng Khluon he saw two corpses probably of Khmer Rouge soldiers because they were in black clothes and berets, and there were corpses of old and young people in La-ang Kangkep. In La-ang Lakhaon there were corpses which had been smashed and thrown into the cave because the corpses lay with their faces down and the backs of their heads were damaged, and deep inside the cave, many corpses were seen.<sup>1541</sup>
384. Based on the interviews, it seems that none of the prisoners at this pagoda survived.<sup>1542</sup> In addition, there were no cadre witnesses nor internal witnesses. Only three witnesses saw (only a few times) from a distance the guards of the security office escorting prisoners<sup>1543</sup> or only heard from others about **Ta Tith**.

## 2.1.20. WAT SAMDACH (វត្តសម្ព័ន្ធ) SECURITY OFFICE

385. Wat Samdach Pagoda was located in Samdach village,<sup>1544</sup> Sangkae (សង្កែ) district,<sup>1545</sup> Sector 3 during the administration of Democratic Kampuchea.<sup>1546</sup> On the other hand, only one witness said that Wat Samdach Pagoda was located in Sangkae district, Sector 4.<sup>1547</sup>
386. Under the management of the Northwest cadres, Wat Samdach Pagoda<sup>1548</sup> was a hospital.<sup>1549</sup> The Southwest group continued to use it as a hospital.<sup>1550</sup> During the rainy season, probably in October 1977, a witness was sick and stayed at Wat Samdach hospital. Wat Samdach was a district hospital.<sup>1551</sup> Probably between June and July 1978, the Southwest cadres used Wat Samdach as a location in which they detained and killed people.<sup>1552</sup> According to the testimony of a witness, in October 1977 Wat Samdach functioned as a place in which 400 to 500 arrested people were detained.<sup>1553</sup>
387. Another witness said that the person in charge of Wat Samdach was *Ta Nguon*<sup>1554</sup> (ត្នូន) Another witness said that *Sie* (សៀ), a company chief, was the manager of Wat Samdach.<sup>1555</sup> *Hong* (ហុង), *Sie's* wife, was from the Southwest Zone. She worked in Samdach village.<sup>1556</sup> five killers, including *Yong*<sup>1557</sup> (យ៉ុង), were full time workers at that place.<sup>1558</sup>
388. Under the control of the Southwest cadres, many people from the villages and cooperatives, were arrested in large numbers and went missing.<sup>1559</sup> People were detained at the pagoda.<sup>1560</sup> They were kept there for two to three days and then they were killed.<sup>1561</sup> According to the testimony of a witness, in October 1977, about 400 to 500 former state workers of the previous regime who stole food items were arrested and taken to Wat Samdach.<sup>1562</sup>
389. Two months after the Southwest cadres arrived, all the Northwest groups were arrested, tied up, and taken for execution<sup>1563</sup> at Wat Samdach.<sup>1564</sup> That was in 1979.<sup>1565</sup> A witness overheard the Southwest cadres saying that approximately 100 people, including children,<sup>1566</sup> had been murdered. Small children of about 12 to 13 years of age were killed by adults.<sup>1567</sup> The witness was saved by the cooperative chairman's wife who deleted his name from the list of people for execution.<sup>1568</sup> Children of 2 to 3 years of age were thrown up into the air and stabbed with swords from below<sup>1569</sup> or bashed against something until they died.<sup>1570</sup> Adults were arrested and tied up in lines and were killed by being beaten with a hoe<sup>1571</sup> or the axle of a cart,<sup>1572</sup> one after another. Some victims, still conscious, were buried alive.<sup>1573</sup>
390. Each mass killing took place at night<sup>1574</sup> over a few days,<sup>1575</sup> with security points<sup>1576</sup> established to prevent people from going nearby.<sup>1577</sup> After the killings, these security points were removed.<sup>1578</sup> The pits were dug before the killings and the Khmer Rouge poured salt over the bodies in the pits.<sup>1579</sup> At that time, the witness fell into a pit of bodies at Wat Samdach.<sup>1580</sup> The people who lived



- on the other side of the river could hear the cries when they killed people.<sup>1581</sup> Another witness said that there were three pits, each had a size of approximately 5 square metres.<sup>1582</sup>
391. Actually, during the era of the Northwest group there were no detentions or killings at Wat Samdach.<sup>1583</sup> During the period of the Northwest group, five to 10 people<sup>1584</sup> including teachers, physicians, the rich, and soldiers<sup>1585</sup> were arrested, tied up in a line and taken for execution.<sup>1586</sup> A witness said people were detained and killed in October 1977,<sup>1587</sup> but he did not know the place where they had killed them because there were other killing places<sup>1588</sup> too, such as Wat Samraong (វត្តសំរោង) Roka<sup>1589</sup> (វិកា) and places in Samdach village.<sup>1590</sup>
392. The evacuation in Wat Samdach took place in December 1978.<sup>1591</sup> The living conditions during the time of the Northwest group were not as miserable as those after the Southwest group arrived because, in those days, the rice porridge was thick. When the Southwest group arrived, the situation became very miserable.<sup>1592</sup>

2.1.21. KAMPONG PREANG (កំពង់ព្រៀង) COMMUNE (INCLUDING KACH ROTHEH (កាច់រទេះ) VILLAGE, SALA TRAV (សាលាត្រាវ) VILLAGE, AND WAT POU LANGKA (ពោធិ៍លង្កា) SECURITY OFFICE)

393. Pou Langka Security Office, alias Wat Kach Roteh<sup>1593</sup> or Wat Damnak Roteh,<sup>1594</sup> was located along National Road 5<sup>1595</sup> in vicinity<sup>1596</sup> of Kach Roteh village<sup>1597</sup> (former Damnak Roteh village),<sup>1598</sup> Kampong Preang commune, Sangkar district (district 41),<sup>1599</sup> Battambang (បាត់ដំបង) province,<sup>1600</sup> near Sala Trav.<sup>1601</sup> Sala Trav was also a detention place.<sup>1602</sup> Wat Pou Langka Prison or Kach Roteh Prison<sup>1603</sup> was a Sector 4<sup>1604</sup> military security office used as a location to detain and kill people.<sup>1605</sup> During the occupation of the Northwest group, the prison had an area of 1 square kilometre and some parts of it had no wall.<sup>1606</sup> When the Southwest group arrived, the area was confined to the pagoda premises.<sup>1607</sup> Wat Pou Langka Security Office was created between 1975 and 1976 during the tenure of the Northwest group. When the Southwest group arrived, they took charge.<sup>1608</sup> On the other hand, two witnesses said that Kach Roteh Prison was used from August or September or October 1978 until the end of the Khmer Rouge regime.<sup>1609</sup>
394. The houses surrounding the pagoda<sup>1610</sup> and the temple were used as places in which to detain people.<sup>1611</sup> About four to five monks' houses (ក្រុង) were used as places to store medicines for the Social Affairs Office.<sup>1612</sup> A house at a distance of about 500 metres to 1 kilometre to the south of the pagoda's temple was used as a military prison of the military office at the time of the Northwest group until that of the Southwest group.<sup>1613</sup> A huge killing site was located right behind the pagoda.<sup>1614</sup> The graves were located to the south of Kach Roteh Pagoda.<sup>1615</sup>

395. Wat Pou Langka was probably managed by the military.<sup>1616</sup> *Ta Loek* (ឡើង) and *Yeay Chăn* (ឃាំង) were the managers of district 41 and district 42.<sup>1617</sup> *Măo* (ម៉ៅ) was the chairperson of Kach Roteh prison.<sup>1618</sup> The most senior manager at Wat Kach Roteh and Sala Trav was *Ta Vân* (វ៉ាន).<sup>1619</sup> TOEK Sim (តឹក ស៊ឹម) was a former military guard at Wat Pou Langka.<sup>1620</sup> The witness was at Kach Roteh village neither during nor after the Khmer Rouge regime, but she heard that it was a military site and a security office.<sup>1621</sup> The military travelled around overseeing those who worked in the villages.<sup>1622</sup> In 1977, *Ta Yïn* (យ៉ិន), a brutal Northwest cadre at Kach Roteh Security Office, was killed by the Southwest group.<sup>1623</sup>
396. Arrests of detainees at Wat Pou Langka happened from 1975 until 1979.<sup>1624</sup> Two witnesses mentioned the arrests of people to be sent to Sala Trav.<sup>1625</sup> When Comrade Yïn was the security chief at Wat Kach Rotes, many arrested villagers were killed there.<sup>1626</sup> About 30 Sala Trav villagers,<sup>1627</sup> including men, women, children and soldiers,<sup>1628</sup> were arrested and taken to Wat Kach Roteh accused of committing moral offences,<sup>1629</sup> minor mistakes,<sup>1630</sup> breaking spoons,<sup>1631</sup> stealing food items,<sup>1632</sup> and losing ploughs.<sup>1633</sup> The prisoners were transported by trucks in the morning and the afternoon.<sup>1634</sup>
397. The prisoners were detained for a period three to five months.<sup>1635</sup> They were tortured with sticks or metal poles.<sup>1636</sup> Prisoners accused of serious offences were shackled.<sup>1637</sup> Two detainees died at Wat Pou Langka.<sup>1638</sup> One prisoner was unsuccessful in his attempt to flee.<sup>1639</sup> The week before the Vietnamese arrived at that office, 15 prisoners escaped successfully.<sup>1640</sup>
398. From 1976 to 1977 people were forced to work.<sup>1641</sup> In 1977, many people died of starvation and lack of medicine.<sup>1642</sup> When the Southwest took over, people died of starvation. At the security office there were interrogations and the releases of prisoners. This kind of thing did not happen during the time of the Northwest group.<sup>1643</sup> The Southwest arrested and detained *Ta Yïn* at Kach Roteh Security Office and killed him.<sup>1644</sup>
399. People were killed at Wat Pou Langka.<sup>1645</sup> A witness stated that Sala Trav village, Kampong Preang commune, Sangkae district, was the place with the highest rate of people killed.<sup>1646</sup> A former mobile unit soldier saw trunkful of victims being transported from the East Zone to this place every day.<sup>1647</sup> None of them survived.<sup>1648</sup> In 1976, the witness saw about 30 to 40 people being killed at Kach Roteh every day. The witness heard that in 1977 the Northwest group raped and killed a girl named *Văna* (វ៉ានា) at Wat Kach Roteh.<sup>1649</sup> Between 1977 and 1978, relatives of the witness were killed at Kach Roteh.<sup>1650</sup> During the dry season of 1978, a survivor from the prison witnessed the killing of 14 to 15 people. They were beaten on the back of their heads with a wooden stick.<sup>1651</sup> In late 1978, two Northwest soldiers were killed<sup>1652</sup> behind Wat Kach Roteh Pagoda by three soldiers, armed with weapons and hoes. They hit the victims' necks and heads about 20 to 30 times.<sup>1653</sup> The witness was about 50 to

100 metres from that place.<sup>1654</sup> In late 1978 or early 1979, the Southwest group arrested the Northwest group. They said that the Northwest group mistreated the people and did not give them enough food to eat.<sup>1655</sup> The Southwest group provided the people with thicker rice porridge than that which was provided by the Northwest group.<sup>1656</sup> That was why some members of the Northwest group fled.<sup>1657</sup> Others were killed at Kach Roteh.<sup>1658</sup> Families of some of the Northwest cadres were missing.<sup>1659</sup> The killings intensified from 1977 until 1979.<sup>1660</sup> Prisoners were taken for execution at night.<sup>1661</sup> The witness never saw them taking people away for execution.<sup>1662</sup> The witness was arranged to get married at the communal kitchen in Kach Roteh village.<sup>1663</sup>

400. A witness who entered Wat Pou Langka after the liberation in 1979 saw blood stains on the walls.<sup>1664</sup> She saw mass graves and the killings of 14 to 15 people. She concluded that the total number of the prisoners in that office was probably 60. LONG Hĭn (ឡុង ហ៊ិន) who dug the graves from 1980 to 1981, estimated that there were approximately between 5,000 and 7,000 bodies.<sup>1665</sup> According to other estimates, approximately between 5,000 and 7,500 people were killed at this security office.<sup>1666</sup>
401. None of the witnesses were aware of the existence of **Ta Tith** (ទីត្យ) and did not mention him. When asked by the investigators if they knew him, the witnesses stated that they never knew **Ta Tith**.<sup>1667</sup> During the occupation by the Southwest, the witnesses never saw any one being taken to Wat Kach Roteh Security Office.<sup>1668</sup>

#### 2.1.22. REANG KESEI (រាំងកេសី) COMMUNE (INCLUDING WAT KESEI PAGODA AND REANG KESEI VILLAGE)

402. Wat Reang Kesei Pagoda was located in Reang Kraol (រាំងក្រាល) village, Reang Kesei commune, Sangkae district, Sector 4.<sup>1669</sup> The site was created by the Northwest group and remained in operation until the arrival of the Vietnamese.<sup>1670</sup> Reang Kesei cooperative included Reang Kesei commune and Srah Kaev (ស្រះកែវ).<sup>1671</sup>
403. The witness worked near Phnum Thipakdei (ភ្នំទឹកប្រាំង) mountain, Sector 1, for almost one year. This was some time after April 1975. He later lived and harvested rice at Lang Tang (ឡង់តង់) worksite, and **Ta Chây** (ចាយ) worksite, in Sector 4.<sup>1672</sup> He noticed his fellow workers dying from starvation, lack of medicines, fever, dysentery, and swollen bodies. This was the case both, before and after the Southwest arrived.<sup>1673</sup> According to two witnesses, the Southwest group arrived in late 1978, just a few months before the liberation. The living and working conditions did not change.<sup>1674</sup>

404. During the period of the Northwest group, the chairmen of Sector 4 were *Ta Vǎn* (វ៉ាន់) and *Ta Rai* (រ៉ៃ), and *Phun* (ភ័ន់) was the chairman of Reang Kesei cooperative.<sup>1675</sup> *Rǎn* (រ៉ាន់) was the cooperative chairman during the period of the Southwest group in 1978 was.<sup>1676</sup> The witness who harvested rice at Lang Tang worksite, and Ta Chay worksites in Sector 4, noticed that a previous cadre named *Tây* (តាយ) disappeared. *Moeun* (ម៉ៃ) fled, and *Yoeum* (យ៉ៃ) hung himself and died. The Southwest cadres who later came to replace the Reang Kraol cooperative Chairman were *Ta Loek* (ឡែក) and *Yeay Chǎn* (ចាន់).<sup>1677</sup>
405. A witness who was a teacher in Reang Kesei stated that the Northwest group killed LON Nol soldiers in early 1977.<sup>1678</sup> The witness, who harvested rice at a worksite in Sector 4, heard from a Northwest cadre in Sector 4 that he participated in a cadre meeting in which a policy on killing Khmer Krom people was discussed.<sup>1679</sup> The witness also heard from the Khmer Krom transporters that Khmer Krom people were taken and killed in Kach Roteh village, Kampong Preang commune.<sup>1680</sup> The same witness stated that when the Southwest group arrived there was no more killing of the Khmer Krom people.<sup>1681</sup> The witness, a teacher in Reang Kesei, added that the Khmer Krom people were accused of being Yuon because they had a white complexion. They were called to get onto the trucks to go to the battlefield where they would get two meals a day. In fact, they were taken for execution.<sup>1682</sup>
406. A witness who worked at a work site in Sector 4, stated that before the Southwest group arrived his group chief invited him to the wedding of 20 couples in Reang Kesei commune, Sangkae district, Sector 4.<sup>1683</sup> He said he did not know if those couples, who were getting married, loved each other or not, but he heard that there was forced marriage; people were forced to live together and they divorced later.<sup>1684</sup>
407. A witness who worked in Srah Kaev (ស្រះកែវ) commune in a cooperative that was also in charge of Reang Kesei stated that in 1978 he and about 70 to 80 other couples were forced to get married at Wat Reang Kesei Pagoda.<sup>1685</sup> The forced marriages were organised and paired by the cooperative Committee.<sup>1686</sup> According to another witness, a teacher in Reang Kesei commune, Sangkae district, Sector 4 cooperative, chairperson *Rǎn*, the cooperative chairperson, was forced to get married to a man named *KǎN Seun* (កាន់ ស៊ុន) in a wedding ceremony of 83 couples.<sup>1687</sup> There was an announcement to her and those who were to get married that “it is imperative to follow the Party line. No one could refuse it”; soldiers walked around to spy on the people.<sup>1688</sup>
408. A witness who worked in a mobile unit in Srah Kaev saw *Ta Loek* and *Yeay Chǎn*, apparently avoiding the Vietnamese, rounded up between 300 and 400 people to join a meeting to eat noodles at Wat Reang Kesei Pagoda and shot the people who fled and refused to join the meeting before the arrival and liberation by the Vietnamese.<sup>1689</sup> Among those people, *KǎN Seun*, married to the witness

who is a teacher in Reang Kesei, had fled. He was shot and got hit by a bullet in his thigh. He was later dragged away and killed. There were also many wounded people. According to the witness, the Khmer Krom people in Reang Kesei were transported in trucks for execution on the verge of Vietnamese liberation. However, the places where they were killed are not known.<sup>1690</sup>

409. The two witnesses did not make any statements regarding the involvement of **Ta Tith**. When asked by the investigators if they had ever heard of **Ta Tith**, the witnesses said they had not.<sup>1691</sup> A witness who worked in a mobile unit in Srah Kaev heard by word of mouth from low-ranking unit chiefs that **Ta Tith** was a cadre from Pursat (ពោធិ៍សាត់) and Kampong Chhnang (កំពង់ឆ្នាំង) provinces. He had three soldiers follow him, and everywhere he went he would see people taken away and disappeared.<sup>1692</sup>

### 2.1.23. SECURITY OFFICE, PRISON NO. 8

410. The location of Security Office Prison No. 8 or Kbal Chheu Puk (ក្បាលឈើពុក) Security Office<sup>1693</sup> (at the Northeast<sup>1694</sup> end of the village) was recounted by some OCIJ witnesses to be located in Kbal Chheu Puk village,<sup>1695</sup> Sya (ស្បា) commune,<sup>1696</sup> Kandieng (កណ្តៀង) district,<sup>1697</sup> Pursat province<sup>1698</sup> - that was Bakan district (district 22),<sup>1699</sup> Sector 7<sup>1700</sup> under the Democratic Kampuchea administration. A witness stated that Security Office Prison 8 was located in Wat Banteay Yuon (បន្ទាយយួន) Pagoda.<sup>1701</sup> Prison 8 was a former LON Nol military barracks<sup>1702</sup> surrounded by a bamboo fence.<sup>1703</sup> This prison had five large buildings used to house prisoners; one of them was for children; one of them was for women; two were for men; and one was a special prison. There was one communal kitchen and a house for the cadres and militiamen.<sup>1704</sup> Security Office Prison 8 was in operation from 1975.<sup>1705</sup> A civil party applicant stated that the prison was operational throughout the Khmer Rouge regime.<sup>1706</sup>
411. Another witness stated that *A Paong* (ហ្នាំង) was the Prison 8 chief<sup>1707</sup> while another witness said that Chheang (ឈាំង) worked at Prison 8.<sup>1708</sup> One applicant answered that the previous chiefs of Prison 8 were Hēng (ហែង) and the Cheang (ជាង).<sup>1709</sup> One witness stated that the chief of Prison 8 was the one who had killed people.<sup>1710</sup>
412. Three witnesses described how many prisoners were arrested and detained at Prison 8.<sup>1711</sup> A witness who lived at the other side of the river, about 1,000 metres from Office 8, described how approximately 200 people were detained at Office 8,<sup>1712</sup> while another witness did not know the number of prisoners detained at Prison 8.<sup>1713</sup> In 1978, 500 people from Svay Rieng (ស្វាយរៀង), including the elderly, children, women, and men were arrested from Kandieng

- district on several occasions. They were tied up with their hands behind their backs and taken to be detained at Security Office No. 8.<sup>1714</sup> The detained prisoners included prisoners from Sector 7,<sup>1715</sup> former LON Nol officials,<sup>1716</sup> former LON Nol soldiers' wives and children,<sup>1717</sup> young children,<sup>1718</sup> women whose husbands had run away,<sup>1719</sup> thieves and robbers,<sup>1720</sup> lazy people,<sup>1721</sup> people who had committed moral offences,<sup>1722</sup> and serious insurgents from Svay Rieng.<sup>1723</sup>
413. The prisoners were shackled at night and required to work 11 hours during the day time.<sup>1724</sup> The witness stated that the prisoners were released to work outside with his group,<sup>1725</sup> without being permitted to take any rest,<sup>1726</sup> at places, such as dams<sup>1727</sup> or canal building sites. The prisoners who went to work outside were miserable; they even ate raw mouse skin.<sup>1728</sup> The prisoners were allowed to catch fish. However, they had to eat them at the bathing place; they would not be allowed to take the fish to Prison 8.<sup>1729</sup> The two witnesses had never heard about rapes of women at Prison 8.<sup>1730</sup> According to the testimonies of four witnesses, women who were detained at the prison were raped.<sup>1731</sup> Rape, amputation and the removal of livers was witnessed by a surviving prisoner.<sup>1732</sup> Another witness saw people being mistreated at Prison 8 by a small militia boy, aged about 10 years, who used an axe the size of two fingers to hit in the head, once each, of about 20 prisoners who sat in a line.<sup>1733</sup>
414. Svay Rieng people were killed from 1977 until the end of the POL Pot regime.<sup>1734</sup> A witness said that in 1978 people from Svay Rieng were killed at Security Office 8. Sometimes, two to three prisoners were killed. In the witness' group, people from Svay Rieng were called by the Khmer Rouge to leave the house and they were escorted for execution at a nearby pond,<sup>1735</sup> namely Srah Tralach (ស្រះត្រឡាច).<sup>1736</sup> Svay Rieng people were all killed after they had been detained for three nights.<sup>1737</sup> One night all the prisoners in the whole security office were killed.<sup>1738</sup> The witness' sister-in-law was taken for execution at Prison 8.<sup>1739</sup> Five members of another witness's family were killed at Prison 8 too.<sup>1740</sup> A witness said that close to 1979, prisoners were killed after the soldiers raped them under the trees.<sup>1741</sup> Prisoners killed at Security Office 8 included those who; secretly removed rice seeds to eat<sup>1742</sup> because they did not have enough food; boys and girls;<sup>1743</sup> people who tuned to American radio;<sup>1744</sup> those accused of being CIA.<sup>1745</sup> Some small children died because of starvation at Prison 8.<sup>1746</sup> About 10 to 15 days before the Vietnamese arrived, approximately 300 prisoners were killed at Prison No. 8.<sup>1747</sup> Relating to this office, witnesses made similar statements about the majority of the killings against the people evacuated from the East Zone between late 1977 and 1978.<sup>1748</sup> The reasons and decisions behind these killings are not known. The bodies were buried along the paddy dikes.<sup>1749</sup>
415. A witness stated that there were survivors from Prison 8.<sup>1750</sup> Another witness never went to Prison 8 but overheard that there were no survivors from Prison No. 8.<sup>1751</sup> According to Mr. Henri Locard (ហង់រី ឡូកា), the remaining prisoners were killed the night before the Vietnamese arrived in January 1979.<sup>1752</sup>

416. One witness said he could not correctly estimate of the number of the deceased, but he only knew that there were many of them.<sup>1753</sup> There was a small grave at a small mountain at a distance of about 500 to 600 metres from Prison 8. There was a large grave consisting of probably 300 bodies to the north of Prison 8, at a distance of about 400 metres from the prison.<sup>1754</sup> Dead bodies in the first grave were said by the witness to be of those who died due to illness. Dead bodies in the large grave were of those who had been killed.<sup>1755</sup> A civil party applicant answered that he saw a Srah Tralach grave containing over 700 bodies.<sup>1756</sup> Another witness estimated that thousands of people were killed at Prison 8.<sup>1757</sup> A witness, who is a survivor of the killing at Prison 8, stated that about 2,000 people were killed at Security Office Prison 8 or Kbal Chheu Puk security office.<sup>1758</sup> According to Mr. Henri Locard's estimate, between 4,000 and 10,000 people were killed at this security office.<sup>1759</sup>
417. Relating to this office, none of the witnesses related **Ta Tith** in their statements. After being asked by the OCIJ about **Ta Tith**, all the witnesses stated that they had not heard about, seen or known him.

#### 2.1.24. VEAL BAK CHUNHCHING (វាលបាក់ជញ្ជឹង) KILLING SITE

418. Veal Bak Chunchhing was located in Srae Sdok (ស្រែស្អុក) commune,<sup>1760</sup> Kandieng district,<sup>1761</sup> Pursat province,<sup>1762</sup> Sector 7, North Zone.<sup>1763</sup> Veal Bak Chunchhing killing site was at a distance of 10 kilometres from Tuol Pou Chrey (ត្នោលពោធិ៍ជ្រៃ) to the west.<sup>1764</sup> Veal Bak Chunchhing was an area without houses. There was a lotus lake<sup>1765</sup> with a size of 8 hectares.<sup>1766</sup> It was used for fishing.<sup>1767</sup> Veal Bak Chunchhing was located near the river and there was a pit the size of 50 square metres there.<sup>1768</sup>
419. A witness, who heard this from neighbours, said that the killings of the East Zone people at Veal Bak Chunchhing started in early 1978 and continued until 1979.<sup>1769</sup> Comrade Nom (ណុម) was the one who would convene the meetings to collect and send people to Veal Bak Chunchhing.<sup>1770</sup> The Khmer Rouge used oxen carts to transport people for execution.<sup>1771</sup> The witness did not know who gave the orders to transport the East Zone people to Veal Bak Chunchhing.<sup>1772</sup>
420. At first, the Khmer Rouge transported truckloads of Svay Rieng people from Svay Rieng to Pursat town.<sup>1773</sup> The Khmer Rouge group lied to the East Zone or Svay Rieng group, saying that they were to go to cultivate rice, harvest rice, and work in orchards in Veal Bak Chunchhing.<sup>1774</sup> The witness added that when they initially arrived, some of them protested and rejected living at that place. They wanted to go back to their birthplaces.<sup>1775</sup> They walked from the cooperative to Pursat town, but they were arrested and taken to an unknown place by the Khmer Rouge group.<sup>1776</sup>
421. The Svay Rieng people, including children, adults, men and women,<sup>1777</sup> were killed at Veal Bak Chunchhing.<sup>1778</sup> Probably in late 1978, just before the time when the Vietnamese arrived in Cambodia, a witness heard the oxen cart group

that transported people saying that on the previous night they had transported the East Zone group for execution at Veal Bak Chunchhing.<sup>1779</sup> Two witnesses said the Khmer Rouge used around 30 oxen carts to transport thousands of people from the thousands of cooperatives for execution at Veal Bak Chunchhing.<sup>1780</sup> A witness who joined the transportation of those people answered that they took three to four days to complete it.<sup>1781</sup> The oxen carts started the journey at 4.00 a.m. and arrived in Veal Bak Chunchhing at 11.00 a.m.<sup>1782</sup> The witness added that he and the people did not know that they were being transported for execution because those people who accompanied them had normal facial expressions and chatted with each other as usual on the carts.<sup>1783</sup> During the transportation there were no militiamen or soldiers escorting the oxen carts. However, when they arrived at Veal Bak Chunchhing the Khmer Rouge soldiers were hiding in nearby *tbaeng* (ត្បែង) bushes.<sup>1784</sup> The oxen cart unit let the people get down from the carts and leave their luggage nearby. Then the Khmer Rouge soldiers ordered the oxen carts to move back about 30 metres from where they had dropped the people. After that the Khmer Rouge soldiers escorted the people to be shot to death at a distance of approximately 100 metres from where the oxen carts stopped.<sup>1785</sup> The witness saw the Khmer Rouge group shoot the people. Some died at the lake and some at Veal Bak Chunchhing.<sup>1786</sup> Another witness heard from neighbours that the Khmer Rouge group ambushed people to shoot and kill them at Veal Bak Chunchhing in 1979.<sup>1787</sup> Some corpses wore blue scarves<sup>1788</sup> and were tied up.<sup>1789</sup> Other corpses were put into pits and buried by tractors.<sup>1790</sup>

422. After Pursat province was completely liberated in approximately March or April, the witness went to Veal Bak Chunchhing to look for rice and saw many decomposed corpses there.<sup>1791</sup> A witness estimated that there were hundreds or perhaps even 1,000 corpses.<sup>1792</sup>
423. No documents speak of **Ta Tith's** control over, or orders related to, this crime site.

## 2.2. FACTUAL FINDINGS FOR DISMISSAL OF CHARGES

### 2.2.1. WAT SO BEN (វត្តស៊ូប៊ិន) SECURITY OFFICE

424. Wat So Ben was located in Kbal Damrei (ក្បាលដំរី) village, Kouk Prech (គោកព្រៃថ្ម) commune, Kiri Vong district, Takeo province.<sup>1793</sup> Inside the pagoda compound were the vihara (the temple sanctuary) and the dining hall. These were later used by the Democratic Kampuchea cadres for melting pieces of broken glass bottles to make medicine ampoules and for threshing rice.<sup>1794</sup> Some witnesses stated that, during the Democratic Kampuchea regime, Wat So Ben Security Office was not a prison, but a place where prisoners were gathered to be educated for a short period. All the prisoners were taken for execution at other locations.<sup>1795</sup> Some witnesses stated that Wat So Ben was also a worksite



- where rice was grown and machinery was repaired; dishes, pots, frying pans, plough blades, etc. were made there.<sup>1796</sup>
425. A witness stated that he was sent to make medicine ampoules inside the pagoda in 1976 or 1977. He did not see any detention facility and he did not know of people being detained or disappeared there.<sup>1797</sup> It was an ampoule-making and rice-growing sites.<sup>1798</sup> Most of the prisoners who were arrested and sent to Wat So Ben were former soldiers of the LON Nol regime, former chiefs of 10-household or former chiefs of 50-household groups.<sup>1799</sup>
426. In late 1975, a meeting was held at Wat So Ben, and *Yeay Bo* (ឃុំ), who served on the Kiri Vong district Committee and another district secretary, announced the number of the people who were to be arrested and sent to Wat So Ben; however, **Ta Tith** was not present at the meeting.<sup>1800</sup> Some witnesses stated that they heard from others that during the meeting at Wat So Ben, former soldiers of the LON Nol regime were detained in the *vihara* [the temple sanctuary], and were later taken for execution in the forest along the road between Wat So Ben and Wat Preah Theat (ព្រះធាតុ) Pagoda.<sup>1801</sup> The prisoners' hands were tied behind their backs; a rope was inserted under their armpits; one rope held approximately 10 prisoners.<sup>1802</sup> Witnesses, who were former LON Nol soldiers and survived the killings, stated that Khmer Rouge soldiers escorted 10 prisoners at a time to be shot to death in the forest. The witnesses saw the corpses of others who had been sent to that place with him.<sup>1803</sup> Those corpses were thrown into a reservoir; they were buried by the villagers.<sup>1804</sup>
427. Other witnesses present at Wat So Ben during the Democratic Kampuchea regime stated that between 1975 and 1979 there were no killings at Wat So Ben.<sup>1805</sup>
428. Only one witness who was sent to make medicine ampoules at Wat So Ben stated that he saw **Ta Tith** visiting Wat So Ben once in a while, not so frequently.<sup>1806</sup>

### 2.2.2. SAOM (ស្រែម) VILLAGE EXECUTION SITE

429. Saom village Execution Site was located in Soam commune, Kiri Vong district, Takeo province.<sup>1807</sup>
430. A civil party applicant stated that he heard from others about an incident in which approximately 60 Khmer Krom people who had requested to defect to the Khmer Rouge in Saom village in approximately 1977 or 1978 were all taken by the Khmer Rouge for execution after a welcome party was held for them.<sup>1808</sup>
431. In Saom village, there were three large, round bomb craters; each was around 5 metres in diameter and 1.7 metres in depth. These craters were used for burying corpses.<sup>1809</sup> The civil party applicant stated that he heard from local people that there were Khmer Krom people killed in Saom village.<sup>1810</sup> After the regime fell, he went to see the three craters and claims that he saw that the craters were full

- of corpses.<sup>1811</sup> This civil party applicant saw corpses. Many shirts were seen inside those craters. However, the number of corpses could not be estimated.<sup>1812</sup>
432. Another witness named MOENG Vēt (ម៉ឹង វេត) stated that there were no arrests, tortures, or killings in Saom village because there were only soldiers living there, and there were no civilians.<sup>1813</sup>
433. Among those who provided information about Saom village Execution Site, none of them had heard of or known YIM Tith.<sup>1814</sup>

### 2.2.3. ANLONG VOAR BRENG (អន្លង់វាលប្រេង) WORKSITE AND CHHNAL

#### MOAN (ម្កាល់មាន) EXECUTION SITE

434. Anlong Voar Breng worksite was located in Ruessei Preah (រួស្មីព្រះ) village, Chhnal Moan commune, Koas Krala district, Battambang province, Sector 1, Northwest Zone.<sup>1815</sup> Even though some people called it Anlong Voar Breng and others called it Anlong Vil Braeng (អន្លង់វិលប្រេង), a witness testified that “*Anlong Voar Breng*”, was the correct name,<sup>1816</sup> not “Anlong Vil Breng”. During the Democratic Kampuchea regime, the worksite called “Anlong Voar Breng worksite” was located in Koas Krala district.<sup>1817</sup> In addition, Anlong Voar Breng worksite was located at a natural boundary with a canal right in the middle of the field.<sup>1818</sup> Nowadays, the former Anlong Voar Breng worksite has been transformed into vast rice fields.<sup>1819</sup> Anlong Voar Breng worksite was in operation until the collapse of the Democratic Kampuchea regime.<sup>1820</sup>
435. The Ruessei Preah village Chiefs included Nēm<sup>1821</sup> (ណែម), Pos<sup>1822</sup> (ប៉ុស), and Dim<sup>1823</sup> (ឌីម). Poah<sup>1824</sup> (ប៉ោ) served on the Anlong Voar Breng cooperative Committee. The Southwest cadres arrived in Ruessei Preah in mid-1978.<sup>1825</sup>
436. All the villagers living near Anlong Voar Breng worksite were forced to work and build makeshift camps in the middle of the field in order to harvest rice, thresh it, put it into sacks, and distribute it to other places.<sup>1826</sup> At the worksite, there were many workers, including female and male youth units, children's units, and adult units.<sup>1827</sup> The female and male youth units were ordered by their upper echelons to work in mobile units; children's units were assigned to pick up cattle dung to fertilise rice fields; and the old people were assigned to look after young children whose parents were working at worksites.<sup>1828</sup>
437. Anlong Voar Breng was a worksite and it was not used as a security office for detaining people.<sup>1829</sup> There were no killings at this worksite.<sup>1830</sup>
438. At Anlong Voar Breng worksite, people were required to work from 5 a.m. to 11 a.m. before they rested to have lunch. They resumed work at 1 p.m. and continued until 5 p.m.<sup>1831</sup> Around 200 families were sent to work at Anlong

- Voar Breng worksite. The living conditions were very difficult; workers had to sleep on the ground. Some of them slept in small huts.<sup>1832</sup> The children's units were also sent to work at Anlong Voar Breng worksite.<sup>1833</sup> As regards to the food rations for the workers at Anlong Voar Breng, each worker was given only two or three ladles of rice gruel.<sup>1834</sup>
439. Anlong Voar Breng worksite was guarded by around 20 Southwest group soldiers.<sup>1835</sup> Some workers at the worksite were arrested and they were sent for execution at Chhnal Moan Execution Site and sometimes at Koas Krala Security Office.<sup>1836</sup> The workers at Anlong Voar Breng worksite were required to work almost until the collapse of the Democratic Kampuchea regime, and those people stopped working only when they heard the radio broadcast that Phnom Penh had been liberated.<sup>1837</sup>
440. Chhnal Moan Execution Site was located in a school compound in Chhnal Moan commune, Koas Krala district, Battambang province, Sector 1, Northwest Zone.<sup>1838</sup> Those who were taken for execution at Chhnal Moan included the unit chairpersons, the village and commune level cadres, and their relatives.<sup>1839</sup> Chhnal Moan was previously called "Snay Moan (ស្នាយម៉ាន់)".<sup>1840</sup>
441. Many people were sent for execution at Chhnal Moan Execution Site.<sup>1841</sup> The arrests and the killings increased dramatically after the arrival of the Southwest groups.<sup>1842</sup> Chhnal Moan Execution Site was used only for immediate killings; it was not a security office used for temporarily detaining people.<sup>1843</sup> As regards the killings at Chhnal Moan, the Khmer Rouge used iron clubs as the major tool for smashing people to death.<sup>1844</sup> Sometimes people were smashed and pushed into pits that had been dug already.<sup>1845</sup> Not all of the corpses at Chhnal Moan were corpses of people killed at Chhnal Moan; some of the people who died starvation and from illnesses were also taken to be buried at this site too.<sup>1846</sup> As regards to the number of the deceased, no specific source clarifies the exact number.
442. Evidence shows that there were pits in the nearby rice fields near the school compound.<sup>1847</sup> A witness clarified that there were many pits at this site.<sup>1848</sup> A witness saw one pit which contained around 20 corpses, including the corpse of the witness' elder sister.<sup>1849</sup> After the fall of the Democratic Kampuchea regime, many pits were found at Chhnal Moan Execution Site.<sup>1850</sup>
443. Many witnesses once lived at Anlong Voar Breng worksite, but they had not heard of **Ta Tith**.<sup>1851</sup>

#### 2.2.4. BANTEAY TRAENG (បន្ទាយត្រែង) SECURITY OFFICE

444. Banteay Traeng Security Office was located in Kilou (គីឡូ) village, Traeng (ត្រែង) commune, Rotonak Mondol (រតន៍មណ្ឌល) district, Battambang province, and was part of Sector 1 of the Northwest Zone.<sup>1852</sup> It is estimated that between 800 and 1,000 people were killed at this site.<sup>1853</sup> Intensified killings occurred

between 1977 and 1978, when a large number of people were “killed indiscriminately”.<sup>1854</sup> The execution site covered an area of 10 hectares, and the entire area was covered with bamboo forest which was known as Prey Ruessei Sangha Daek (ព្រៃឫស្សីសង្ហាដេក).<sup>1855</sup> One perpetrator is still alive and has been found.<sup>1856</sup>

445. Witness NUON Muon (នួន មួន) stated that this office was operational “...probably in early 1977. Generally speaking, Traeng barracks were used as security office when the Southwest group arrived,”<sup>1857</sup> that is before the arrival of the charged person. Witness PEOU Koeun (ពៅ គឿន) stated that the barracks had been in operation for many years, and later in 1977 Division Commander MEAS Ren (មាស រ៉ែន), who was on standby at Traeng barracks, was arrested and sent to Tuol Sleng (ទួលស្លែង) in compliance with POL Pot's invitation letters for division and regiment commanders to go study.<sup>1858</sup> Witness PEOU Koeun added that this was part of implementing the purge policy.<sup>1859</sup> Thus, when **Ta Tith** arrived, he told the people who tended cattle and who grew cotton to pay attention to their work because all high-ranking cadres had been sent to study already.<sup>1860</sup> The witness stated that **Ta Tith** spoke in his capacity as the Sector Committee in charge of zones including Battambang province.<sup>1861</sup> No witnesses could clearly confirm the killings and disappearances of prisoners. When the witness NUON Muon dug earth to search for gold after the end of the Khmer Rouge regime, he saw many fresh corpses, and he concluded that there had been killings in late 1978. The same witness stated that those corpses were exhumed. It was estimated that there were around 600 people, including children, who were killed, and those people might have been tied up before they were taken for execution.<sup>1862</sup> Based on the evidence and facts investigated in Case 002, only the officials of the Genocide Research Committee or the Provincial Department of Culture in the 1980s were authorised to collect those corpses.<sup>1863</sup> We do not know whether the witness NUON Muon used to hold such a position. We do not have sufficient evidence to analyse and determine the factual elements required by laws. In addition, OCIJ have investigated, but have not found the person named **CHEN Kandal** (ចិន កន្ទាល់), who was identified as an executioner at Banteay Traeng in the 1998 report of the Documentation Center of Cambodia.<sup>1864</sup> No evidence nor witness shows the involvement of the charged person with this security office. The witness NUON Muon first saw the charged person when he, in his capacity as Sector 1 Secretary, was invited to arm soldiers in Wat Traeng Pagoda in order to fight the Vietnamese in late 1978.<sup>1865</sup>

## 2.2.5. PHNOM TRA CHEAK CHET (ភ្នំត្រជាក់ចិត្ត) DAM WORKSITE

446. Phnom Tra Cheak Chet Dam worksite was located in Rung (រូង) village, Prey Tralach (ព្រៃត្រឡាច) commune, Rukkhak Kiri (រុក្ខគិរី) district, Battambang province.<sup>1866</sup> This dam worksite was located near Phnom Tra Cheak Chet<sup>1867</sup> (Tra Cheak Chet mountain) where, there was a big stream called Tra Cheak Chet river.<sup>1868</sup> Phnom Tra Cheak Chet worksite was surrounded by dense forest. If one looked in the direction of the site from a distance, one would see the roof of a hall made of zinc sheets on that mountain.<sup>1869</sup> The workers slept in that hall.<sup>1870</sup> Phnom Tra Cheak Chet Dam was 25 metres wide, with its base of 50 metres wide; 50 metres high; and 3 kilometres long.<sup>1871</sup> This site was operational until the arrival of the Vietnamese.<sup>1872</sup>
447. Witness KREB Raun (ក្រិប រ៉ូន), who was once in a children's unit and was prepared to become a soldier of MOUNG (ម៉ោង) district, was herded by Southwest cadres to Phnom Tra Cheak Chet perhaps seven days before the arrival of the Vietnamese in 1979. He stated that the cadres in charge of Phnom Tra Cheak Chet were HIENG (ហៀង) and MĒCH (ម៉េច); however, the witness did not know whether the two cadres were the top chiefs there.<sup>1873</sup>
448. Phnom Tracheak Chet Dam worksite was a forced labour worksite. At Phnom Tracheak Chet, a dam was built in order to establish one reservoir.<sup>1874</sup> People were forced to take part in the construction of the dam and to do other work.<sup>1875</sup> The workers there were not allowed to move around freely; cadres kept watching the workers and monitored all the work throughout the worksite.<sup>1876</sup>
449. Workers were divided into female and male youth units responsible for hard labor; and children's units.<sup>1877</sup> Workers worked 10 hours a day in three shifts, and the work quota for each worker was to carry 3 cubic metres of earth per shift.<sup>1878</sup> Food was provided two times per day, but the food rations were insufficient. Many people fell ill because of starvation.<sup>1879</sup> The witness estimated that over 100 people worked at this worksite.<sup>1880</sup> The dam construction was not completed; it was abandoned when the Vietnamese arrived.<sup>1881</sup>
450. A witness who was herded by the Southwest cadres to Phnom Tra Cheak Chet seven days before the arrival of the Vietnamese observed that workers were not prepared to work any more because they and the witness had decided to flee.<sup>1882</sup> Some people fled towards the Vietnamese side; others were assigned by the Khmer Rouge to carry ammunition up the mountains.<sup>1883</sup>
451. Many witnesses stated that the Southwest cadres herded hundreds of people from Phnom Thipakdei mountain and from other areas to be sent to Phnom Tra Cheak Chet Dam worksite in late 1978<sup>1884</sup>. Around 700 to 800 people from Kach Roteh village were transferred to Phnom Tra Cheak Chet by Southwest

- cadres who planned to kill all of them; however, some of them fled, and some were liberated by the Vietnamese troops.<sup>1885</sup> Witness PHĂN Yim (ផាន់ យីម) stated that all the people in her village were sent to Phnom Tra Cheak Chet on foot and the journey took half a month.<sup>1886</sup>
452. Witness PHĂN Yim heard from a man who fled Phnom Tra Chek Chet that the Southwest cadres planned to put people in the reservoir of Phnom Tra Cheak Chet and detonate land mines to kill all of them.<sup>1887</sup>
453. The witness stated that he heard from survivors of the killings at Phnom Tra Cheak Chet about the killing methods.<sup>1888</sup> The Southwest cadres told the people who had been herded from other areas to attend a meeting to receive the plan from *Angkar*. They threw grenades into the crowds of participants during the meeting.<sup>1889</sup>
454. In addition, the workers at the dam worksite were taken for execution at various locations near the worksite.<sup>1890</sup> Those people were taken for execution in groups of three at a time on the pretext of being called to attend meetings.<sup>1891</sup> It was estimated that around 100 people were killed by the Southwest cadres at Phnom Tra Cheak Chet worksite.<sup>1892</sup> Witness KREB Raun stated that at Phnom Tra Cheak Chet he saw two corpses near the reservoir, but the witness never eye-witnessed any arrests or killings.<sup>1893</sup> Witness MEAS Proeung (មាស ព្រឿង) stated that he saw the killings of three people by young militiamen. Most people were killed because they had stolen food or were former government officials and soldiers of the former regime.<sup>1894</sup>
455. After the collapse of the regime in 1979, many corpses were found along the road leading to Phnom Tra Cheak Chet. Those corpses had not been buried.<sup>1895</sup> There were many other pits which contained around 30 to 40 corpses at Phnom Tra Cheak Chet.<sup>1896</sup>
456. None of the above witnesses, who provided information about Phnom Tra Cheak Chet, mentioned anything about **Ta Tith**. When investigators asked those witnesses whether they knew **Ta Tith**, most of the witnesses responded that they had never heard of that name.<sup>1897</sup>

#### 2.2.6. BANTEAY O TAKREY (បន្ទាយអូរតាក្រែក) EXECUTION SITE

457. Banteay O Takrey Execution Site was located in Phcheav (ភ្នំរាំង) village, Sdau (ស្ទើរ) commune, Rotonak Mondol district, Battambang province, Sector 1, Northwest Zone.<sup>1898</sup> This site was located in an area of around 2 hectares, on the bank of a river which was fully surrounded by bamboo forest.<sup>1899</sup> Before 1975, O Takrey was used by people as a cremation site because it was on high ground.<sup>1900</sup> Banteay O Takrey became an execution site and remained in operation until the collapse of the Democratic Kampuchea regime.<sup>1901</sup>

458. In 1977, when soldiers transported truckloads of people for execution at O Takrey, witness PEOU Koeun (ពៅ គឿន), who secretly watched the incident, stated, *“I saw them killing people, and I was almost killed too. I heard the sounds of impact when they beat people to death.”*<sup>1902</sup> Another witness who also secretly watched the killings stated, *“I saw them take prisoners off the trucks and drag them along the road. I stopped my vehicle. When they saw me, they waved their hands to tell me to drive off.”*<sup>1903</sup> People were transported in trucks for execution with their hands tied.<sup>1904</sup> O Takrey was the site where people were taken for execution; there was no working office or sleeping place there.<sup>1905</sup> The executioners at O Takrey were Kuy (គុយ), It (អ៊ិត), and other people from the Southwest.<sup>1906</sup>
459. The people who were killed at O Takrey were transported from Banteay Traeng Security Office, which was located around 5 kilometres away.<sup>1907</sup> In addition, people were brought from Ka Kaoh (កាកោ) Re-education Centre in Moung Ruessei district, Pailin (ប៉ៃលិន), and other places for execution at O Takrey.<sup>1908</sup> As regards to the killings at O Takrey, sometimes the Khmer Rouge used bamboo stumps to kill people.<sup>1909</sup> The victims at this site were mostly adults; this conclusion is based on the human bones collected after the collapse of the regime.<sup>1910</sup> In addition, no-one survived at Banteay O Takrey. The Khmer Rouge killed all remaining people before the liberation.<sup>1911</sup>
460. At Banteay O Takrey Execution Site, there were around eight pits, each of which was around 3 metres by 4 metres and held around 40 to 50 corpses. In fact, each pit was full of human bones and old clothes which belonged to both men, women, and children.<sup>1912</sup>
461. After the end of the Democratic Kampuchea regime, many human bones were found at Banteay O Takrey Execution Site.<sup>1913</sup> In addition, approximately 10 to 35 pits were found at Banteay O Takrey.<sup>1914</sup> In addition, the witness estimated that there were between 40 and 50 corpses in the pits. There was a total of no fewer than 1,500 corpses outside the pits too.<sup>1915</sup>

#### 2.2.7. TUOL MTES (តួលម្តេស) WORKSITE AND SECURITY OFFICE

462. Tuol Mtes worksite and Security Office was located around 300 metres from Tuol Mtes canal.<sup>1916</sup> Tuol Mtes or Tuol Mtes<sup>1917</sup> cooperative was located between Phnom Thipakdei and Kang Hort (កងត្ត) village<sup>1918</sup>, which was around 10 kilometres west of Phnom Thipakdei<sup>1919</sup> and around 4 kilometres away from Kang Hort village.<sup>1920</sup>
463. Tuol Mtes cooperative was used both as a worksite and a security office.<sup>1921</sup> There were long halls to accommodate cadre, and wooden detention halls with wooden walls and roofs made of zinc sheets. The detention halls were locked like warehouses; prisoners were not shackled, but over 20 militiamen kept

- guard outside the halls.<sup>1922</sup> In one unit, there were between seven and eight guards; there were long dining halls, and long halls with thatched roofs or leafed roofs without walls along the banks of the canal for mobile unit workers to sleep in.<sup>1923</sup> In addition, there was a big hall where machinery and oil were kept.<sup>1924</sup> A dam at Chhay Balangk (គាយបល្ល័ង្ក) mountain or Kory (គីយ) mountain was a part of Tuol Mtes.<sup>1925</sup> Tuol Mtes worksite remained in operation until late 1978 or early 1979.<sup>1926</sup>
464. Tuol Mtes worksite was under the control of Sector 1, and the cooperative was under the control of the commune and the district.<sup>1927</sup> Witness ROEUNG Sopheap (រឿង សុភាព), who lived at Tuol Mtes from 1976 to the end of the Khmer Rouge regime, and other witnesses who used to work at Tuol Mtes, stated that the leadership at Tuol Mtes included Vorn (វ៉ុន) or Vun (វ៉ុន), Von (វ៉ុន), and *Ta Srei* (ស្រី). Later, Von was arrested in approximately 1977 because he was accused of betraying the regime. He was replaced by Rin (រិន).<sup>1928</sup> Other witnesses who used to work at Tuol Mtes worksite stated that Vorn was the chairperson,<sup>1929</sup> and the chairperson of Tuol Mtes cooperative was Yǎn (យ៉ាន់).<sup>1930</sup>
465. Witness TĒP Sarun (ទេព សារុន) stated that *Ta Vanh* (វ៉ាញ), who was the Sector 1 Secretary, frequently visited Tuol Mtes worksite.<sup>1931</sup> However, other witnesses stated that they never saw sector level cadres or district level cadres visiting Tuol Mtes worksite, and that district level cadres only came to villages to lay out the plans for local cadres to work harder.<sup>1932</sup>
466. A witness described the arrests and transfer of people to Tuol Mtes Security Office, stating that around seven to eight people were arrested before his group was arrested. The witness added that on any one occasion people from seven to 15, 20, or 30 were arrested.<sup>1933</sup> The witness added that his group, which was the eighth or ninth group, comprised of around 45 people including the witness, who were also arrested.<sup>1934</sup>
467. Another witness stated that he was arrested to be detained at Tuol Mtes for three months after the arrival of the Southwest cadres in early 1977.<sup>1935</sup> All of the Northwest cadres were arrested to be detained at Tuol Mtes Security Office, being accused of being part of KGB or Yuon networks.<sup>1936</sup> Those prisoners included ordinary people and Northwest cadres together with their family members, ranging from cooperative to district level cadres.<sup>1937</sup>
468. Witness SOKH Cheat (សុខ ជាតិ), who was arrested to be detained at Tuol Mtes from August 1977 to early 1978, stated that he did not see any detention hall or prison at Tuol Mtes.<sup>1938</sup> However, at least 30 to 40 people were sent by



- militiamen to study because those people had broken yokes, damaged earth-carrying baskets, broken hoe handles, or made complaints.<sup>1939</sup>
469. At Tuol Mtes, hundreds or up to thousands of people were working, and in general those people were brought from the cooperatives in Sector 1, and most of them were Northwest cadres who had been arrested by the Southwest.<sup>1940</sup> The Khmer Rouge divided workers into two to three units; in one unit there were 10 groups, and in one unit there were over 30 people, including men, women, and children.<sup>1941</sup>
470. Some witnesses who were detained at Tuol Mtes stated that they were arrested and sent to Tuol Mtes and were forced to do hard labour such as cutting down trees, building dikes, digging ditches, building rice field dikes, pulling out rice seedlings, and transplanting rice seedlings, and they were closely watched by guards all the time. The workers rested for only two hours per day.<sup>1942</sup> In addition, the Khmer Rouge set work quota, and if workers did not meet the targets, they would be subject to criticism.<sup>1943</sup> Actually, the Khmer Rouge assigned workers to build rice field dikes which were 1 metre high, the crest was 1 metre wide and the base was 1.5 metres wide. Each worker had to build 10 metres of a rice field dike per day,<sup>1944</sup> or had to cut down 10 trees per day.<sup>1945</sup>
471. Workers started working at dawn and rested at 11 a.m. and resumed working at 1 p.m. until the evening, and subsequently, workers had to thresh rice at night until 1 a.m.<sup>1946</sup> The food rations were insufficient; workers were given only rice gruel with water morning glory soup or soup cooked with tree leaves and salt only two times per day; this caused many people to fall ill and die.<sup>1947</sup>
472. A witness who transported rice seedlings from Tuol Mtes to be distributed to rice fields stated that the work was not difficult, but soldiers inspected the work and used clubs or sticks to beat those who worked slowly.<sup>1948</sup> A witness who worked at Tuol Mtes during the rainy season of 1977 stated that the workers there did not disappear; however, on two occasions he saw the Khmer Rouge taking strange people to mill rice under guard, and on each occasion around four or 10 people were taken to mill rice.<sup>1949</sup> Later, he saw new pits near the worksite.<sup>1950</sup> Another witness who had been detained at Tuol Mtes stated that two or three Northwest cadres who were detained with him disappeared every day, with the number of people declining from over 100 to only 30.<sup>1951</sup>
473. The ordinary people, former Northwest cooperative cadres, district cadres, and soldiers who had been arrested were called to the dining hall to eat rice gruel, and five to six militiamen told them to work at other worksites<sup>1952</sup> such as to harvest sugar cane at Daun Troek (ដួនត្រីក), at the origin of Sangkae river near the Cambodian-Thai border, or at Kakaoh, etc. Those people disappeared and around four or five days later nine to 10 corpses were seen in the forest and ponds.<sup>1953</sup>
474. Evidence shows that around 1978, after the Southwest cadres had been in charge for one year, more Northwest soldiers and ordinary people were killed because the Southwest cadres considered all the previous cadres as the enemies

- of Angkar.<sup>1954</sup> A witness stated that she and her friends attended a meeting, where the Khmer Rouge had plotted to kill all the participants.<sup>1955</sup> The witness stated that at that time the Khmer Rouge had dug pits already, and they ordered all the participants to eat Khmer noodles in those pits. When night fell, her group fled to Khnang Kou; however, soldiers saw her group and they shot and killed four men in the group.<sup>1956</sup> Another witness stated that he saw the arrests of Northwest cadres, and the witness inferred that they were killed because the witness did not see them again.<sup>1957</sup>
475. Witness YĒT Yoeun (យ៉ែត យ៉ឺន), who was a platoon chief from 1975 to 1976, and in 1978<sup>1958</sup> was selected to be the chief of another platoon at Tuol Mtes, stated that he saw around 10 corpses of Khmer and Chinese-Khmer adults during the dry season, probably in April or May 1977, when the area was still under the control of the Northwest cadres.<sup>1959</sup> Those corpses were not tied up; however, he believed that those people must have been tied up before they were killed.<sup>1960</sup>
476. Another witness believed that around 800 people disappeared at Tuol Mtes worksite and Security Office during the Khmer Rouge regime.<sup>1961</sup>
477. Witness SĀO Choab (សៅ ជាប់) stated that from 1976 to 1977 **YIM Tith** visited Tuol Mtes worksite.<sup>1962</sup> The witness added that **YIM Tith** came to inspect the people who were working at the worksite, doing rice field work, and building dikes.<sup>1963</sup> Another witness who was sent to work at Tuol Mtes in 1978 stated that she saw **YIM Tith** when he attended a meeting before the arrival of the Vietnamese,<sup>1964</sup> and during the meeting **YIM Tith** told people to work harder to produce more rice to feed the soldiers and he told people to be vigilant against the Yuon enemies.<sup>1965</sup>
478. A witness who was sent to work at Tuol Mtes worksite from approximately August 1977 to early 1978 stated that **Ta Tith** took charge of that place in 1977,<sup>1966</sup> and the witness met **YIM Tith** in a meeting at Banan (ប៉ាន់) in late 1977.<sup>1967</sup> Later, at Tuol Mtes, around 10 people were taken to study once every two or 3 days, and those people disappeared.<sup>1968</sup>
479. Nevertheless, other evidence shows that **YIM Tith** was not present at Tuol Mtes. In fact, many witnesses who lived and worked at Tuol Mtes cooperative throughout the Khmer Rouge regime stated that they never saw, knew or heard of **Ta Tith's** visits to Tuol Mtes.<sup>1969</sup> A witness who was sent to do rice field work around 2 kilometres away from Tuol Mtes from approximately May or June 1977 to 1979<sup>1970</sup> also stated that he never knew **Ta Tith**.<sup>1971</sup> Witness NUON Muon (នួន មួន), who was an assistant in Sector 1 under the tenure of the Northwest cadres and who was kept at Tuol Mtes when the Southwest cadres arrived, stated that he had never heard of **Ta Tith** at Tuol Mtes.<sup>1972</sup> A witness who transported rice seedlings from Tuol Mtes to be distributed to rice fields clarified that he had heard of **Ta Tith**, but he had never seen him.<sup>1973</sup>

## 2.2.8. TUOL ANDAET (ទួលអណ្តែត)

480. Wat Tuol Andaet (Tuol Andaet Pagoda) was located in Doung (ដូង) village, Chaeng Mean Chey (ចែងមានជ័យ) commune, Banan district, Battambang province.<sup>1974</sup> Witnesses clarified that Wat Tuol Andaet was around 300 to 400 metres away from Kang Hort Dam worksite.<sup>1975</sup> Wat Tuol Andaet was both a killing site and a detention facility.<sup>1976</sup> However, some witnesses stated that Wat Tuol Andaet was not a security office, nor a prison, nor a detention facility.<sup>1977</sup> It was used for storing broken trucks and machinery from Kang Hort dam which were to be repaired, and sometimes it was also used for detaining people temporarily.<sup>1978</sup>
481. The compound of Wat Tuol Andaet covered an area of around 1 hectare; there was one building which was used for storing machinery, and around 20 metres away from that building was a windowless wooden building with a roof made of zinc sheets measuring 6 metres by 8 metres which was used for detaining serious offenders.<sup>1979</sup> Around 30 metres away from that wooden building was one wall-less building which was guarded by security guards and was used for detaining light offenders.<sup>1980</sup> Wat Tuol Andaet remained operational until the arrival of Vietnamese forces.<sup>1981</sup>
482. Witness CHHĀM Luy (ឆាំ លុយ), who was detained at Wat Tuol Andaet, stated that *Ta Nim* (នីម) was in charge of Wat Tuol Andaet, and soldiers armed with AK rifles and B-90 rocket launchers guarded that place.<sup>1982</sup> Another witness KĀO Porn (កៅ ពន) stated that he met *Ta Nim* once at Tuol Andaet and *Ta Nim* ordered the witness to carry a gun.<sup>1983</sup>
483. Many people disappeared from the village because those people were arrested and sent to be detained at Wat Tuol Andaet, being accused of being traitors or Yuon networks.<sup>1984</sup> Soldiers arrested people and their family members, and transported the prisoners in trucks, with between 20 and 40 people being arrested at one time.<sup>1985</sup> Witness CHHĀM Luy, who was arrested at that time, stated that upon arrival at the security office, prisoners were divided into two groups. Some prisoners were selected and taken to be shot to death instantly because the Khmer Rouge had clear information about their connections with the Yuon, whereas the prisoners who were not taken for execution immediately were detained at another place which was around 30 metres away from that building in order to collect more information.<sup>1986</sup> The witness CHHORN Hea (ស៊ន ហ៊ី) stated that his cousin and his wife and mother were taken to be detained at Wat Tuol Andaet.<sup>1987</sup>
484. The witness did not actually see the killings, but saw soldiers escorting prisoners for execution at dusk,<sup>1988</sup> and heard the cry of around 20 prisoners, including children, who had been selected for execution. According to the

- witness, some remaining prisoners were sent to Phnom Thipakdei, and others were shot to death.<sup>1989</sup>
485. Witness CHHORN Hea estimated that the number of people killed at Wat Tuol Andaet was over 100.<sup>1990</sup> Witness CHHĀM Luy stated that under *Ta* Nim's tenure at Wat Tuol Andaet, his relatives and many people in the area were taken for execution.<sup>1991</sup>
486. The witness believed that it was because **Ta Tith**, who was Sector 1 Secretary, issued orders to kill people, and *Ta* Nim, who was a Southwest cadre and a subordinate of **Ta Tith**, also killed many people in Sector 1, accusing those people of having connections with Vietnam.<sup>1992</sup> The witness believed that **Ta Tith** visited *Ta* Nim's office at Wat Tuol Andaet, but the witness never saw **Ta Tith** visiting Wat Tuol Andaet nor met **Ta Tith**.<sup>1993</sup>

### 2.2.9. KRALOENG DOM (ក្រឡឹងដំ)

487. Kraloeng Dom was a worksite in Sector 1 of the Democratic Kampuchea regime. Kraloeng Dom worksite was located in a rice field area around 2 to 4 kilometres east of Kang Hort Dam<sup>1994</sup> and was located next to Tuol Mtes worksite.<sup>1995</sup> One canal ran from Kang Hort through Kraloeng Dom.<sup>1996</sup> This worksite remained in operation until the arrival of the Vietnamese forces.<sup>1997</sup>
488. As regards the administrative structure of the worksite, no witness could provide clear information about the administrative structure of Kraloeng Dom worksite,<sup>1998</sup> and only witness CHUON Thân (ជួន ថ័ន) stated that he was a cadre in charge of Kraloeng Dom worksite and reported to the Traeng cooperative chairperson named Chhean (ឈាន).<sup>1999</sup>
489. The workers at Kraloeng Dom worksite included members of mobile male and female youth units, and ordinary people.<sup>2000</sup> In fact, witness CHUON Thân, who was the chairperson of a mobile unit, stated that in early 1978, he was in charge of a mobile unit comprised of around 50 members, and his unit was sent by the cooperative chairperson to do rice field work at Kraloeng Dom.<sup>2001</sup> Upper echelons laid out the plan by assigning his unit to grow rice in an area of 100 hectares, and to tend five pairs of cows.<sup>2002</sup>
490. The working conditions at Kraloeng Dom were very difficult; workers were forced to work without rest.<sup>2003</sup> In addition, at Kraloeng Dom worksite, workers were not given sufficient food.<sup>2004</sup> A witness stated that he fled Kraloeng Dom because of lack of food, and he was chased.<sup>2005</sup>
491. Witness CHUON Thân stated that people were not mistreated, and the workers at Kraloeng Dom worksite were not killed.<sup>2006</sup> The testimonies of all witnesses show that none of the witnesses saw **Ta Tith** visiting Kraloeng Dom worksite.<sup>2007</sup>

2.2.10. TRACH KRAOL (ត្រាចក្រោល) PRISON OR BOENG BAT KANDAL  
(បឹងបាតកណ្តាល) PRISON

492. Trach Kraol Security Office or Boeng Bat Kandal Prison was located in Trach Kraol (ត្រាចក្រោល) village, Boeng Khnar (បឹងខ្នារ) commune, Bakan district, Pursat province.<sup>2008</sup> The compound of this security office was surrounded by wooden fences and barbed wire,<sup>2009</sup> and contained two detention buildings which were long halls measuring around 3 metres in width and around 5 metres in length.<sup>2010</sup> One detention hall was used for detaining male prisoners and another detention hall was used for detaining female prisoners. The Khmer Rouge also built huts. Three or four prisoners stayed in each hut.<sup>2011</sup> In addition, the compound of Trach Kraol Prison contained one building where traditional medicine was made and it was known as the social affairs office. It was under the control of *Ta Chhoeun* (ឈឿន) and included a cassava plantation where prisoners worked and a sugar warehouse.<sup>2012</sup>
493. In 1976, this security office was launched in Thkoul (ថ្នូល) village, Bat Kandal (បាតកណ្តាល) commune, Bakan district, Pursat province, and the person in charge was *Ta Khin* (ឃីន), and in approximately 1977 it was moved to Boeng Kul (បឹងគល់) Pagoda.<sup>2013</sup> Later, the security office was moved to Trach Kraol village, and it was named Trach Kraol Security Office. That was its last location<sup>2014</sup> and it was around 1 kilometre away from Boeng Kul Pagoda.<sup>2015</sup> This security office remained in operation until the arrival of the Vietnamese forces.<sup>2016</sup>
494. Trach Kraol Security Office was under the control of Kdat (ក្តាត) district (current Bakan district). People from all the villages and communes were sent to this office<sup>2017</sup>. There have been different claims made concerning the name of the chairperson of Trach Kraol Security Office because the leadership changed from one period to another. The names that witnesses mentioned may have been the cadres in charge of this security office at different periods of time. Witness IM Pum (អ៊ឹម ពុំ), who was detained in Trach Kraol Security Office for over one year, stated that the Trach Kraol Security Office chairperson was Khon (ខុន). Bi (បី) may have been the chairperson or the Vice-chairperson at Trach Kraol because both of them worked together.<sup>2018</sup> Witness SOEM Voeun (ស៊ឹម វៀន), who was a former prisoner at this security office for six months before the arrival of the Vietnamese, stated that Di (ឌី) was this Security Office chairperson.<sup>2019</sup>

495. Witness AM Sokhon (អ័ម សុខុន), alias Khon (ខុន), who was a former Trach Kraol Security Office chairperson for a period, clarified that the cadre who was in charge of Trach Kraol Security Office when it initially began its operation was *Ta Khin*.<sup>2020</sup> After the security office was moved to Boeg Kul Pagoda, Chhão (ឆ្នៅ) and Yăn (យ៉ាន) took charge, and shortly after that, they were taken for execution, approximately in 1977.<sup>2021</sup> Later, the witness was appointed to take charge of this security office, which at that time was still located in Boeng Kul Pagoda, until he was removed in 1978 and Pim (ពីម) was sent to take charge of this security office.<sup>2022</sup> The witness added that Di was also a chairperson of Trach Kraol Security Office.<sup>2023</sup> In addition, around 50 to 60 Khmer Rouge cadres and soldiers took turns to keep guard and stand by.<sup>2024</sup>
496. The witness estimated that this security office held around 200 to 400 people.<sup>2025</sup> The prisoners who were arrested and sent there included 17 April people and Khmer Rouge cadres, including men, women and children, who were accused of being enemies and feudalists, committing moral offences, disobeying orders, or rejecting forced marriages.<sup>2026</sup> The male and female prisoners were detained separately.<sup>2027</sup> Prisoners were not allowed to walk around freely.<sup>2028</sup> Between 50 and 60 prisoners<sup>2029</sup> were detained in each detention hall. Cuffs and shackles were placed on their hands, legs and necks.<sup>2030</sup> If any prisoner tried to flee and was captured, that prisoner was tortured to death.<sup>2031</sup> In fact, three prisoners who tried to flee were arrested and killed by having their abdomens cut open.<sup>2032</sup> Another prisoner was decapitated.<sup>2033</sup>
497. Previous prisoners were taken away for execution before 'new' prisoners were brought in.<sup>2034</sup> In fact, the witness saw soldiers and prison guards escorting prisoners for execution in a forest and carrying the prisoners' belongings back with them when they returned.<sup>2035</sup> A witness saw Khmer Rouge soldiers escorting around 15 prisoners to be shot to death in a forest around 500 metres away from Trach Kraol Prison.<sup>2036</sup> Another witness stated that when he went to work outside the prison, he saw hundreds of corpses of prisoners who had been killed that were scattered across the field behind the prison.<sup>2037</sup>
498. A witness stated that in 1977 and in 1978 the killings at Trach Kraol Security Office increased dramatically.<sup>2038</sup> The witness eye-witnessed militiamen taking people with fair complexions, and those with Chinese and Yuon looks, including children, to be tortured or killed every night near Trach Kraol Security Office.<sup>2039</sup> Some victims, including *Ta Nem* (តៃណេម), who was on the Sector 7 Committee, were taken for execution because they spoke with Vietnamese accent.<sup>2040</sup> Chhão and Yan were in charge of Trach Kraol Security Office, but shortly after they took charge of the security office, both of them were taken for execution for reasons that are not known.<sup>2041</sup>

499. Most of the witnesses who provided information about Trach Kraol Security Office stated that they did not know, nor had ever heard of **YIM Tith** or **Ta Tith** during the Democratic Kampuchea regime.<sup>2042</sup>

#### 2.2.11. SEXUAL VIOLENCE AGAINST THE KHMER KROM AND EAST ZONE PEOPLE IN BAKAN (បាកាន) DISTRICT

500. Four witnesses who saw incidents first hand stated that the rapes in Bakan district occurred at Andoung Char (អណ្តូងចារ), Taing Krasaing (តាំងក្រសាំង), Tuol Pongro (ទួលពង្រង), and outside Phum Veal Security Office near the killing site.<sup>2043</sup> In addition, one witness heard from others that rapes occurred at Tuol Prahout (ទួលប្រហ្នត).<sup>2044</sup> Rapes in Bakan district occurred from 1975 through to almost the end of the Khmer Rouge regime.<sup>2045</sup> Witnesses stated that Chhung (ឈ្នុង) and Prohit (ព្រលីត) gave a pretty girl to Kung (កង់) so that he might rape her.<sup>2046</sup> Another witness stated that soldiers, militiamen, and executioners raped women before killing them.<sup>2047</sup> A witness clarified that Kung raped a girl.<sup>2048</sup> Before raping and killing women, executioners always drank wine.<sup>2049</sup> The witness did not know the number of rapists.<sup>2050</sup> Pretty girls and women were the targets of rape before they were killed.<sup>2051</sup> Most of the female victims were Khmer Krom, Khmer women,<sup>2052</sup> and a women from the East Zone.<sup>2053</sup> The witness saw first hand, from around 30 metres away from the raping site, that there were three to four female victims.<sup>2054</sup> Some of those female victims were around 16 years old,<sup>2055</sup> and some of them were probably 30 years old.<sup>2056</sup>
501. Militiamen pulled the female victims to a corner, took off their clothes, stepped on them, and raped them.<sup>2057</sup> In addition, a rapist pushed a bamboo stick into the vagina of one woman.<sup>2058</sup> The witness stated that the rapes occurred from around 7 to 8 until all the rapists were satisfied, but the witness did not specify whether this was during day or at night time.<sup>2059</sup> A witness saw two women being raped at night.<sup>2060</sup> Another witness stated that rapes also occurred before dawn.<sup>2061</sup>
502. Based on the testimonies of many witnesses, in general, women were raped before they were killed,<sup>2062</sup> and some women were killed by having their throats cut.<sup>2063</sup> The soldiers who raped and killed those women were not punished.<sup>2064</sup> However, a witness stated that those who raped and killed those women were later arrested and killed. This might have happened on account of orders from the district Committee that district soldiers should arrest those rapists.<sup>2065</sup>

#### 2.2.12. DAMNAK REANG (ដំណាក់រាំង) EXECUTION SITE

503. Damnak Reang was an execution site near Pailin.<sup>2066</sup> Initially, people were arrested because they fled into the jungle because they were afraid of being killed by the Khmer Rouge; however, later those people were released on orders

from NUON Chea (នួន ជា).<sup>2067</sup> After being released for around three days, around 40 people were arrested again by soldiers led by **Yim Tith**, the sector secretary, and they were sent to be detained at Banan.<sup>2068</sup> The arrests of those people were carried out on *Ta Mok's* order to purge.<sup>2069</sup>

504. The witness added that prisoners were transported in trucks for execution at Damnak Reang.<sup>2070</sup> The witness added that the people who had been killed were buried.<sup>2071</sup> However, some people escaped from the killings with only injuries to their limbs.<sup>2072</sup>

### 2.2.13. WAT KANDAL (វត្តកណ្តាល) SECURITY OFFICE

505. Wat Kandal Security Office was located on the eastern bank of Sangkae river, in the middle of Battambang town, and it was the largest prison in the Northwest Zone.<sup>2073</sup> Witness TOAT Thoeun (ទាត់ ចៀន) stated that Wat Kandal Security Office was a security office of the Centre. He (the witness) was told by *Ta Nhim's* (ញឹម) messengers whose names were Nam (ណាម) and Khuong (ខ្យង).<sup>2074</sup> The same witness added that this office was under the direct control of the Centre, not the Zone.<sup>2075</sup> CIJ witnesses LIM Tim (លីម ទឹម) and SOKH Èm (សុខ ឯម) stated that the Wat Kandal Security Office chairperson was Kây (កាយ).<sup>2076</sup>
506. Another witness named CHHORN Vorn (ឈ័ន វន), a former body guard of *Ta Nhim*, stated that in late 1978 he saw two truckloads of soldiers searching *Ta Nhim's* house whilst the witness was transporting *Ta Nhim's* wife to another village.<sup>2077</sup> When the witness came back and reached Battambang town, he was arrested and detained at Wat Kandal, which was controlled by Southwest soldiers.<sup>2078</sup> In March 1977, witness LIM Tim was arrested and detained at Wat Kandal for a period and was subsequently released. He was inside the truck, but he was not the truck driver driving the truck and it hit the lathe factory in Phnum Sampov (ភ្នំសំពៅ).<sup>2079</sup>
507. The detention building of this security office was three storeys high and contained “many cells for detaining prisoners”.<sup>2080</sup> Wat Kandal was a carefully organised prison; lists of prisoners were kept;<sup>2081</sup> prisoners were photographed; and written documents together with prisoners' biographies were kept.<sup>2082</sup> In 1978, prisoners were interrogated, tortured and killed inside the pagoda or inside the houses near the pagoda.<sup>2083</sup> Witness VÂN Nat (វ៉ាន់ ណាត), who was detained at Wat Kandal from 31 December 1977 to 07 January 1978,<sup>2084</sup> was taken to a forest behind the prison and was kept inside “a small concrete house”, where he saw “very long iron bars, clubs, plastic bags and sticks” that were



- hanging on the walls, and he saw “fresh blood stains” under his chair as well.<sup>2085</sup>
508. Electrocution was used as a method to torture prisoners to obtain confessions.<sup>2086</sup> An atmosphere of fear existed at Wat Kandal; prisoners knew that other prisoners were tortured<sup>2087</sup> and they were afraid that they would face the same fate.<sup>2088</sup>
509. The living conditions in the prison were very inhumane. VĂN Nat was given one plateful of rice gruel to share with six other prisoners,<sup>2089</sup> and the prisoners were not allowed to drink water.<sup>2090</sup> Prisoners were shackled at their legs<sup>2091</sup> or were locked up in a wooden warehouse.<sup>2092</sup> Most of the prisoners who were taken to Wat Kandal Security Office were never seen again.<sup>2093</sup>
510. So far, no estimate has been made of the number of people who were killed at this security office; however, a survivor stated that prisoners were killed almost every day.<sup>2094</sup> Corpses were pulled out “as if they were animals, with their legs and hands tied to a bamboo club”.<sup>2095</sup>

#### 2.2.14. WAT BANTEAY NEANG (វត្តបន្ទាយនាង) SECURITY OFFICE

511. Wat Banteay Neang Security Office was located in Phnum Lech (ភ្នំលិច) village, Banteay Neang (បន្ទាយនាង) commune, Mongkol Borei (មង្គលបូរី) district, Banteay Meanchey (បន្ទាយមានជ័យ) province.<sup>2096</sup> Wat Banteay Neang Security Office or Security Office 230<sup>2097</sup> was located in the compound of Banteay Neang Pagoda. It had an area of around 1 kilometre square (1 kilometre by 1 kilometre) and was guarded by soldiers.<sup>2098</sup> Inside the compound of the pagoda were the *vihara*, monks' monasteries, southern and western wooden buildings where serious and light prisoners were detained,<sup>2099</sup> a wooden wall-less interrogation building,<sup>2100</sup> and a wooden house where the cadres worked.<sup>2101</sup> Evidence shows that people were killed both inside and outside the compound of Wat Banteay Neang.<sup>2102</sup> This security office was established by the Northwest cadres and began operation in 1976;<sup>2103</sup> when the Southwest cadres arrived, this security office continued to be in operation until the arrival of the Vietnamese in 1979.<sup>2104</sup>
512. Some witnesses stated that Banteay Neang Security Office was under the control of the military because both the personnel and guards there were soldiers.<sup>2105</sup> This security office was initially established by the Northwest Zone and was managed by Sokh (សុខ),<sup>2106</sup> the chairperson. When the Southwest cadres came to take charge, Sokh remained the Security Office chairperson and he continued to be in charge of interrogations until he was taken for execution after the arrival of the Vietnamese.<sup>2107</sup> Witness MĂN Chuon (ម៉ាន់ ជួន), who was detained for one week at Wat Banteay Neang Security Office, stated that he

- knew Măo, who was the Prison Guard Unit chairperson, but the witness did not know the Wat Banteay Neang Prison chairperson.<sup>2108</sup>
513. Witness MĂN Chuon added that he was detained over there in approximately early 1976, and he saw 12 guards;<sup>2109</sup> whereas a witness who lived near the security office from early 1977 to the end of the regime stated that he saw between 20 and 30 guards patrolling the security office.<sup>2110</sup>
514. In early 1977, under the tenure of the Northwest cadres and before the arrival of the Southwest cadres, the arrests increased. Most of the victims were former soldiers and government officials of the LON Nol regime, and people who committed moral offences.<sup>2111</sup> However, when the Southwest cadres arrived, they began arresting the Northwest cadres<sup>2112</sup> from village- and commune-level cadres<sup>2113</sup> to zone-level cadres;<sup>2114</sup> such arrests increased dramatically in October or November 1978.<sup>2115</sup> A witness stated that when the Southwest cadres arrived, many of the Northwest cadres were removed, and some of the Northwest guards and soldiers continued to work at this security office under the control of the Southwest cadres.<sup>2116</sup>
515. Some witnesses estimated that Wat Banteay Neang Security Office could hold hundreds of people.<sup>2117</sup> The prisoners included men, women and children, all of whom were detained together, without being separated.<sup>2118</sup> Most of the prisoners were men; they were new people, former LON Nol<sup>2119</sup> soldiers and Northwest cadres.<sup>2120</sup> Sometimes, those prisoners were transferred to other security offices such as Serei Saophoan (ស៊ើបសាកល) Security Office<sup>2121</sup> and Chamkar Khnol (ចំការខ្នុរ) Security Office.<sup>2122</sup> A witness who lived near the security office stated that he saw the Khmer Rouge bringing in around 10 or more people in army Jeeps every day.<sup>2123</sup>
516. In the detention hall, all the prisoners lay on their backs in lines with one of their legs in wooden shackles.<sup>2124</sup> There were 120 to 130 shackles, and around five to eight prisoners were put in one shackle.<sup>2125</sup> Prisoners were tortured by guards and interrogators who beat and kicked them or hit them with clubs.<sup>2126</sup> In addition, some prisoners were beaten with metal pipes, hanged, or suffocated by having their heads covered with plastic bags, and some were electrocuted with electricity generated from a small generator.
517. Prisoners were tied up in lines by armed soldiers and were escorted for execution in groups of eight to 10 almost every day. Most of the killings were carried out at night.<sup>2127</sup> The prisoners were taken for execution. They were beaten or shot to death, and sometimes prisoners were choked or their abdomens were cut open.<sup>2128</sup> A witness stated that he saw the Khmer Rouge taking prisoners for execution outside the compound, around 200 metres away from the detention hall and west of Wat Banteay Neang, and later the witness saw the clothes and shoes of the victims who had been killed.<sup>2129</sup> Another witness stated that he knew about an incident in which 50 to 60 prisoners were killed when the prisoners were taken from the detention hall to dig a canal

- around 1.5 kilometres away from the pagoda, and those prisoners were killed and buried in the canal.<sup>2130</sup>
518. Witness SAM Sokhân (សំ សុខ័ន), who lived near Wat Banteay Neang Security Office until mid-1977, stated that he saw pits inside and outside the compound of Wat Banteay Neang, and each pit contained eight to 10 corpses and other pits outside the pagoda contained between 15 and 20 corpses.<sup>2131</sup> This witness added that after the collapse of the Khmer Rouge regime he captured Sokh, who was the Wat Banteay Neang Security Office chairperson, who told the witness that around 9,000 people were killed inside and outside the pagoda compound.<sup>2132</sup> In 1976, under the tenure of the Northwest cadres, a witness saw new pits once every four days, and heard the screams of prisoners when they were tortured and every time he heard the sound of the generator.<sup>2133</sup>
519. Other witnesses estimated that after 1979 there were between 100 and 200 pits, each containing 10 to 25 corpses, inside the 1-hectare killing site right in front of Wat Banteay Neang.<sup>2134</sup> Between 3,500 and 5,000 victims were killed there.<sup>2135</sup>
520. None of the witnesses who provided information about Wat Banteay Neang knew, nor mentioned **Ta Tith**, the charged person, in connection Wat Banteay Neang Security Office. A witness provided the names of local Southwest cadres, but the witness did not know sector level cadres nor cadres.<sup>2136</sup> In addition, another witness who lived near Wat Banteay Neang believed that this office ceased operation when the Southwest cadres arrived because the Northwest cadres abandoned this office; he did not see prisoners in the compound of this security office, and people were no longer forbidden to travel past the pagoda.<sup>2137</sup>

#### 2.2.15. WAT THOAMAYUTT (ធម្មយុត្តិ) SECURITY OFFICE

521. Thoamayutt Pagoda (which is now called Bopha Vattei (បូជារតី) Pagoda) was located in Ream Kon (រាមគន់) village, Kear (ក្រែវ) commune, Moung Ruessei (ម្លាងប្រស្នី) district, around 50 kilometres south of Battambang town and around 1 kilometre away from Moung Ruessei district Office.<sup>2138</sup> During the Democratic Kampuchea regime, Moung Ruessei district was divided between Sector 1 and Sector 4 of the Northwest Zone.<sup>2139</sup> This security office was located in the compound of Thoamayutt Pagoda,<sup>2140</sup> and the *vihara* (the temple sanctuary), which was located around 50 metres from an entrance, was used by Khmer Rouge cadres as an interrogation hall.<sup>2141</sup>
522. Wat Thoamayutt Security Office was both a detention facility and a killing site. In the eastern section of the security office's compound, and behind the *vihara*, were two killing sites where prisoners were killed and their corpses were dumped.<sup>2142</sup> Wat Thoamayutt initially operated as a security office in 1976.<sup>2143</sup>

- This security office remained in operation until the end of the Democratic Kampuchea regime in 1979.<sup>2144</sup>
523. Wat Thoamayutt Security Office was under the control of the district, and was used for detaining serious offenders in the district.<sup>2145</sup> Witness HUY Kroem (ហ៊ុយ ក្រីម), who was formerly a prisoner at Wat Thoamayutt Security Office, stated that Sokh (សុខ) was the chairperson of Wat Thoamayutt Security Office chairperson throughout the Democratic Kampuchea regime.<sup>2146</sup>
524. Militiamen spied on the people in the villages and reported to Sokh, the Wat Thoamayutt Security Office chairperson, in order to arrest those people.<sup>2147</sup> All the prisoners there were shackled at their legs, and male prisoners wore only shorts, whereas female prisoners were detained separately from male prisoners.<sup>2148</sup> Interrogations were conducted inside the *vihara*.<sup>2149</sup> Interrogators tortured prisoners by beating them or covering their heads with plastic bags until they suffocated, and in one day, the Khmer Rouge interrogated three or four prisoners.<sup>2150</sup> Prisoners were taken out of the detention hall to be interrogated inside the *vihara* before they were taken to a killing site.<sup>2151</sup>
525. A witness stated that he saw the killings of around 20 to 30 prisoners, including men, women and children, at a site around 100 metres south of Thoamayutt Pagoda. The witness added that prisoners were transported in trucks, and the Khmer Rouge soldiers took one prisoner at a time to be smashed with clubs or metal pipes and pushed into pits.<sup>2152</sup>
526. Mobile unit members who worked near Wat Thoamayutt Security Office were also taken for execution at Wat Thoamayutt Security Office. Mobile unit members were arrested at night and were taken for execution at a site near Wat Thoamayutt, and screams were heard from that site.<sup>2153</sup>
527. According to the report by Henri Locard, Southwest cadres were present at that site in August 1977.<sup>2154</sup> By that time, the Northwest cadres had been changed three times already; every time a change was made, previous cadres were taken for execution,<sup>2155</sup> and only later did the Southwest cadres begin killing people.<sup>2156</sup>
528. A report by the Documentation Centre of Cambodia estimated that around 1,000 victims were killed at this security office, and the killings became “intensified” in November and December 1978, when all villagers were killed by the Southwest cadres and “*Ta Mok's* supporters”.<sup>2157</sup>

#### 2.2.16. PHNOM TRAYOUNG (ភ្នំព្រៃយាង) WORKSITE AND SECURITY OFFICE

529. Phnom Trayoung worksite and Security Office was established in perhaps June or July 1977.<sup>2158</sup> This worksite and security office was established before the arrival of the Southwest cadres.<sup>2159</sup> Phnom Trayoung Security Office was considered a big prison in Sector 5, and this security office was under the direct

- control of the Sector 5 Secretary.<sup>2160</sup> Soeun (ស៊ុន) was the Phnom Trayoung Security Office chairperson,<sup>2161</sup> and in his capacity as chairperson, Soeun reported to the Sector 5 Committee Chairman, *Ta Rin* (រ៉ាន់).<sup>2162</sup>
530. Phnom Trayoung worksite and Security Office comprised tempering sites, rock quarry sites, detention facilities, and killing sites.<sup>2163</sup> As regards the workers at Phnom Trayoung worksite, the workers whom the Khmer Rouge trusted were allowed to work far from the site; however, those who were not trusted were required to work near the site because sometimes most of them could manage to escape.<sup>2164</sup> As regards the food rations at Phnom Trayoung worksite, one person was given one-and-a-half cans of milled rice, and later the amount was reduced to only one can of milled rice.<sup>2165</sup>
531. Working hours at Phnom Trayoung worksite, workers started worked from 7 to 11 in the morning and from 1 to 4 in the afternoon.<sup>2166</sup>
532. There were around 600 people at Phnom Trayoung worksite.<sup>2167</sup> People were not allowed to walk close to Phnom Trayoung Security Office.<sup>2168</sup> The people with bad biographies or those who committed mistakes in cooperatives or communes were arrested and sent to Phnom Trayoung Security Office, and most of them were killed.<sup>2169</sup> Most of the prisoners at Phnom Trayoung worksite and Security Office were new people or 17 April people.<sup>2170</sup> The prisoners at this security office were arrested and transported in horse carts and trucks, and sometimes just one person or two people or one family were arrested and brought in.<sup>2171</sup>
533. Each detention hall could house around 50 people, who were put in shackles in long lines.<sup>2172</sup> Serious offenders were shackled in a hall north of Phnom Trayoung, but when it was time to kill prisoners, those prisoners were taken away.<sup>2173</sup> Frequently, the prisoners at Phnom Trayoung Security Office were taken for execution at night.<sup>2174</sup>
534. In early 1978, around 1,000 Vietnamese families were sent for execution at Phnom Trayoung Security Office.<sup>2175</sup> Shortly before the end of the Democratic Kampuchea regime, all the prisoners at Phnom Trayoung Security Office were taken away for execution on the direct order of *Ta Soeun*, and around 30 soldiers killed all those prisoners.<sup>2176</sup> When prisoners were killed, those prisoners were ordered to kneel down at the edge of a pit with their hands tied, and they were then beaten with clubs or hoes.<sup>2177</sup> A witness stated that “they were of both genders. The male prisoners had clothes on, while the females were naked”.<sup>2178</sup>
535. The people who were arrested and sent to Phnom Trayoung Security Office included those who stole the belongings of others.<sup>2179</sup> The people who were arrested from mobile units in Preah Netr Preah (ព្រះនេត្រព្រះ) district were also sent to Phnom Trayoung security office.<sup>2180</sup> The prisoners at Phnom Trayoung Security Office were classified into two categories: light offenders and serious offenders.<sup>2181</sup> Light offenders were arrested and detained because they had

committed minor mistakes and they were subsequently released; in contrast, serious offenders were taken for execution.<sup>2182</sup> Many prisoners were taken for execution at the foot of Phnom Trayoung mountain.<sup>2183</sup> Witnesses estimated that many victims were taken for execution at Phnom Trayoung Security Office; however, the exact number could not be determined.<sup>2184</sup>

#### 2.2.17. SPEAN SRENG (ស្ពានស្រែង) AND PREY RONEAM (ព្រៃរនាម) WORKSITE

536. Spean Sreng and Prey Ronean worksite was located in Preah Netr Preah district, Sector 5, Northwest Zone. Spean Sreng Dam was 8 kilometres long.<sup>2185</sup>
537. Around 1,300 people were deployed at the worksite. At this worksite, people were forced to work; there was a lack of food and clothes; people were threatened with death, and people were killed because of committing minor mistakes.<sup>2186</sup>
538. Many witnesses who were at the site stated that they had never heard of nor knew **Ta Tith**. Some witnesses had heard of **Ta Tith**, but they were not aware of his roles.
539. Witness CHHIT Yoeuk (ឈិត យ៉ឺក), who was a militiaman and later worked in the Preah Netr Preah district administration<sup>2187</sup> from 1975, said, “I used to hear his name but I did not know who he was.”<sup>2188</sup> Witness TUM Soeun (តូ សៀន), who was transferred from Tram Kak to the Northwest Zone in March 1977<sup>2189</sup> and was appointed as chairperson of a mobile unit in Sector 5, in the Northwest Zone,<sup>2190</sup> stated that **Ta Tith** was the son-in-law of **Ta Mok**, but the witness did not know about **Ta Tith**'s roles because **Ta Tith** was sent to Sector 3 in Battambang. Witness BOU Măo (បូ ម៉ៅ), who worked in the Sector 5 mobile unit,<sup>2191</sup> stated that he had never heard of **Ta Tith**.<sup>2192</sup> Witness NIT Sut (និត ស៊ុត) consistently stated that he had never heard of **Ta Tith**.<sup>2193</sup>

#### 2.2.18. RAPE IN PREAH NETR PREAH DISTRICT

540. Witness PHEACH Ros (ភាច រស់) stated that on the orders of the Southwest cadres,<sup>2194</sup> in 1977,<sup>2195</sup> at Kon Damrey (កូនដំរី) in Preah Netr Preah district, two Vietnamese female siblings named Săn (សាន់) and Nuon (នួន), who had been living in Cambodia for a long time, were called by the chairperson of Unit 30 of Preah Netr Preah district.<sup>2196</sup> 15 members of the Mobile Unit 30 raped those two women.<sup>2197</sup> Later, the mobile unit members pushed hoe handles into the women's vaginas, causing injuries and bleeding.<sup>2198</sup> The two women were taken for execution at Veal Dangkieb Kdam (វាលដង្កើបក្តាម),<sup>2199</sup> and their livers were removed from their bodies and fried for food.<sup>2200</sup>

541. PHEACH Ros's testimony was not consistent with that of LIN Nhâk (លីន ញ៉ាក់), which was cited by the International Co-Prosecutor in the Supplementary Submission.<sup>2201</sup> In fact, LIN Nhâk mentioned the killing of only his eldest sister named LIN Phally (លីន ផល្លី), who was considered Vietnamese because of her fair complexion, and who was raped, tortured and killed in Moug Ruessei district in Battambang province in 1978.<sup>2202</sup>
542. None of the witnesses spoke about **Ta Tith's** participation at that site.

2.2.19. WAT PREAH NETR PREAH AND RELATED DETENTION AND EXECUTION SITES (CHAMKAR DAUNG, CHAMKAR YEAY NING, CHAMKAR TA LING)

543. Wat Preah Netr Preah (Preah Netr Preah Pagoda) was located in Preah Netr Preah (ព្រះនេត្រព្រះ) commune, Preah Netr Preah district, Banteay Meanchey province. There was a hospital inside its compound.<sup>2203</sup> The hospital was not used as a prison.<sup>2204</sup> There were several execution sites near the compound of Wat Preah Netr Preah, namely Chamkar Yeay Ning (ចំការយាយនឹង), Chamkar Daung (ចំការដូង), and Chamkar Ta Ling (ចំការតាលីង). Chamkar Daung was close to and opposite Chamkar Yeay Ning and was around 1,000 to 1,500 metres northwest of *Ta Krâk's* (ក្រាក់) house.<sup>2205</sup> It also included the house of *Ta Krâk*, a member of Preah Netr Preah commune, which was located around 800 metres north of Wat Preah Netr Preah.<sup>2206</sup>
544. The witness stated that IM Chaem (អ៊ឹម ចៃម), Preah Netr Preah district Secretary, convened many meetings at Wat Preah Netr Preah, and people attended a big meeting<sup>2207</sup> in which the Khmer Rouge spoke about living in solidarity and harmony with one another.<sup>2208</sup>
545. People were arrested by female cadres from the Southwest Zone, and were taken to be detained at *Ta Krâk's* house<sup>2209</sup> before they were taken for execution at nearby plantations.<sup>2210</sup> The witness stated that people were killed at Chamkar Ta Ling.<sup>2211</sup> Nevertheless, some witnesses stated that there were no killings at that site. Other witnesses stated that mass killings were carried out behind *Ta Krâk's* house before the arrival of the Vietnamese forces.<sup>2212</sup>
546. In addition to killings, people died in hospital from illness and lack of proper treatment and medicines. Corpses were burned<sup>2213</sup> or were buried around the pagoda's compound<sup>2214</sup> or at Chamkar Daung, Chamkar Yeay Ning,<sup>2215</sup> or Chamkar Ta Ling.<sup>2216</sup> Most of the victims were men, and it was estimated that there were between 660 and 720 victims from 1975 to 1976.<sup>2217</sup>
547. None of the witnesses spoke about **Ta Tith's** participation at that site.

## 2.2.20. PHUM CHAKREY (ភូមិចក្រី) EXECUTION SITE

548. Phum Chakrey Execution Site was located west of Preah Netr Preah Security Office<sup>2218</sup> in Chakkrei (ចក្រី) village, Chob (ជប់) commune, Preah Netr Preah district, Banteay Meanchey province.<sup>2219</sup>
549. Evidence suggests that people were detained for a short period at Phum Chakrey Security Office before they were killed, and detainees from other locations were also taken for execution at this site.<sup>2220</sup> The victims who were killed at Phum Chakrey included “old” and “new” people who were accused of committing moral offences, and LON Nol soldiers.<sup>2221</sup>
550. After the Democratic Kampuchea regime, pits and human bones were found at that site.<sup>2222</sup> It has been estimated that between 1,825 and 7,300 people were killed. Nevertheless, a witness stated that around 200 people were killed at Phum Chakrey. The witness added that five to ten people were transported for execution at one time.<sup>2223</sup>
551. None of the witnesses spoke about **Ta Tith's** participation at that site.

## 2.2.21. PREY TAROTH (ព្រៃតារ៉ុត) EXECUTION SITE

552. Evidence shows that Prey Taroth was an execution site which was located in Krasang Thmei (ក្រសាំងធ្មើ) village, Chob commune,<sup>2224</sup> Preah Netr Preah district, Banteay Meanchey province, Sector 5, Northwest Zone, northeast of Chakkrei village and the district office.<sup>2225</sup> This execution site was initially used after the arrival of the Southwest cadres in late 1978 or early 1978.<sup>2226</sup>
553. A witness recalled that the soldiers who transported people to Prey Taroth Execution Site could have been district or cooperative-level militiamen.<sup>2227</sup>
554. Under the tenure of the Southwest cadres, men, women, children, babies, and old people<sup>2228</sup> were transported in trucks regularly to Prey Taroth, and were killed frequently in the evening.<sup>2229</sup> The witness stated that the trucks did not come frequently in early 1978; however, those trucks came more frequently from June or July 1978 to the end of the Democratic Kampuchea regime.<sup>2230</sup> The witness also provided evidence of the killings,<sup>2231</sup> stating that he heard screams during the killings<sup>2232</sup> and saw corpses at that site before the collapse of the Democratic Kampuchea regime.<sup>2233</sup>
555. The estimates of the number of victims by OCIJ witnesses who saw the pits vary, with some witnesses stating that there were fewer than 100 corpses in three pits and others saying that there were hundreds of corpses in two pits.<sup>2234</sup> Based on the conservative estimate of five pits, there is sufficient evidence to conclude that there were at least 100 victims when taking all the pits into consideration.
556. None of the witnesses spoke about **Ta Tith's** participation at that site.



## 2.2.22. LA-ANG KUOY YUM (ល្អាងគ្នូយយ៉ុំ) EXECUTION SITE

557. La-Ang Kuoy Yum was a small cave<sup>2235</sup> located behind Ou Prasat (អូរព្រៃសាទ) high school in Phnum Thum (ភ្នំធំ) village, Ou Prasat (អូរព្រៃសាទ) commune, Mongkol Borei district, Banteay Meanchey province, in Sector 3 of the Northwest Zone.<sup>2236</sup> From 1978 to early 1979, this cave was an execution site used by the Southwest cadres, where 500 people were killed.<sup>2237</sup>
558. A witness who was a rock quarry worker at Phnum Thum in Sector 3 saw the Southwest cadres coming to Phnum Thum rock quarry in October 1978, and they arrested all of the Northwest cadres of all ranks, and they replaced them.<sup>2238</sup> The witness added that the Southwest cadres assigned people and the witness to work without rest, 24 hours per day, and people were given watery rice gruel two times per day. If any person could not work, that person was taken for execution or imprisoned. At that time, because the witness could not tolerate hard labour, the witness was detained in Phnum Thum Security Office for 18 days until the liberation by the Vietnamese.<sup>2239</sup> The witness stated that the Southwest cadres tortured him, tying his hands behind his back so tightly that he could hardly breathe and they hit him with ropes. According to the witness, around 200 to 300 prisoners were detained in long halls, being placed in many long wooden leg shackles, each of which was 1.8 to 2 metres long and could hold five people.<sup>2240</sup> The same witness believed that one month before the arrival of the Vietnamese, the people who were happy with the arrival of the Vietnamese were taken by the Southwest cadres for execution at La-Ang Kuoy Yum.<sup>2241</sup> The witness added that two or three months after the arrival of the Vietnamese the witness and his younger sister-in-law went to collect bat droppings in La-Ang Kuoy Yum and saw blood all over the rocks at the mouth of the cave, and saw around 10 corpses whose hands were tied with nylon strings, and the witness believed that those were the corpses of the people who were happy one month before the arrival of the Vietnamese.<sup>2242</sup>
559. The witness did not mention the role and participation of **Ta Tith** in relation to La-Ang Kuoy Yum Execution Site in Sector 3. The witness did not mention the presence of **Ta Tith**, and the investigator did not ask about the administrative structure related to **Ta Tith**.<sup>2243</sup>

## 2.2.23. WAT CHAMKAR KHNOL (វត្តចំការខ្នុរ) EXECUTION SITE

560. Wat Chamkar Khnol Execution Site was comprised of a security office and a killing site which were operational throughout the Democratic Kampuchea regime,<sup>2244</sup> at least from 1976<sup>2245</sup> to November 1978.<sup>2246</sup> Wat Chamkar Khnol (Chamkar Khnol Pagoda) or Wat Chum Kiri (Chum Kiri Pagoda)<sup>2247</sup> was located in Ou Ambel (អូរអំបិល) village, Ou Ambel commune, Sisophon (ស៊ីសុផុន) district,<sup>2248</sup> Sector 5,<sup>2249</sup> Northwest Zone.<sup>2250</sup>

561. There is no evidence indicating who was responsible or managed Wat Chamkar Khnol under the tenure of the Southwest cadres. Nevertheless, under the tenure of the Northwest and Southwest cadres, people were detained and killed at that site. Evidence shows that killings were carried out within the compound of the pagoda<sup>2251</sup> and the area surrounding the pagoda.<sup>2252</sup> A witness saw “many corpses scattered along the walls [of the pagoda]”, rooms with blood stains, and corpses with their hands cuffed and legs shackled. According to the witness, these people were killed in the pagoda's compound<sup>2253</sup> in November 1978.<sup>2254</sup> The corpses were marked by bruises and knife wounds, and the witness inferred that those people were tortured before they were killed.<sup>2255</sup> Since then, some graves have been found at that site.<sup>2256</sup>
562. The evidence of the number of the prisoners and victims who were killed varies. Nevertheless, no evidence shows the exact number of the victims who were killed by the Southwest cadres. During site visits, two people showed the investigators five pits, all of which had been excavated.<sup>2257</sup> There have been different estimates of the number of victims, but those estimates do not specify the periods when the victims were killed. A witness who took part in the excavation at that site in the 1980s<sup>2258</sup> counted the corpses in five pits and found 10, 16, 20, 43, and hundreds of corpses in those pits respectively,<sup>2259</sup> and saw another pit which was full of corpses.<sup>2260</sup> The witness estimated that 1,000 people were killed,<sup>2261</sup> and another witness saw two pits, one of which contained around 1,000 corpses.<sup>2262</sup>
563. The witnesses did not mention the roles and participation of **Ta Tith** in relation to this site.

#### 2.2.24. TRAPEANG THMA (ត្រពាំងថ្ម) DAM WORKSITE

564. Trapeang Thma Dam worksite was located in Trapeang Thma (ត្រពាំងថ្ម) village, Paoy Char (ប៉ោយចារ) commune, Phnum Srok (ភ្នំស្រុក) district, Battambang province (current Banteay Meanchey province) Sector 5, Northwest Zone.<sup>2263</sup> Trapeang Thma dam was not completed when the Democratic Kampuchea regime collapsed.<sup>2264</sup> The construction of Trapeang Thma Dam began in 1976, but upper echelons ordered the workers to rush to complete the dam between 1976 and 1977.<sup>2265</sup>
565. Trapeang Thma Dam worksite was under the control of the zone.<sup>2266</sup> *Ta Văl* (វ៉ាល់), a Northwest cadre, was in charge of Trapeang Thma Dam worksite.<sup>2267</sup> Later, *Ta Văl* was killed in late 1977.<sup>2268</sup> Then the Southwest cadres called Yorn (យ៉ន) (or Yun (យុន) and Teav (ទាវ) came to take charge until 1979.<sup>2269</sup>
566. Trapeang Thma Dam worksite was the construction of a huge dam which was around 8 kilometres long. The base of the dam was around 60 metres wide; the dam was around 8 metres high; and the crest of the dam was around 20 metres wide.<sup>2270</sup> Around 10,000 people worked at Trapeang Thma Dam worksite.<sup>2271</sup> A

- witness stated, “approximately 15,000 participated in the construction of the dam (Trapeang Thma Dam). There was a conference during which it was announced that the total manpower used to construct the dam was 15,000 people.<sup>2272</sup> (However, according to a telegram sent by Democratic Kampuchea cadres to Yugoslavian journalists, 20,000 people worked at Trapeang Thma Dam worksite.<sup>2273</sup>
567. Workers were divided into groups, each of which was comprised of 10 people; platoons, each of which was comprised of 30 people, and companies, each of which was comprised of 150 people (Three platoons made up one company).<sup>2274</sup> Most of the people participating in building Trapeang Thma dam were male and female youths, children and middle-aged people from the mobile units.<sup>2275</sup> In fact, many witnesses were forced to work at Trapeang Thma Dam worksite.<sup>2276</sup>
568. The working conditions at Trapeang Thma Dam worksite were very difficult. Each worker was required to carry between 2 and 3 cubic metres of earth per day.<sup>2277</sup> If any one did not achieve the work quota, the person was not given food to eat.<sup>2278</sup> Children were also required to build the dam; however, the Khmer Rouge did not impose the same work quota as they did to adults; nevertheless, those children were assigned to dig and carry earth according to the plans set by the Khmer Rouge.<sup>2279</sup>
569. The workers at Trapeang Thma Dam worksite started working from 4 a.m. to 11 a.m., when they had lunch, and they resumed work from 1 p.m. to 5 p.m., when they had dinner, and then they continued working from 6 p.m. to 9 p.m..<sup>2280</sup> The workers at Trapeang Thma worksite were not given sufficient food, and sometimes they had to eat tree leaves to fill their stomachs.<sup>2281</sup>
570. At that time, workers were required to work non-stop; they were not allowed to sit or rest, except to rest for around five minutes to drink water.<sup>2282</sup> In addition, during the working hours, workers were not allowed to talk to one another and they had to work hard. Only during the rest time could they talk to one another. If men and women talked to one another a lot, they would be accused of committing “moral misconduct”.<sup>2283</sup>
571. As regards the reporting system at Trapeang Thma Dam worksite, the mobile unit chairpersons reported to the company chairpersons, who further reported to *Ta Văl*, who was overall in charge of this worksite.<sup>2284</sup> If a report from any mobile unit stated that the members of that mobile unit were healthy, worked hard and achieved their work quotas, the members of that mobile unit were given sufficient food.<sup>2285</sup> As regards food rations, unit chiefs were given sufficient food rations because they ate cooked rice three times per day, and they ate cooked rice with good and delicious food, such as fish and lobsters.<sup>2286</sup>
572. If mobile unit workers at Trapeang Thma Dam worksite committed mistakes, they would be sent to work in the Number 1 fertiliser carrying unit.<sup>2287</sup> In addition, if upper echelons allocated work to a person, and if that person did not achieve the work quota, that person would be accused of being “a traitor” and was sent into the “case unit” which meant the “offenders’ unit”.<sup>2288</sup> As regards punishment, a person was assigned to carry 3 to 3.5 cubic metres of earth. If

- that person could not achieve the work quota, that person was taken for execution.<sup>2289</sup> The people at Trapeang Thma Dam worksite died from starvation and many types of diseases, such as diarrhoea, cholera and malaria.<sup>2290</sup>
573. A witness who participated in building Trapeang Thma Dam spoke about the hygiene and food, stating, “There was no hygiene; we ate brown rice, our faeces were like dog faeces. We defecated out in the open. There were many flies swarming around our heads when we entered the dining hall during the day.”<sup>2291</sup> In addition, another witness stated that “we had to hang mosquito nets during meal time because there were so many flies”.<sup>2292</sup> In fact, the Khmer Rouge did not care about the welfare of the workers because there were no hospitals or health centres. If people fell ill, they were treated using traditional methods which were not appropriate treatment methods. Only traditional medicine which looked like rabbit droppings was given to ill people; however, most of them did not recover.<sup>2293</sup>
574. Because the work at Trapeang Thma worksite was so difficult, some people fled to their homes, and later they were arrested and killed.<sup>2294</sup> The killings at Trapeang Thma Dam worksite were carried out frequently at night.<sup>2295</sup> A witness stated that “people were killed and buried at sluice gate 1 of Trapeang Thma Dam, and those people were women from five months to near full-term pregnancy. They said that the dam would only hold firm if pregnant women were killed and placed at the sluice gate.”<sup>2296</sup>
575. In 1977 and 1978, the Northwest Zone Committee visited Trapeang Thma Dam worksite.<sup>2297</sup> The Central Committee of the Communist Party of Kampuchea never visited Trapeang Thma Dam worksite.<sup>2298</sup> As regards the presence of the charged person, Witness CHIM Chanthoeun (ជឹម ចាន់ធឿន) stated, “I heard of his name (**Ta Tith**) when I was built Trapeang Thma Dam in 1978. He (**Ta Tith**) was a superior, but I did not know anything about his real position (**Ta Tith's** role). I heard of **Ta Tith's name** when I took fish and shrimp to the office of the dam management. They said that **Ta Tith** and leaders from zone and sector levels would come to inspect Trapeang Thma dam so dam supervisors at the dam had to be extra vigilant”.<sup>2299</sup> In contrast, many witnesses who lived in Preah Netr Preah district stated consistently that they did not know **Ta Tith** at all.<sup>2300</sup>

#### 2.2.25. TUOL POCHREY (ត្នោតព្រះច្រៀង) EXECUTION SITE

576. Tuol Pochrey or Tuol Preah Chrey (ត្នោតព្រះច្រៀង) was located in Pring Khpos (ព្រីងខ្ពស់) village, Srae Sdok (ស្រែស្តុក) commune, Kandieng (កណ្តៀង) district, Pursat province.<sup>2301</sup> Tuol Pochrey was an execution site or a killing site and a huge burial site which was located near a military base of the Khmer Republic.<sup>2302</sup>
577. Tuol Pochrey was not a detention centre, but a killing site. Prisoners who were former LON Nol soldiers and other officials were detained at the barracks in

- Pou (ពោធិ៍) village before they were taken for execution at Tuol Pochrey.<sup>2303</sup> However, according to the report on the identification of the sites in Pursat province, Tuol Pochrey was also a normal security office, where cadres of the commune, district and zone levels were detained and killed, and this site was used in Pursat province.<sup>2304</sup>
578. The witness stated that in approximately April 1975, after the victory, the Khmer Rouge gathered soldiers and police officers of all ranks who had connections with the LON Nol regime to be detained at Pochrey Barracks before they were taken for execution at Tuol Pochrey.<sup>2305</sup> According to a witness, people from the East Zone in various cooperatives and detainees in various security offices were also taken for execution in the rice fields near Tuol Pochrey.<sup>2306</sup> People were transported in big trucks to the killing site and were killed instantly.<sup>2307</sup> Hundreds (200 at a minimum) to 1,000 or more former LON Nol high-ranking soldiers, ordinary soldiers and other officials were killed after the liberation of Pursat town, and in the next stage, immediately after the liberation on 17 April 1975, with the Khmer Rouge saying that they were being taken to study and to meet Samdech Ov, and later they would be granted back their ranks.<sup>2308</sup> Other witnesses stated that over 3,000 corpses were transported by the Khmer Rouge to Tuol Pochrey, and those corpses were bulldozed into a pile in 1975.<sup>2309</sup>
579. Tuol Pochrey might have been used as a corpse dumping site for many years after the mass killings of the LON Nol soldiers. After the killings in 1975, no evidence shows any similar incidents at Tuol Pochrey.<sup>2310</sup>
580. Witnesses stated that the administrative structure of the Khmer Rouge in 1976 was as follows: *Ta Kân* (កែន) served on the Zone Committee; after *Ta Khlaeng* (ខ្លែង), who served on the Sector 7 Committee, was arrested in 1977, *Ta Sot* (សុត) became Sector 7 Secretary; *Ta Tauy* (តួយ) was the Sector 7 Committee Deputy Chief, and *Ta Phaeng* (ផែង) served on the Sector 7 Committee; YUK Hang (យក់ ហង្ស) was the Pursat province governor; *Ta Mão* (ម៉ៅ) served on the district 21 Committee; *Ta San* (សាន) was the deputy chief of district 21 Committee (Kandieng district, formerly Bakan district); *Ta Set* (សិត) served on the district Committee.<sup>2311</sup> *Ta Sot* and *Ta Tauy* served on the Sector Committee until 1978, and later *Ta Tri* (ត្រី) replaced *Ta Sot* until the arrival of the Vietnamese in 1979.<sup>2312</sup> Many witnesses stated that Set, who served on the district Committee, personally ordered the people in Sya (ស្យា) commune, Kandieng district, which comprised of five cooperatives, to dig ditches and to build rice field dikes.<sup>2313</sup>

581. Witness SUY Sēng Chhun (ស៊ុយ សេងឈុន), who worked in the fishing unit of a cooperative until 1979, stated that he visited Tuol Pochrey and saw four to five large raised pits, each of which measured around 10 metres square.<sup>2314</sup>
582. No witness nor evidence shows the direct or indirect participation of *Ta Tith* at this crime site.

#### 2.2.26. FORCED MARRIAGES IN SANGKAE (សង្កែ) DISTRICT

583. Sangkae district or district 42 was located in Sector 4.<sup>2315</sup> *Ta Say* (សាយ), alias *Ta Vey* (វៃ), who was a Northwest cadre, was the chief of Sangkae district almost throughout the regime, and he fled three months before the collapse of the Khmer Rouge regime.<sup>2316</sup> A couple, *Ta Loek* (ឡឹក) and *Yeay Chăn* (ចាន់), were in charge, and *Yeay Chăn* was vicious and controlled her husband.<sup>2317</sup> *Yeay Chăn* controlled four communes, which were equal to half of Sangkae district.<sup>2318</sup>
584. The forced marriage in Sangkae district occurred both under the tenure of the Northwest and the Southwest cadres.<sup>2319</sup> The weddings of the people in Santuk (សន្ទុក) village, Boeng Chhuk (បឹងឈូក) village, Khbal Thnal (ក្បាលថ្នកល់) village, Damnak Dangkao (ដំណាក់ដង្កោ) village, Reang Kesei (រាំងកេសី) village, and Reang Kraol (រាំងក្រោល) village were held at Reang Kesei Pagoda, and some other weddings were held in Ou Sralau (អូស្រ្ត្រាវ) village, Bay Damram (បាឃដំរាំ) village, and Kampong Kou (កំពង់គោ) village, Kampong Preang (កំពង់ព្រៀង) commune of Sangkae district or district 42.<sup>2320</sup>
585. A witness stated that the marriages were aimed to prevent rapes committed in bushes or moral misconducts.<sup>2321</sup>
586. The witness added that there were no forced marriages;<sup>2322</sup> men chose their wives and sent their requests to *Angkar*<sup>2323</sup> or sometimes cadres requested to arrange a marriage.<sup>2324</sup> The marriages were arranged for both high-ranking cadres and ordinary people.<sup>2325</sup> The witness added that when a woman refused to get married nothing was done to her.<sup>2326</sup> However, another witness stated that those who were to marry did not dare to refuse because they were scared.<sup>2327</sup> Another witness stated that at that time there were three types of marriage in Sangkae district: forced marriage, voluntary marriage, and marriage to be able to stay at the rear battlefield and have sufficient food rations.<sup>2328</sup>
587. According to the announcement made by *Ta Loek* and *Yeay Chăn* three or four months before the arrival of the Vietnamese, many couples were married at the

same time in order to save time to do work such as transplanting rice seedlings and carrying earth.<sup>2329</sup> In one wedding ceremony, between 10, 15, 20, 30, 75, and 80 couples were married.<sup>2330</sup> In such weddings, cadres sat on chairs; whereas people sat on bricks.<sup>2331</sup> There were no religious or traditional rituals.<sup>2332</sup> Cadres chaired the weddings,<sup>2333</sup> and sometimes *Ta* Pet chaired such weddings and gave speeches, advising the couples not to quarrel.<sup>2334</sup> The ceremonies began at 6 p.m. and were lit by burning coconut leaves.<sup>2335</sup> The organizer announced how those people became husbands and wives by inviting the newly married couples to hold hands and make marriage vows, and subsequently each of them was given one ladleful of watery rice gruel before they went back home.<sup>2336</sup> Some relatives were present during the wedding ceremonies of their relatives.<sup>2337</sup>

588. The witness stated that after the weddings no one spied on the couples.<sup>2338</sup> However, another witness stated that militiamen spied on the newly married couples who did not get on with each other and reported to the upper echelons.<sup>2339</sup> A civil party applicant stated that a couple, his nephew and niece, who refused to consummate their marriage, were assigned to marry different people.<sup>2340</sup>

### 2.3. NUMBER OF VICTIMS

589. 50 facts comprising security offices, execution sites and forced labour worksites were raised in the Introductory Submission of the International Co-Prosecutor. The facts of 24 crime sites were investigated by the Co-Investigating Judge, and the other facts were not investigated because there was insignificant evidence related to the charged person. The National Co-Investigating Judge has considered the evidence related to the number of victims. Witnesses provided statements about the number of the victims who died or who were killed. However, as regards one site (Samlout district), there is no information about victims and number of victims for some crime sites (Wat Angkun Execution Site, Phum Slaeng village Forest, and Phum Veal Security Office). Based on total calculations, approximately 53,050 victims died or were killed.
590. Evidence shows that **YIM Tith** had connections with certain sites, such as Wat Pratheat Security Office, Kang Hort Dam worksite, Kampong Kol Sugar Factory, and Samlout district, through his visits or chairing meetings at those sites. Nevertheless, evidence does not show that the number of people dying or being killed was related to the acts of **YIM Tith**. Finally, there is uncertainty about the number of people who were killed and who died from diseases or starvation, and the number of the people who died or who were killed before the arrival of **YIM Tith** in the Northwest Zone.

## CHAPTER V. EVIDENTIARY CONSIDERATIONS

### 1. STATEMENTS OTHER THAN WRITTEN RECORDS OF INTERVIEW (WRIS) GENERATED BY THE CO-INVESTIGATING JUDGES

591. Most of the evidence relied on in Case 004/2 consists of WRIs generated by the OCIJ during the course of the investigation, which were prepared under judicial

- supervision and are subject to specific legal and procedural safeguards and are thus entitled to presumption of relevance and reliability<sup>2341</sup>. I consider that the transcripts of the trial proceedings from other ECCC cases which are placed on Case File 004 because of their relevance to the allegations therein, enjoy the same presumption.
592. Statements or other evidence collected without judicial supervision by entities external to the ECCC enjoy no such presumption<sup>2342</sup>. An exception to this rule is represented by statements prepared by DC-Cam, which the Trial Chamber has found to enjoy a rebuttable presumption of prima facie evidence and reliability<sup>2343</sup>. However, DC-Cam statements were generated without the judicial guarantees and formality that characterise WRIs.
593. Interviews conducted by the International Co-Prosecutor during his primary investigations, although prepared specifically for criminal proceedings, are not conducted under oath, and are not signed by and/or do not bear the thumbprints of the interviewees. They are prepared by ICP, a party with an inherent interest in the outcome of the case. Such statements are, however, collected for the purpose of a criminal trial and are, in principle, afforded higher probative value than evidence that is not collected specifically for that purpose including DC-Cam evidence<sup>2344</sup>.
594. Civil Party Applications enjoy no presumption of reliability and carry low, if any, probative value if the circumstances in which they were recorded are unclear.<sup>2345</sup> Civil Party Applications and victim complaints offering only general conclusions and therefore representing a “common narrative” as opposed to personal experience have been treated as insufficient to establish relevant facts<sup>2346</sup>. Out-of-court statements by civil parties have been afforded low probative value<sup>2347</sup>.
595. In conclusion, in light of these considerations, WRIs generated by the OCIJ and trial transcripts enjoy a higher reliability presumption and carry higher probative value than statements prepared by other entities. With regards to the latter, a more cautious approach has been adopted in their assessment, and the information contained therein has been relied on only when corroborated by other sources.

## 2. TORTURE-TAINTED EVIDENCE

596. Pursuant to Article 15 of the Convention against Torture, there is an absolute prohibition against relying on information contained in statements obtained under torture<sup>2348</sup> and using such statements in the questioning of witnesses.<sup>2349</sup> Since confessions of prisoners detained in S-21 Security Office are presumed to have been made under torture, this is a rebuttable presumption<sup>2350</sup>.
597. Information contained in S-21 confessions that originate from persons other than the victims of torture, such as annotations made by torturers, do not fall under this prohibition<sup>2351</sup>. Article 15 neither prohibits the use of information found in the statements taken under torture during the DK to locate witnesses and interview them<sup>2352</sup>. There is thus no prohibition against the use of evidence



of the witnesses identified in torture-tainted statements such as S-21 confessions and subsequently interviewed by the OCIJ<sup>2353</sup>.

## CHAPTER VI. APPLICABLE LAWS REGARDING PERSONAL JURISDICTION AT ECCC

### 1. PERSONAL JURISDICTION AT ECCC

598. Article 1 of the Agreement between the United Nations and the Royal Government of Cambodia concerning the prosecution under Cambodian laws of crimes committed during the period of Democratic Kampuchea, signed on 06 June 2003 (“ECCC Agreement”) stipulates,

*“The purpose of the present Agreement is to regulate the cooperation between the United Nations and the Royal Government of Cambodia in bringing to trial the senior leaders of Democratic Kampuchea and those who were most responsible for the crimes and serious violations of Cambodian penal law, international humanitarian law and custom, and international conventions recognised by Cambodia, that were committed during the period from 17 April 1975 to 6 January 1979.”*

599. Article 1 of the Law on the Establishment of the ECCC promulgated on 27 October 2004 (“ECCC Law”)<sup>2354</sup> states,

*“The purpose of this law is to bring to trial the senior leaders of Democratic Kampuchea and those who were most responsible for the crimes and serious violations of Cambodian penal law, international humanitarian law and custom, and international conventions recognized by Cambodia, that were committed during the period from 17 April 1975 to 6 January 1979.”*

600. Article 2 of the ECCC Law recalls that the ECCC was established to “bring to trial the senior leaders of Democratic Kampuchea and those who were most responsible for the crimes [...] that were committed during the period from 17 April 1975 to 6 January 1979.”
601. The Supreme Court Chamber (“SCC”) has interpreted the terms “senior leaders of Democratic Kampuchea and those who were most responsible” as referring to two categories, namely, senior leaders of the Khmer Rouge who are among the most responsible, as well as non-senior leaders of the Khmer Rouge who are also among the most responsible. Both categories of persons must be Khmer Rouge officials and among the most responsible for the Court to properly exercise personal jurisdiction; the criteria are thus cumulative, not disjunctive<sup>2355</sup>.
602. The SCC also pronounced itself on the jurisdictional nature of Article 1 of the ECCC Law. In this regard, the SCC found that the question of whether an accused is a Khmer Rouge official “involves a question of historical facts that is intelligible, precise, and leaves little or no room for discretion of the Trial

*Chamber,*” and is therefore a justiciable issue covered by the personal jurisdiction of the ECCC<sup>2356</sup>.

603. Conversely, with respect to the terms “senior leaders” and “most responsible”, the SCC found that these two categories were not jurisdictional criteria (*stricto sensu*), but merely described outlines of the prosecution and investigation policies to be employed by the Co-Prosecutors and, independently, by the OCIJ. The SCC found them to be, in principle, unfettered by any strict rules of interpretation and, in essence, non-justiciable before the Trial Chamber or the SCC because it does not show any abuse of discretion through bad faith or unsound professional judgement<sup>2357</sup>.
604. However, in the judicial context applicable in Cambodia, such an important threshold criterion, whatever its exact legal nature, cannot be interpreted without recourse to at least some pivotal considerations. Indeed, the very reference to an abuse of discretion based on bad faith or unsound professional judgement presupposes that there are parameters against which the exercise of discretion can and must be measured, i.e. what constitutes the boundaries of good faith and sound professional judgement before the decision moves into the field of arbitrariness. In principle, the CIJs also disagree with the argument that comparison to other persons are not appropriate or feasible<sup>2358</sup>. Notwithstanding this, it becomes a secondary question of terminology whether one calls the criterion a jurisdictional requirement or a policy guideline. In essence, it entails a wide but not entirely non-justiciable margin of appreciation for the OCP and OCIJ.
605. Even though the NCIJ declares here (ICIJ stated in a different place)<sup>2359</sup> that the CIJs disagree with the SCC's classification of “personal jurisdiction” as a non-jurisdictional criterion, we feel bound, by reason of practical judicial deference to the Court's supreme appellate body, to follow the substance of the SCC case law unless there are exceptional reasons for a disagreement and for taking an openly dissenting stance. This is the case notwithstanding the fact that the only direct appellate panel for the decisions of the OCIJ is the PTC and that in a civil law system, such as that of Cambodia, there is no doctrine of *stare decisis*. Nonetheless, it would be undesirable from the point of view of clarity and uniformity of the law in a legal environment as closed as that of the ECCC for judges lower in the court hierarchy to disregard the SCC case law unless there were exceptional reasons other than the existing arguments.

## 2. THE POSITION OF THE ECCC WITHIN THE CAMBODIAN LEGAL SYSTEM: PERSONAL, TEMPORAL AND SUBJECT-MATTER JURISDICTIONS

606. The ECCC's personal jurisdiction criterion, however, gives rise to another potentially serious policy concern which needs to be addressed in this context in order to gauge the consequences of a finding of lack of personal jurisdiction, and what impact it should have on the exercise of policy discretion by the CIJs when deciding to dismiss a case based on personal jurisdiction alone.

607. The matter in question is the absence of a residual jurisdiction for the ordinary Cambodian courts over crimes committed by those who do not fall under the categories of “senior leader” or “person most responsible”. Upon close study of the negotiation history preceding the establishment of the ECCC, and the developments since, especially as set out by the SCC, the CIJs are convinced that currently no other Cambodian court has jurisdiction over any person or course of events which are within the personal, temporal and subject-matter jurisdictions of the ECCC. An argument might therefore be made that we should counter the obvious effects of this view and exercise our discretion as broadly as possible in favour of the finding of personal jurisdiction in order to avoid an unnecessary impunity gap. The NICJ disagrees with that reasoning for the reasons set out below.
608. The SCC was aware, when expressing the above-mentioned principles, that unlike in other international(ised) jurisdictions which it cited in its argument, during the negotiation history between the UN and Cambodia the contours of the law on the ECCC were settled in the knowledge that there was no negotiated residual jurisdiction of the ordinary Cambodian courts or of internationalised system as operated, for example, in Bosnia and Kosovo, or the military tribunals after World War II, for any of the perpetrators that would remain below the ECCC's envisaged responsibility threshold.
609. Indeed, the SCC explicitly acknowledged the unique position of the ECCC as compared, for example, to that of the ICTY by stating,
- “[...] the ECCC exists within the Cambodian legal system in which it exercises exclusive jurisdiction and no referral to any other court is possible.”<sup>2360</sup>
610. Similarly, the PTC expressed in 2011 that the Royal Government of Cambodia could have used its own ordinary courts to try the Khmer Rouge but instead it opted for the establishment of the ECCC:
- “[...] The [Cambodian] Government was [...] free to prosecute such crimes [...] as a basis exercise of its jurisdiction [...]. However, *rather than using its pre-existing court structure*, the Government [...] agreed with the UN to establish the ECCC [...] and *delegated its jurisdiction* to hear these cases.” [emphasis added]<sup>2361</sup>
611. Neither the Cambodian government nor the UN ever made any attempt to regulate the investigation and prosecution of those who fall short of the personal jurisdiction threshold of the ECCC because they were not among those most responsible. It stands to reason because the goal of peace and reconciliation<sup>2362</sup>, which entails the reintegration of the Khmer Rouge into the society, was another paramount motivation of the Cambodian government. This so-called “impunity gap” and its relationship to the reintegration policy was expressly acknowledged as a fact - and as an anomaly compared to other tribunals<sup>2363</sup> - as early as 2008, for example, by the former Chief of Defence Support Section (DSS), Rupert Skilbeck.

612. More specifically, unlike other courts or tribunals set up at the international level or as hybrid (national) tribunals<sup>2364</sup>, neither the ECCC agreement nor the ECCC law contains as vertical *ne bis in idem* or primacy clause, i.e. a provision regulating the relationship between investigations, prosecutions and decisions at the national level in the ordinary courts and those at the level of the specialised court. The applicable law before the ECCC hence does not envisage a situation where a conflict of jurisdiction could exist that would require such a regulation.
613. Therefore, an unqualified comparison to the referral bench's case law, for example, of the ICTY under Rule 11 *bis* of the Rules of Procedure and Evidence in order to gauge comparable levels of seriousness and responsibility is therefore ultimately not helpful because the negotiation context in the case of the ECCC was knowingly different. The drafters of the law wanted to restrict personal jurisdiction to those with the greatest responsibility under the DK. For example, the DK death toll was estimated at the minimum of 1.7 million people<sup>2365</sup>. This figure is the same as the number of those deceased in modern conflicts, including all the situations before the ICC to date, combined. They also knew that there are a large number of potential perpetrators<sup>2366</sup>, each of whom alone could have been responsible for hundreds or thousands of deaths - the scenarios in which the ICTY Appeals Chamber, for example, overturned a referral decision because it took into account, *inter alia*, that the offender was deemed responsible for the deaths of 140 victims<sup>2367</sup>.
614. The sheer scale of the casualties in the Khmer Rouge period, the negotiation history set out by the SCC<sup>2368</sup>, as well as the evidence from the investigation in Case 004 alone, makes adopting a similar approach impossible, because measuring in such numerical categories would make many foot soldiers who routinely carried out mass executions over periods of time or their direct superior officers who ordered them become the persons most responsible, possibly leading to numerous new investigations under IR 55(4). That was clearly not something envisaged by the drafters of the law governing the ECCC, yet they were aware of the fact that this massive category of perpetrators existed and would not be brought to trial.
615. The fact that, for example, the 2010 Criminal Code included provisions on genocide, crimes against humanity and war crimes in Article 183-198 and a general provision in Article 8 stipulating that the Criminal Code
- “may not have the effect of denying justice to the victims of serious offences which, *under special regulation*, are characterised as violation of international humanitarian law, international custom, or international conventions recognised by the Kingdom of Cambodia,” (emphasis added)
- does not allow the conclusion that there is jurisdiction for the ordinary courts. The reference above is to the ECCC Law, not to any law retrospectively authorising the ordinary courts.
616. Articles 3 and 10 of the 2010 Criminal Code together embrace the rules of *nullum crimen* and of *lex mitior* i.e. the most lenient law must be applied if the law between the commission of the offence and the trial is amended. The 1956

- Penal Code did not contain any provisions on the above-mentioned crimes, which covered only domestic offences.
617. It is also far from clear whether the Cambodian Constitution would allow the direct application of offences recognised under the international customary criminal law outside the remit of the ECCC Agreement and ECCC Law because Article 31 of the 1993 Constitution only refers to *human rights* standards as possibly directly applicable. As the ICIJ explained in a different context, violations of human rights standards as such do not necessarily equate to criminal liability<sup>2369</sup>.
618. In conclusion, the effect of the ECCC Law on personal jurisdiction is in our view twofold: first, it restricts the ECCC's *own* personal jurisdiction to those most responsible, and second, it excludes any personal or subject-matter jurisdiction by the *ordinary* Cambodian courts over the events under the ECCC's temporal jurisdiction.
619. This doctrinal conclusion is also borne out by the empirical fact that there have been no investigations or prosecutions of such cases for lower-level perpetrators before any ordinary Cambodian court *after* the establishment of the ECCC, despite the fact that the DK period has caused a severe trauma in Cambodian society and there were numerous potential perpetrators who are still alive and who committed serious crimes, either directly or in their position as superiors.
620. There is thus a massive impunity gap for crimes committed during the DK era. However, this finding must have no policy impact on the NCIJ's exercise of discretion regarding personal jurisdiction for the further reasons which I will elaborate in the next section.

### 3. CRIMINAL LAW PRINCIPLES: THE EFFECTIVENESS OF *IN DUBIO PRO REO*, STRICT CONSTRUCTION, SELECTIVE JURISDICTION, AND SELECTIVE TRIAL

621. For the exercise of discretion, there are a number of principles to be taken into consideration such as, among others, the principle of *in dubio pro reo and strict construction of criminal law*. In line with the interpretation of the principle of the SCC, we believe that *in dubio pro reo* has a residual role in the interpretation of legal provisions, and its application is limited to doubts that remain after the application of the standard rule of interpretation<sup>2370</sup>. In some jurisdictions, the same effect would be achieved by the application of the principle of strict construction, for example, in Cambodian laws<sup>2371</sup> and also at the ICC<sup>2372</sup>.
622. The application of *in dubio pro reo* and strict construction is more crucial in systems where laws are often not fully settled, which is still the case in many areas of [internationalised] criminal law. Particularly, not only the position of the Defence Lawyers to defend the law against the allegations but also the substance of those allegations is sometimes varied: the instances of divergent interpretation of identical legal concepts in the ECCC and other courts, not least on the very issue of personal jurisdiction<sup>2373</sup> are clear evidence of this<sup>2374</sup>. The

- case of a special court with narrowly tailored personal, subject-matter and temporal jurisdictions, based on contentious negotiations between a national government and the international community in a post-conflict transitional scenario, which began operations nearly 30 years after the events in questions, is a prime example of the need for interpretational judicial restraint.
623. This is true, not least because of the pressure exerted by public expectations and media, on the grounds of concerns over the concept of impunity for mass atrocities, political agendas as well as previous historical research into the underlying events. In other words, in scenarios of this kind, the guilt of the suspects seems beyond debate *ab initio* and the judicial proceedings are frequently expected simply to attach the seal of official approval and confirmation to the pre-existing general view of history.
624. However, it is apposite to recall **Robert H. Jackson's** words spoken at the conference of the American Society of International Law on 13 April 1945 on the contentious judicial approach to punishing the Nazi war criminals before the start of the Nuremberg trials:
- “That is one of the risks that are taken whenever trials are commenced. The ultimate principle is that you must put no man on trial under the forms of judicial proceedings if you are not willing to see him freed if not proven guilty<sup>2375</sup>.”*
625. To disregard this banal, yet vital truth, would be tantamount to subscribing to the odious statement by Benedict Carpzov in 1962, that, “[i]t is well-known that, in the cases of the most serious offences, the boundaries of the law may be disregarded because of the enormity of the crime<sup>2376</sup>.”
626. Clearly, the ECCC is a court which exercises selective justice in the objective sense of the word, because only a certain small group of people will ever be prosecuted in the courts of Cambodia for the atrocities which were committed during the DK, namely those which fall under its own jurisdiction.
627. Signing the Agreement in the absence of a residual jurisdiction in the ordinary Cambodian courts was a conscious political choice during the negotiations, balancing the call for integration of the remaining Khmer Rouge into the society against the desire for some forms of judicial closure for the horrendous sufferings of the victims, whether dead or still alive, their families and society as a whole.
628. In this context, the OCP itself on 8 September 2009<sup>2377</sup> and again on 26 November 2014<sup>2378</sup> publicly indicated that there would be no new investigations initiated after Case 003 and 004. While no offender can, under law, claim that they are being treated unfairly because many others who may be as responsible as they are not being prosecuted, as long as they themselves receive a fair trial, selective prosecution in an already selective jurisdiction may present wider issues of moral fairness<sup>2379</sup>. This enhances the need for an acknowledgement of the fact that a rigorous and robust evaluation of the evidence against those few who are being investigated is required.

629. It is undoubtedly difficult from the point of view of general criminal policies for the public and the victims in the wider meaning of the term to accept, for example, that even the soldiers who routinely killed small children by bashing their heads against trees<sup>2380</sup> or who competed with one another to find out who could kill the greatest number of people<sup>2381</sup> should not be brought to trial. The same applies to those who directly committed many gruesome and cruel barbarities such as eviscerating victims before executing them, collecting their gallbladders or livers and in some instances even cooking and preparing them for consumption<sup>2382</sup>. In many domestic criminal justice systems such conduct would attract a whole life sentence without parole and in some countries possibly even the death penalty for each individual act of each individual offender.
630. This discrepancy, to iterate what was said above, was known during the negotiations by both the national and international sides. It is also a common feature of any international(ised) jurisdiction set up to bring judicial closure to post-conflict scenarios. The selective approach to jurisdiction with a de facto negotiation for virtually the entirety of the former Khmer Rouge will appear unpalatable and indeed unfair to many. On the one hand the informed political decision of the drafters must be respected by the judges of the ECCC and, on the other hand, this state of affairs must not and cannot equate to a presumption of guilt or, more to the point, to an automatic presumption of senior responsibility for those few who are brought before the court by allegations of the OCP.
631. If at all, any such presumption must operate the other way. The fact is that, after such a long time, some of the crucial evidence, through witnesses or otherwise, may have deteriorated to a point where reliable details, and indeed witnesses, may become difficult to come by. This case in point is not something which can ever be laid at the feet of the Defence or give rise to a lesser standard of proof for indictment or conviction. The Defence deserves the right to reasonable evaluation of the evidence and interpretation of the law at all levels of the ECCC's judicial hierarchy, starting from the OCIJ.

#### 4. NARROW PERSONAL JURISDICTION SHOWN DURING THE NEGOTIATION TO ESTABLISH THE ECCC

632. In determining whether **YIM Tith** was a senior leader or the most responsible person, not only do we examine his participating activities in commission of crimes but also it is important to examine the intention of the drafters of the ECCC Law and the Agreement Law. It is appropriate that the contents of the Law and Agreement fail to define the terms "senior leaders" or "those most responsible".
633. Before creating the ECCC, the government established a national tribunal in 1979 to prosecute Khmer Rouge leaders POL Pot and IENG Sary for crimes of genocide in pursuit of justice and truth. Following the Paris Peace Agreement signed in France in 1991, Cambodia held the general election in 1993 in the hope that the DK leaders would participate and bring peace, putting an end to the protracted civil war for more than 10 (ten) years since 1979. But the group

- did not participate in the election and rejected its results and continued to attack the Cambodian people. For the sake of peace, Cambodia made a law to outlaw the DK group in 1994. The law gave low-ranking armed forces six months to defect if they did not wish to be brought to trial. The purpose of this law was to persuade Khmer Rouge soldiers to come and live in peace, but meanwhile, to try DK leaders in pursuit of justice for the victims of the crimes committed between 1975 and 1979. It is indicated in the new Article 40 of the [ECCC] Law which does not grant an amnesty for those leaders.
634. In 2003, Cambodian courts tried former low-ranking cadres CHHOUK Rin and NUON Paet for national crimes. This does not mean that Cambodia targeted low-ranking cadres who had committed international crimes. With an aim of ending the war and national reconciliation, the King of the Kingdom of Cambodia signed a pardon for DK leaders in 1996, and *Ta Mok*, a senior leader, and Duch, generally known as S-21 (Tuol Sleng Prison) Security Office Chief, were arrested.
635. In June 1997, the Royal Government of Cambodia wrote a letter to the United Nations seeking assistance in the creation of the ECCC. The Royal Government was aware of the amnesty, but it remained willing to continue to seek justice. This targeted only leaders Duch and *Ta Mok*, who were held in detention.
636. The establishment of the ECCC was not a coincidence, but it was the result of negotiations for more than 10 (ten) years from 1997 to 2007 between the Royal Government of Cambodia and the United Nations. The real purpose of the creation of the ECCC was to end the culture of impunity for international crimes. However, this process could not affect peace. Obviously, the negotiations on personal jurisdiction were extremely intense. The Government's intent was to focus on senior leaders. This reflects the word “**senior**” added to “**leaders**” on which the United Nations and the Royal Government of Cambodia agreed. This wording was clearly referring to *Ta Mok*, who was held in detention and other leaders. The phrase “**those most responsible**” was included later in the jurisdictional provisions after it was learnt that Duch was still alive. Cambodia agreed on the case against Duch because he had been arrested and detained. The prosecution documents on these two individuals and their detention would explain the intention to send them for trial after the ECCC was established<sup>2383</sup>.
637. During the negotiations, both sides disagreed on the number of judges in each chamber and a dispute resolution mechanism mainly proposed by the Cambodian side to guarantee sovereignty, and a compromise was finally reached. The Pre-Trial Chamber was created to resolve disagreement between Co-Investigating Judges, etc. Each chamber was composed with Cambodian judges in majority. For instance, the Pre-Trial Chamber consists of three Cambodian judges and two international judges. The structure of the special court and method of participation by national and international judges clearly reflects an undeniably narrow selective jurisdiction. Thus, although there are facts concerning the Charged Person, based on the interpretation of legal contents the Charged Person falls outside the ECCC's personal jurisdiction of “senior leaders or those most responsible”. Finally, if Cambodia had no



intention to bring to trial Khmer Rouge senior leaders, it was likely that Cambodia would not request any assistance in creating the ECCC because Cambodia was aware that IENG Sary had already been granted a pardon. The new Article 40 of the ECCC Law gives discretion to the Chambers to consider an amnesty. Eventually, during the discussion on the ECCC draft law, the Royal Government representative clearly stated in the Cambodian National Assembly session that [the number of] target persons to be prosecuted by the ECCC **had to be limited and restricted**<sup>2384</sup>.

638. In summary, the activities and intention of the Cambodian side before and during the negotiations to establish the ECCC illustrate narrow personal jurisdiction to find justice and maintain peace. Those target persons were senior leaders and Duch, the only most responsible person. In the Closing Order in case 004/01, the Co-Investigating Judges asserted that the judges of the ECCC must respect the political decision of the drafters<sup>2385</sup>.

#### 5. POLICIES AND DECISION-MAKING MECHANISMS OF THE DEMOCRATIC KAMPUCHEA REGIME AND ITS INFLUENCE OVER CADRES

639. The Democratic Kampuchea regime ruled the country from 17 April 1975<sup>2386</sup> to 6 January 1979 with the aim of building the country following a real socialist path in the world<sup>2387</sup>. To achieve that aim, first of all the Khmer Rouge implemented the policy to evacuate the population from cities and towns to rural areas throughout the country<sup>2388</sup> so that they could join in mass agriculture which was the most important sector<sup>2389</sup> for developing the maximum economy under the leadership of the Democratic Kampuchea Government and the policy guidelines by the Communist Party of Kampuchea<sup>2390</sup> based on the firm stance of **“Independence, Mastery, Self-Reliance”**<sup>2391</sup>. In addition, this regime formulated a policy to promote people from low social classes, such as poor peasants and workers, who were regarded as the people from the poor class, to control the local bases, from the village level upwards<sup>2392</sup>.
640. Initially, the Democratic Kampuchea regime adopted a socialist model; however, later this regime adopted an absolute totalitarian communist model with the supreme power vested with the Party via the most influential institution known as **“The Central Committee of the CPK”**. The Central Committee was composed of approximately 30 members who made major decisions concerning the leadership inside and outside the country<sup>2393</sup>. Even though KHIEU Samphan, alias Hem, former Chairman of the State Presidium<sup>2394</sup>, said that in principle the most influential organ was the “Central Committee”, the authority over **decision-making was in practice was vested with the Standing Committee**<sup>2395</sup>. The CPK Standing Committee had at that time seven members including POL Pot, NUON Chea, SAO Phim, *Ta* Mok, IENG Sary, VORN Vet, and SON Sen<sup>2396</sup>.
641. The Democratic Kampuchea structure from the upper level to the lower level and the base level was clearly defined based on work assignments and management in the form of **“collectives”**<sup>2397</sup>, on the grounds that the country could be built rapidly if it were done collectively<sup>2398</sup>. Furthermore, the policies

- of the government at that time were widely disseminated through meetings at zone, sector, district, commune, village and cooperative levels, etc<sup>2399</sup>.
642. The 20 May 1975 meeting was held at Olympic Stadium to abolish markets and national currency<sup>2400</sup>. One witness who was a former cadre attending the meeting on the Party's policies where POL Pot and NUON Chea gave opening remarks claimed that *“both of them talked about the policies to organise cooperatives, to ban a currency, and to close markets and pagodas, and stated that the ban would be lifted in the future<sup>2401</sup>.”* Shortly before the collapse of the regime, *Angkar* decided to introduce a currency and markets; however, it was not implemented due to the collapse of the regime<sup>2402</sup>.
643. The national economy went into a nosedive since the country was led by a government which completely abolished money circulation<sup>2403</sup> under the pretext that money circulation led to corruption, exploitation and oppression from the feudal class etc. Furthermore, money circulation was the most critical issue that led this regime to instability in their leadership and control<sup>2404</sup>. Generally, economists consider money circulation as a fundamental basis for a country's economic functioning and the promotion of a country's economic growth.
644. In addition, later the Party set out a rice production target<sup>2405</sup>, with the Party, the upper echelons, forcing people to produce **three tons of rice per hectare**<sup>2406</sup> over the 1.5 million hectares of farmland. *Angkar* expected that the rice produced would be 4.5 million tons, which was one of the core tasks to be undertaken in 1976<sup>2407</sup>. A witness who was a typist claimed that, *“several documents mention producing three tons of rice per hectare<sup>2408</sup>.”* Most rice produced had to be given to the Party in full for overseas export<sup>2409</sup>. Because of the fact that cadres who could not achieve the plan could be considered as enemies, which led to death, some cooperative chairpersons at the bases inflated the figures of rice produced so that the Party, the upper echelons, viewed them as striving for and being loyal to the Party since they delivered a large quantity of rice produced to the upper echelons while in fact people at their bases did not have enough rice to eat<sup>2410</sup>.
645. Right after the liberation, in some areas, some villages were incorporated into **“cooperatives<sup>2411</sup>”** with communal eating and living arrangements<sup>2412</sup> on the pretext that a collective was a humanitarian concept that enabled everyone to have an equal amount of food for consumption<sup>2413</sup>. cooperatives were considered by the Party as the backbones of the revolution throughout the country<sup>2414</sup>. Under the Party's leadership, people were provided two meals per day – one was gruel and the other was cooked rice<sup>2415</sup>.
646. The form of governance of the Democratic Kampuchea regime was distinct from that of other countries in the world<sup>2416</sup>. Even IENG Sary, the former Deputy Prime Minister in charge of foreign affairs, stated, **“The Khmer revolution does not follow any previous model. What we are achieving has never been done before in history<sup>2417</sup>.”** Democratic Kampuchea had an absolute stance<sup>2418</sup>; and people were forced to work at worksites in very difficult situations<sup>2419</sup> without adequate breaks. In addition, people had no freedom<sup>2420</sup>, no right to have access to information<sup>2421</sup>, nor freedom of movement<sup>2422</sup>; there

- were no markets<sup>2423</sup>, no private ownership<sup>2424</sup>, no hospitals, no healthcare centres, nor enough medicine for treatment<sup>2425</sup>, etc.
647. As regards religious beliefs, after taking control, the Democratic Kampuchea without mercy forced monks to disrobe<sup>2426</sup>, and killed any monk who refused to disrobe<sup>2427</sup>. Pagodas, which were used for education and religious dissemination, were forcibly destroyed<sup>2428</sup> throughout the country<sup>2429</sup>. In addition, POL Pot, who was the Prime Minister and CPK Secretary, implemented an absolute Marxist doctrine against all religions in Cambodia without exception<sup>2430</sup>. Many witnesses asserted that all religions were prohibited and pagodas were transformed into dining halls and used for raising animals<sup>2431</sup>. One witness said, “*at that time all religions were abolished and the CPK was the only one to be respected. The CPK hated monks.... the most*”<sup>2432</sup>.”
648. In order to achieve the goals set, governing the country by following the socialist path, the regime pushed for country building by regarding human forces as the core to replace machinery, which would help Cambodia to be rapidly prosperous under the slogan “**the great leap forward**”<sup>2433</sup>; therefore, the DK strictly implemented and adhered to some major policies such as the evacuation of people, treatment of specific groups, forced labour worksites, forced marriage, and purges of internal and external enemies, etc. Many consequences resulted from the term, “**enemies**,” which referred to any one who was accused of breaking a plough<sup>2434</sup>, a hoe, a spoon, a plate or a cooking pot<sup>2435</sup>; who transplanted wrong rice seedlings<sup>2436</sup>; who stole sugar stumps<sup>2437</sup>; who stole corn, bananas and potatoes grown by himself/herself<sup>2438</sup>; who applied a car brake too abruptly but it didn't stop<sup>2439</sup>; who was late for work<sup>2440</sup>; who criticised *Angkar*<sup>2441</sup> or allegedly attempted to destroy *Angkar*<sup>2442</sup>.
649. Prior to 1975, the CPK evacuated people from the areas under their control<sup>2443</sup>. In February 1975, the CPK's Central Committee held a meeting and decided on a plan to evacuate people in anticipation of the victory over the Khmer Republic<sup>2444</sup>. At that time, senior leaders including POL Pot, NUON Chea, IENG Sary and KHIEU Samphan also attended the meeting<sup>2445</sup>, and decided to evacuate people in three phases<sup>2446</sup>. One witness testified, citing *Ta Mok*, a senior cadre, as saying, “*All people had to be evacuated to the countryside so that they could build the economy there. ... The evacuation of people from cities had to be conducted nationwide and it had to be done within two days*”<sup>2447</sup>.” Based on estimates, the number of the total population evacuated was 2,000,000<sup>2448</sup>. The evacuation of the population between 1975 and 1979 was carried out in three phases, (see Paragraphs 82 - 87 above).
650. The Democratic Kampuchea regime classified people, based on their biographies<sup>2449</sup>, into those living in the liberated zones and those who came after 1975. Right after 17 April 1975, *Angkar* divided people according to their living status: the rich, the poor or the educated. Former civil servants of the LON Nol regime or Sangkum Reastre Niyum regime and their relatives were considered to have bad tendencies<sup>2450</sup>. *Angkar* called those who were evacuated to new locations “new people<sup>2451</sup>” or “17 April” people<sup>2452</sup>. Those in countryside were called “old people<sup>2453</sup>”, “18 April” people<sup>2454</sup>, or “base people<sup>2455</sup>”. “New people” were given the new status of “depositees” and they

- were not allowed to hold any position of any level<sup>2456</sup>. On the contrary, old people or base people enjoyed the status as full-rights people or candidate people if their relatives were not associated with enemies<sup>2457</sup>.
651. In general, people were forced to wear black clothes, and this policy was set by *Angkar*, and people were given a maximum of two sets of clothes per year. People had no freedom to choose their clothes; there was no hygiene, nor welfare<sup>2458</sup>. No family was allowed to have private property. This was based on the policy which had been implemented since before the liberation on 17 April 1975<sup>2459</sup>. The DK viewed private property<sup>2460</sup> as a concept that belonged to the capitalist regime, which led to corruption<sup>2461</sup> or exploitation of workers and farmers by the rich<sup>2462</sup>.
652. The DK regime imposed forced marriage. Although there are no documents proving this practice, consistent practice from one area to another, from one zone to another throughout the country, suggested that forced marriage was imposed in order to achieve population growth and to create younger generations to defend the socialist revolution through which *Angkar*, the upper echelons, were the custodians in lieu of parents<sup>2463</sup>. This was also beneficial to the management of individuals and economy, leaving parents working at cooperatives or worksites<sup>2464</sup>. Witnesses said in reference to the political message from cadres in the leadership, *"They planned to increase new forces or new people to 15 to 20 million in the next 15 to 20 years"*<sup>2465</sup>.
653. As for marriage, *Angkar* collected people of the same political status, encouraging soldiers<sup>2466</sup> [to get married], in line with the announcements made by POL Pot in conferences, official publications, and telegrams, coupled with intimidation of violence or death<sup>2467</sup>. Numerous witnesses testified that people who were forced to get married did not dare to protest<sup>2468</sup>.
654. Due to a lack of trust combined with suspicions against one another, prior to 1975 the Party formulated a policy to purge both inside and outside the Party's ranks, and they continued to implement this purge policy at a larger scale with the aim of completely destroying the structures of previous regimes, the feudalists, the capitalists, religions, races, etc<sup>2469</sup>. The purge policy took shape following the decision of the Party's Central Committee in 1976 regarding the decision-making authority to destroy both inside and outside the Party's ranks, which clearly stated, ***"If cases occur at the base, decisions shall be taken by the Zone Standing Committee. If cases occur in the Offices surrounding the Centre Office, decisions shall be taken by the Central Office Committee. If cases occur in Autonomous Sectors, decisions shall be taken by the Standing Committee. If cases are related to the Military of the Centre, decisions shall be taken by the General Staff"***<sup>2470</sup>. Article 10 of the DK Constitution says, *"Dangerous activities and systematic destruction in opposition to the people's State must be condemned to the highest degree. Other cases are subjected to constructive re-education in the framework of the State's or people's organizations"*<sup>2471</sup>. This shows that all mechanisms were mobilised in order to increase the effectiveness of the purge policy set out by the Party, under constant and close monitoring by *Angkar*.

655. After 1975, situations became complicated at all levels, and the general policies to govern the country which were radically leftist, following the lines of independence, mastery and self-reliance, were too strictly implemented<sup>2472</sup>.
656. Under the DK leadership, under the direction the CPK, the regime established numerous security offices to detain, torture, and execute people, with a total of over 195 security offices throughout the country<sup>2473</sup>. Cadres at all levels had to follow the Party's lines by disseminating the policies set by the Party, and especially relevant cadres had to facilitate arrests if upper echelons decided to arrest anyone who was regarded as an enemy of *Angkar*<sup>2474</sup>. When there was an arrest order, there was no culture of intervention in the arrest decision because at that time there was a common saying: **“Do not do anything to disrupt *Angkar* or the historical wheel<sup>2475</sup>.”**
657. Everyone knew that all orders came from **“upper echelons<sup>2476</sup>”**, whilst lower-level cadres<sup>2477</sup> did not fully understand the plans or the policies set by *Angkar*. However, if those lower-level cadres did not implement the policies of the upper echelons even because they did not understand the policies, they were considered as enemies<sup>2478</sup> and taken away for execution instantly<sup>2479</sup>. In the DK context, orders from upper echelons had to be absolutely respected, and if anyone dared to refuse, he was arrested and taken for execution<sup>2480</sup>. The cadres who dared to criticise the orders were considered by *Angkar* to be **“traitors<sup>2481</sup>”**.
658. In the regime, there were **“self-criticism meetings”** which required wrongdoers to speak about their mistakes so that meeting participants could provide feedback, and the same mistakes would not be repeated<sup>2482</sup>. The CPK designated regular Party livelihood meetings, arguing, *“If meetings are held regularly, there is always progress, no matter whether the progress is fast or slow<sup>2483</sup>.”* Following those meetings, *Angkar* spread propaganda, encouraging people to work hard and not to betray *Angkar*, or they would be **“condemned by history<sup>2484</sup>”**. Those who could not be re-educated or re-fashioned by *Angkar* would be taken away for execution as *Angkar* said, **“No gain in keeping, no loss in weeding out<sup>2485</sup>.”** This saying was tested on HOU Nim, who was taken for execution in 1976 when he suggested [the possibility of] printing a currency and opening markets, which was contrary to the decision made earlier by POL Pot, NUON Chea and *Ta Mok*<sup>2486</sup>.
659. The implementation of the above CPK policies shows that people throughout the country faced countless difficulties. Besides being killed, people died from starvation, malnutrition and diseases such as diarrhoea, cholera, etc<sup>2487</sup>. When people were sick, they were not given medical treatment because there was no healthcare centre, no hospital, nor enough medicines for treatment. Sometimes patients fell severely ill and died<sup>2488</sup>. In addition to being killed, people died from the suppressive campaigns to ensure the implementation of the purge policy. Cadres and those who were considered enemies or failed to follow *Angkar's* orders were also killed<sup>2489</sup>. At that time, execution could not be replaced by less severe forms of punishment such as disciplinary measures at all. If cadres did not follow the policies of *Angkar*, those cadres, no matter which levels the cadres belonged to, became the targets of being purged. Such

- cadres included: HOU Yun<sup>2490</sup>, HOU Nim<sup>2491</sup>, VORN Vet<sup>2492</sup>, KOY Thuon<sup>2493</sup>, RUOS Nhim<sup>2494</sup>, and SAO Phim<sup>2495</sup>.
660. During the DK regime for the period of three years, eight months and 20 days, at least 60 senior DK cadres were arrested and killed at S-21 Security Office<sup>2496</sup>. More than 1,700,000<sup>2497</sup> people were killed and died from starvation<sup>2498</sup>, diseases<sup>2499</sup> and overwork<sup>2500</sup>.
661. The aforementioned policies set out by the CPK show that the monitoring systems of all forms and at all times were established nationwide. Therefore, there was a saying, “**Angkar has many eyes of the pineapple**” which was used in reference to all forms of restriction imposed on people and targeted cadres<sup>2501</sup>. In addition, if anyone failed to follow CPK policies, they would become enemies of *Angkar* or enemies of the revolution. What was strange was the elimination of private property. That policy was implemented beyond expectation. People could not even eat vegetables they grew around their houses because those vegetables were regarded as collective property or the property of cooperatives. Such restrictions led to the birth of the slogan “**Good things come in small packages.**” which *Angkar* repeatedly told people.
662. These facts are objective and publicly known throughout the country, i.e. those who are over 44 (forty-four) years of age (**by 2019**) and who lived through the regime heard and witnessed all these facts without the need to show evidence.
663. The context of the commission and administrative mode in the DK regime is distinct from what happened in Yugoslavia, Rwanda, and Sierra Leone, which has led to the establishment of the International Criminal Court like the ECCC. The DK regime had a tendency of state leadership reflected in the national persecution policy which was implemented, throughout the country, in the collective leadership structure that the cadres at all levels had to respect and follow the orders. The terms “enemies” or “revolutionary enemies” have a broad scope, covering even innocent people. This is distinct from the racial conflicts between the Tutsi and the Hutu, which led to genocide in Rwanda<sup>2502</sup>. What happened during the DK regime was also different from the genocide of the Croats and the Bosnians<sup>2503</sup> committed by the Serbian nationalists led by Slobodan Milosevic.
664. Another common fact that needs to be borne in mind is that, despite regular meetings, the decision-making in the Khmer Rouge hierarchy was not a formal democratic process with the possibility for egalitarian input from functionaries at any level and an ensuing discussion of the way forward. Decisions were made at the top and then implemented by the lower levels regardless of personal consequences at any level; however, the consequences increased along the chain of command if the orders were not adhered to. This does not contradict the fact that the policies were often couched in rather general terms by top echelons, and lower cadres were given some leeway regarding the details of the implementation of those policies. The increasing difficulty of maintaining organisational structures towards the end of the DK mandate does not require a different point of view. Whether someone developed or had to develop their own initiative in these circumstances is not in and of itself a criterion that would

elevate them to the category of those most responsible. The facts show that at all times the ultimate definition of policy contents and the means of their implementation rested with the top echelons who would interfere at will.

665. This was combined with the pervasive use of mostly vertical lines of communication in the chain of command and the accompanying intended secrecy which did generally not permit or at least not encourage or facilitate a free, egalitarian horizontal exchanges of tactical and operational information on the levels below the top leadership. Indeed, openly discussing instructions from *Angkar* between, for example, regiment or battalion commanders could easily have been considered by the superior levels as the first step to insubordination, and no one could be safe in the assumption that such conversations would not be reported in interested quarters with adverse effect upon themselves.

## CHAPTER VII. FINDINGS AND CONCLUSION ON PERSONAL JURISDICTION OVER YIM TITH AND THE CONCLUSION OF CASE 004

### 1. FINDINGS AND CONCLUSION ON PERSONAL JURISDICTION OVER YIM TITH

666. In his Introductory Submission, the ICP alleged that **YIM Tith** was the secretary of Kiri Vong district, the secretary of Sector 13 of the Southwest Zone. Geographically, Kiri Vong district was in Sector 13. He was the Northwest Zone Sector 1 Secretary and was allegedly a Zone Committee member. The Southwest Zone was under the control of *Ta Mok*, and the Northwest Zone was under the control of Ros Nhim until mid-1978, when he was replaced by *Ta Mok*, from the Southwest Zone.
667. Both exculpatory and inculpatory evidence did not show the exact time when **YIM Tith** started holding these positions because the memory of the witnesses were limited due to the fact that the incident took place more than 30 years before the ECCC was established and the fact that the witnesses were in a vulnerable position when they saw, knew or heard those incidents. The evidence collected shows that **YIM Tith** might have become the secretary of Kiri Vong district from June 1976 to 1977 (paragraph 187).
668. Three witnesses said that **YIM Tith** held the position of the secretary of Sector 13 for about eight months before 1979 (paragraph 179). This is not correct because many witnesses said that a group of Southwest Zone cadres, including **YIM Tith**, had already travelled to Northwest Zone in mid-1977. **YIM Tith** held the position of Sector 13 Secretary for one year before leaving for the Northwest Zone (paragraph 172). Therefore, he might have held this position from June 1976 to 1977, replacing *Ta Ran* (រ៉ាន់), who died of a traffic accident.
669. *Ta Vanh* was the Sector 1 Secretary. After his arrest in late 1976, he was replaced by *Ta HENG Teav*, alias *Ta Pet*, who was also later arrested at the same time when ROS Nhim, the Northwest Zone Secretary, was arrested in August 1978 (paragraph 147). **YIM Tith** replaced *Ta Pet*; therefore, he became Sector 1 Secretary in August 1978. **YIM Tith** may have become a Zone Committee

- member, replacing *Ta Pet* after *Ta Pet* was arrested (paragraph 147). Witnesses said that **YIM Tith** was the Northwest Zone Secretary, whilst it was actually *Ta Mok* who replaced ROS Nhim as the new Northwest Zone Secretary in addition to his existing position as the secretary of three other different zones including the Southwest Zone. It is important to note that there were no official documents confirming these positions nor officially swearing in ceremonies. These positions were told of by the witnesses.
670. The investigation carried out by NCIJ did not show that **YIM Tith** was a Central Committee member or a People's Representative Assembly member. He held no position in the army. NCIJ examined major remaining original DK documents such as meeting minutes of the Standing Committee of the Party's Central Committee, and corresponding telegrams between cadres at sector or zone levels and the Standing Committee. None of the documents mentioned **YIM Tith** or his positions.
671. **YIM Tith** was ranked level 4 down from the Standing Committee of the Party's Central Committee to sector levels. He was one among the 100 people at a minimum at the zone and sector levels. He did not hold any important position in the Party and he was not among the over 13 individuals, including zone secretaries such as *Ta Mok*, who had power to destroy enemies based on the decision dated 30 March 1976<sup>2504</sup>. Both in the Southwest Zone and the Northwest Zone, **YIM Tith** was under supervision of powerful zone secretaries such as *Ta Mok* and ROS Nhim, and ROS Nhim was arrested in late 1978, six months before the fall of the DK regime.
672. Many witnesses, including important witnesses (victims of the crimes, security office guards), said that they did not know **Ta Tith (YIM Tith)** when asked whether they knew him. Two witnesses said that they had heard the name **Tith**, but knew that **Tith** was not **YIM Tith** because other cadres named **Tith** also worked in the Southwest Zone and the Northwest Zone<sup>2505</sup>. About 24 witnesses affirmed that they knew **Ta Tith**. One witness said that **Ta Tith** ordered killings; however, that witness only heard this from others.
673. There were 50 crime sites, 10 of which were forced labour sites, 19 of which were security offices or prisons, 18 of which were execution sites, and three of which were forced marriage or sexual violence sites. Most of those crime sites were created in 1975 or 1976 and were operational until 1978 before the Southwest cadres moved to the Northwest Zone. Very few crime sites (i.e. Trayoung Security Office) were in operation after the arrival of the Southwest cadres in the Northwest Zone. Among those 50 crime sites, one crime site (i.e. Wat Kandal Pagoda Security Office) was under the control of the Central Committee. Some crime sites were created before **YIM Tith** became the Kiri Vong district Secretary. Some crime sites in Sector 1 ceased operation in mid-1978, when **YIM Tith** was appointed the secretary of Sector 1, replacing *Ta Heng Teav*, alias *Ta Pet*.
674. Among the 24 crime sites which were placed under judicial investigations, four crime sites were in Kiri Vong district and seven crime sites were in Sector 1. 26



- crime sites were reduced from investigation because they were not much related to **YIM Tith** (two were under Kiri Vong district and six were under Sector 1.)
675. Of the 24 crime sites, 11 crime sites that were placed under judicial investigation were in Kiri Vong district, Sector 13, and Sector 1 (Northwest Zone). Therefore, 39 crime sites (which were under judicial investigation) were indirectly under **YIM Tith**'s control but were otherwise raised because of the fact that **YIM Tith** was Sector 13 Secretary or a Northwest Zone Committee member. Only a few facts show **YIM Tith**'s involvement with crime sites such as Wat Pratheat Security Office, Kang Hort Dam worksite, Kampong Kol Sugar Factory worksite, and forced marriage in Samlout district.
676. Wat Pratheat Security Office was operational in late 1975 under the tenure of the Northwest Zone cadres. Witnesses said that **YIM Tith** visited Wat Pratheat Security Office and ordered the release of prisoners, and that **YIM Tith** had knowledge of the arrests and executions of cadres. However, a similar number of witnesses said that they did not know about these incidents (paragraphs 200-201).
677. Kang Hort Dam worksite was in operation from 1976 under the tenure of the Northwest Zone cadres, and the Southwest Zone cadres continued operating the site. Some witnesses spoke about the visit to this crime site made by **YIM Tith** and *Ta Mok* in late 1978. Nonetheless, many witnesses said that they did not see **YIM Tith** visiting the worksite, nor did they know **YIM Tith** (paragraphs 291-292).
678. Last, it was said that *Ta Mok* visited Kampong Kol Sugar Factory worksite, and **YIM Tith** led a meeting in Battambang (paragraph 324). However, it was not clear whether the meeting took place in the factory or in other places in Battambang town.
679. Witnessed claimed that **YIM Tith**, together with *Ta Mok*, participated in marriage ceremonies in Samlout district in August 1978 (paragraph 338). This information is accurate and is corroborated by other witnesses who said that **YIM Tith** became a member of the Northwest Zone Committee in mid-1978.
680. Paragraphs 589 to 590 show that there were 50,000 victims in the alleged crime sites located in those two zones. The victims were killed or died from starvation and diseases as a result of the implementation of national suppressive policies in the Southwest Zone and Northwest Zone before the arrival of the Southwest Zone cadres or before **YIM Tith** became the Kiri Vong district Secretary and Sector 13 Secretary between 1976 and mid-1977, and before he became the Sector 1 Secretary and served on the Northwest Zone Committee in mid-1978. The number of these victims did not result from **YIM Tith**'s direct crimes. It was the result of the implementation of the suppressive policies which **YIM Tith** had no power to formulate, but had to implement following the Party's line. In addition, whilst **YIM Tith** became Sector 1 Secretary and served on the Northwest Zone Committee in mid-1978, KHIEU Samphan, Chairman of the State Presidium, announced the cancellation of killings, which resulted in the decrease in purging<sup>2506</sup>.

681. Compared to other charged persons such as **AO An** (Central Zone Sector 1 Secretary) and **MEAS Muth** (Central Division 164 Commander-in-Chief ), against whom charges were dismissed, evidence comprised of telegrams and meeting records highlighted the names of **AO An** (in KE Pork's telegrams to the Central Committee of CPK or Office 870)<sup>2507</sup> and **MEAS Muth**<sup>2508</sup>. But I did not see the name of **YIM Tith**.
682. **YIM Tith** may have held similar positions to those of **AO An** and **MEAS Muth** and positions senior to **Duch**'s positions, but some cadres who held high-ranking positions did not have much power. **YIM Tith** had roles in the Northwest Zone, but did not have specific subordinates, which was different from **Duch**, who was managing the Central Security Office (S-21), having a clear leadership structure under his supervision which enabled him to participate actively in criminal acts causing over 12,000 deaths as a result of his direct or indirect acts through his effective leadership, organisation and management of the security office almost throughout the DK period<sup>2509</sup>.
683. In conclusion, his participation in the above-mentioned crime sites was only his knowledge of those sites; it was not active participation; he made no initiative, and the level of his participation was the same as that of other sector or zone cadres. Participation in the implementation of the Party's policies had to be respected and followed. **YIM Tith** did not have specific subordinates who participated in the implementation effectively and broadly. In particular, he held a position in the Northwest Zone for only a short period of time. Such participation does not fall within the criterion for "most responsible person", which mainly focuses on actual and direct participation regardless of positions.
684. I have found that no evidence showing that **YIM Tith** was a senior leader or one of the most responsible persons in the DK period. Therefore, the ECCC does not have personal jurisdiction over him.

## 2. THE CONCLUSION OF CASE 004

685. NCIJ investigated all facts alleged in the Introductory Submission and Supplementary Submission. Based on Paragraph 55 above, the NICJ considers all facts against all remaining suspects in Case 004, who are charged by the ICP in order to close the case.

**For the foregoing reasons, I hereby decide<sup>2510</sup>:**

686. The ECCC has no personal jurisdiction over **YIM Tith**.
687. **The charges against YIM Tith are dismissed.**
688. The remaining investigation in Case 004 is decided in the orders issued today.

Friday, 11th Day of the Waning Moon, 7th Lunar Month,  
Year of the Pig 1st Year, 2563 B.E.  
Phnom Penh, 28 June 2019

**សហចៅក្រមស៊ើបអង្កេតជាតិ**  
**National Co-Investigating Judge**  
**Co-Juge d'Instruction National**

**Judge YOU Bunleng**

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<sup>1</sup> **Case File No. 004-D1**, Co-Prosecutor's Third Introductory Submission, 20 November 2008, Case File No. 004/20-11-2008/ECCC/OCIJ, submitted by Office of the Co-Prosecutors.

<sup>2</sup> **Case File No. 004-D1**, Co-Prosecutor's Third Introductory Submission, 20 November 2008, Case File No. 004/20-11-2008/ECCC/OCIJ, submitted by the Office of the Co-Prosecutors, para. 118, pp. 42.

<sup>3</sup> **Case File No. 004-D1/1.3**, Annex I: Public redacted version of Pre-Trial Chamber's Considerations regarding the Disagreement between the Co-Prosecutors pursuant to Internal Rule 71, 18 August 2009. **Case File No. 004-D1/1.1**, Annex II: Excerpt of the Considerations of the Pre-Trial Chamber regarding the Disagreement between the Co-Prosecutors pursuant to Internal Rule 71, 18 August 2009.

<sup>4</sup> **Case File No. 004-D1/1**, Acting International Co-Prosecutor's Notice of Filing of the Third Introductory Submission, Case File No. 004/20-11-2008-ECCC/OCIJ, submitted by Acting International Co-Prosecutors, 07 September 2009.

<sup>5</sup> **Case File No. 004-D65**, Co-Prosecutor's Supplementary Submission regarding Sector 1 Crime Sites and Persecution of Khmer Krom, 18 July 2011.

<sup>6</sup> **Case File No. 004-D191**, Co-Prosecutor's Supplementary Submission regarding Forced Marriage and Sexual or Gender-Based Violence, 24 April 2014.

<sup>7</sup> **Case File No. 004-D254/1**, Response to Forwarding Order and Supplementary Submission regarding Wat Ta Meak, 4 August 2015.

<sup>8</sup> **Case File No. 004-D272/1**, Response to Forwarding Order dated 5 November 2015 and Supplementary Submission regarding the Scope of Investigation into Forced Marriage in Sectors 1 and 4, 20 November 2015.

<sup>9</sup> **Case File No. 004-D358**, Notice of Conclusion of Judicial Investigation against **YIM Tith**, 13 June 2017.

<sup>10</sup> **Case File No. 004-D361/4**, Decision on **YIM Tith**'s Request for Adequate Preparation Time, 05 July 2017. **Case File No. 004-D361**, **YIM Tith**'s Request for Adequate Preparation Time, 16 June 2017. **Case File No. 004-D361/2**, International Co-Prosecutor's Response to **YIM Tith**'s Request for Additional Time, 23 June 2017.

<sup>11</sup> **Case File No. 004-D351/1/4**, Decision on **YIM Tith**'s Application to Annul the Investigative Material produced by PAOLO STOCCHI, 25 August 2017.

<sup>12</sup> **Case File No. 004-D368**, Second Notice of Conclusion of Judicial Investigation against **YIM Tith**, 5 September 2017.

<sup>13</sup> **Case File No. 004-D378**, Forwarding Order Pursuant to Internal Rule 66(4), 1 March 2018.

<sup>14</sup> **Case File No. 004-D378/1**, National Co-Prosecutor's Final Submission concerning **YIM Tith** pursuant to Internal Rule 66, 31 May 2018.

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- <sup>15</sup> **Case File No. 004-D378/2**, International Co-Prosecutor's Rule 66 Final Submission against **YIM Tith**, 04 June 2018.
- <sup>16</sup> **Case File No. 004-D378/3**, YIM Tith's Estimate regarding Time Required to Response to the International Co-Prosecutor's Final Submission, 12 June 2018.
- <sup>17</sup> **Case File No. 004-D378/4**, Decision on Time Granted to the Defence to Respond to the Final Submissions by the Co-Prosecutors, 20 June 2018.
- <sup>18</sup> **Case File No. 004-D378/5**, **YIM Tith's** Combined Response to the National and International Co-Prosecutors' Final Submissions, 26 November 2018.
- <sup>19</sup> **A/51/930-S/1997/488**, Letter from the Secretary General of the United Nations addressed to the President of the United Nations Security Council and the First and Second Prime Ministers of Cambodia, 24 June 1997. **A/RES/52/135**, Resolution in the United Nations General Assembly on Situation of Human Rights in Cambodia, 27 February 1998, para. 16. See ECCC Website: <https://www.eccc.gov.kh/12278>
- <sup>20</sup> Agreement between the United Nations and the Royal Government of Cambodia concerning the prosecution under Cambodian law of crimes committed during the period of Democratic Kampuchea, signed on 06 June 2003, entered into force on 29 April 2005. **A/RES/57/228B** (dated 13 May 2003) Resolution adopted by the General Assembly concerning the Establishment of the ECCC. **A/60/565** dated 13 May 2003, para. 4.
- <sup>21</sup> The Law on the Establishment of the Extraordinary Chambers in the Courts of Cambodia for the prosecution of crimes committed during the Period of Democratic Kampuchea, with inclusion of amendments as promulgated on 27 October 2004 by the Royal Degree No. NS/RKM/1004/006 ("ECCC Law").
- <sup>22</sup> **Case File No. 004-D358**, Notice of Conclusion of Judicial Investigation against YIM Tith, 13 June 2017.
- <sup>23</sup> **Case File No. 004-D361/4**, Decision on YIM Tith's Request for Adequate Preparation Time, 05 July 2017. **Case File No. 004-D361**, YIM Tith's Request for Adequate Preparation Time, 16 June 2017. **Case File No. 004-D361/2**, International Co-Prosecutor's Response to YIM Tith's Request for Additional Time, 23 June 2017.
- <sup>24</sup> **Case File No. 004-D368**, Second Notice of Conclusion of Judicial Investigation against YIM Tith, 5 September 2017.
- <sup>25</sup> **Case File No. 004-D378**, Forwarding Order Pursuant to Internal Rule 66(4), 1 March 2018.
- <sup>26</sup> **Case File No. 004-D378/1**, National Co-Prosecutor's Final Submission concerning YIM Tith pursuant to Internal Rule 66, 31 May 2018. **Case File No. 004-D378/2**, International Co-Prosecutor's Rule 66 Final Submission against YIM Tith, 04 June 2018.
- <sup>27</sup> **Case File No. 004-D378/5**, YIM Tith's Combined Response to the National and International Co-Prosecutors' Final Submissions, 26 November 2018.
- <sup>28</sup> **Case File No. 002-E350/8**, Case File No. 002/19-09-2007/ECCC/TC, Trial Chamber's Decision on Evidence Obtained through Torture (Classification Status: Public), 05 February 2016.
- <sup>29</sup> **Case File No. 002, F26/12**, Decision on Objections to Document Lists - Full Reasons, 31 December 2015 (Classification Status: Public).
- <sup>30</sup> **Case File No. 004-D351/1/4**, Decision on YIM Tith's Application to Annul the Investigative Material produced by PAOLO STOCCHI, 25 August 2017.
- <sup>31</sup> **Case File No. 004-D1**, Co-Prosecutor's Third Introductory Submission, 20 November 2008.
- <sup>32</sup> **Case File No. 004-D1/1.3** Annex I: Public redacted version of Pre-Trial Chamber's Considerations regarding the Disagreement between the Co-Prosecutors pursuant to Internal Rule 71, 18 August 2009
- <sup>33</sup> **Case File No. 004-D1/1**, Acting International Co-Prosecutor's Notice of the Filing of the Third Introductory Submission, Case File No. 004/20-11-2008-ECCC/OCIJ, 07 September 2009.
- <sup>34</sup> OCIJ Document concerning the Public Statement by the Co-Investigating Judges, 09 June 2010.
- <sup>35</sup> **Case File No. 004-D3**, Rogatory Letter of the Co-Investigating Judge Marcel LEMONDE, 09 June 2010.
- <sup>36</sup> Extraordinary Chambers in the Courts of Cambodia (ECCC) issued a press release on the appointment of Dr. Siegfried BLUNK as new international Co-Investigating Judge, reinstating that Judge Siegfried BLUNK would assume his office on 01 December 2010.
- <sup>37</sup> OCIJ Statement, 02 February 2011.

- <sup>38</sup> **Case File No. 004-D65**, Co-Prosecutor's Supplementary Submission regarding Sector 1 Crime Sites and Persecution of Khmer Krom, 18 July 2011. **Case File No. 004-D191**, Co-Prosecutor's Supplementary Submission regarding Forced Marriage and Sexual or Gender-Based Violence, 24 April 2014. **Case File No. 004-D254/1**, Response to Forwarding Order and Supplementary Submission regarding Wat Ta Meak, 4 August 2015. **Case File No. 004-D272/1**, Response to Forwarding Order dated 05 November 2015 and Supplementary Submission regarding the Scope of Investigation into Forced Marriage in Sectors 1 and 4, 20 November 2015.
- <sup>39</sup> **Case File No. 004-D281**, Written Record of Initial Appearance, 09 December 2015.
- <sup>40</sup> **Case File No. 004-D350**, Order Amending the Charges against **YIM Tith**, 29 March 2017. **Case File No. 004-D350.1**, Annex: Notification of Amended Charges against **YIM Tith**, 29 March 2017.
- <sup>41</sup> **Case File No. 004-D359**, Decision to Reduce the Scope of Judicial Investigation pursuant to Internal Rule 66 *bis*, 13 June 2017.
- <sup>42</sup> **Case File No. 004-D359**, Decision to Reduce the Scope of Judicial Investigation pursuant to Internal Rule 66 *bis*, 13 June 2017.
- <sup>43</sup> **Case File No. 004-D361**, **YIM Tith's** Request for Adequate Preparation Time, 16 June 2017.
- <sup>44</sup> **Case File No. 004-D338/2**, International Co-Prosecutor's Request for Clarification of Decision on Investigative Action, 23 June 2017.
- <sup>45</sup> **Case File No. 004-D361/4**, Decision on **YIM Tith's** Request for Adequate Preparation Time, 05 July 2017. **Case File No. 004-D361**, **YIM Tith's** Request for Adequate Preparation Time, 16 June 2017. **Case File No. 004-D361/2**, International Co-Prosecutor's Response to **YIM Tith's** Request for Additional Time, 23 June 2017.
- <sup>46</sup> **Case File No. 004-D363**, International Co-Prosecutor's Request to Place Annexes to Kraing Ta Chan Site Identification Report on Case File 004, 19 July 2017. **Case File No. 004-D364**, International Co-Prosecutor's Request to Place onto the Case File the full Case 002 Hearings of those Witnesses and Civil Parties whose partial testimonies were already on the case file, 24 July 2017.
- <sup>47</sup> **Case File No. 004-D363/1**, Decision on International Co-Prosecutor's Request to Place Annexes to Kraing Ta Chan Site Identification Report on Case File 004, 25 July 2017. **Case File No. 004-D364/2**, Decision on the International Co-Prosecutor's Request to Place Full Transcripts on the Case File, 15 August 2017.
- <sup>48</sup> **Case File No. 004-D361/4/1/5**, **YIM Tith's** Appeal Against the Decision on **YIM Tith's** Request for Adequate Preparation Time, 26 July 2017.
- <sup>49</sup> **Case File No. 004-D365**, International Co-Prosecutor's Request for Investigative Actions regarding Prison No. 8 in Kandieng district, and Sexual Violence in Bakan district, Pursat province, 28 July 2017.
- <sup>50</sup> **Case File No. 004-D366**, International Co-Prosecutor's Request for Investigative Actions in Case 004 with Annex A, 28 July 2017.
- <sup>51</sup> **Case File No. 004-D367**, **YIM Tith's** Request for Investigative Action regarding the Use of Torture-tainted Organizational Chart, 28 July 2017.
- <sup>52</sup> **Case File No. 004-D366/1**, First Decision in relation to the International Co-Prosecutor's Request for Investigative Action (D366), 03 August 2017.
- <sup>53</sup> **Case File No. 004-D338/3**, Decision on International Co-Prosecutor's Request for Clarification of Decision on Investigative Action, 10 August 2017.
- <sup>54</sup> **Case File No. 004-D365/3**, Decision on the International Co-Prosecutor's Request for Investigative Action regarding Prison No. 8 and Sexual Violence in Bakan district, 04 September 2017. **Case File No. 004-D366/4**, Decision on International Co-Prosecutor's Request for Investigative Action in Case File 004, 04 September 2017.
- <sup>55</sup> **Case File No. 004-D367/1**, Decision on **YIM Tith's** Request for Investigative Action regarding the Use of Torture-tainted Organizational Charts, 05 September 2017.
- <sup>56</sup> **Case File No. 004-D368**, Second Notice of Conclusion of Judicial Investigation against **YIM Tith**, 05 September 2017.
- <sup>57</sup> **Case File No. 004-D370**, **YIM Tith's** Application to seize the Pre-Trial Chamber with a view to Annulment of the Requests for and Use of Civil Parties Supplementary Information from Civil Parties and Associated Investigative Products in Case File 004, 12 September 2017.
- <sup>58</sup> **Case File No. 004-D370/1**, Decision on **YIM Tith's** Application to seize the Pre-Trial Chambers with a view to Annulment of Certain Documents relating to Civil Parties, 25 September 2017.

<sup>59</sup> **Case File No. 004-D365/3/1/1**, International Co-Prosecutor's Appeal of Decision on Request for Investigative Action, 25 October 2017.

<sup>60</sup> **Case File No. 004-D372**, YIM Tith's Application to Seize the Pre-Trial Chamber with a view to Annuling Evidence obtained under Torture, 08 November 2017.

<sup>61</sup> **Case File No. 004-D361/4/1/10**, PTC's Decision on YIM Tith's Appeal Against the Decision on YIM Tith's Request for Adequate Preparation Time, 13 November 2017.

<sup>62</sup> **Case File No. 004-D372/1**, Decision on YIM Tith's Application to Seize the Pre-Trial Chamber with a view to Annuling Evidence obtained under Torture, 08 January 2018.

<sup>63</sup> **Case File No. 004-D377**, YIM Tith's Request for Correction of Translation Errors in Written Records of Interview, 09 February 2018.

<sup>64</sup> **Case File No. 004-D365/3/1/5**, Decision on the International Co-Prosecutor's Appeal of Decision on Request For Investigative Action Regarding Sexual Violence at Prison No. 8 and in Bakan district, 13 February 2018.

<sup>65</sup> **Case File No. 004-D377/1**, Decision on YIM Tith's Request for Correction of Translation Errors in Written Records of Interview, 28 February 2018.

<sup>66</sup> **Case File No. 004-D378**, Forwarding Order Pursuant to Internal Rule 66 (4), 01 March 2017.

<sup>67</sup> **Case File No. 004-D378/1**, National Co-Prosecutor's Final Submission concerning YIM Tith pursuant to Internal Rule 66, 31 May 2018.

<sup>68</sup> **Case File No. 004-D378/2**, International Co-Prosecutor's Rule 66 Final Submission against YIM Tith, 04 June 2018.

<sup>69</sup> **Case File No. 004-D378/3**, YIM Tith's Estimate regarding Time Required to Response to the International Co-Prosecutor's Final Submission, 12 June 2018.

<sup>70</sup> **Case File No. 004-D378/4**, Decision on Time Granted to the Defence to Respond to the Final Submissions by the Co-Prosecutors, 20 June 2018.

<sup>71</sup> **Case File No. 004-D378/5**, YIM Tith's Combined Response to the National and International Co-Prosecutors' Final Submissions, 26 November 2018, para. 1746.

<sup>72</sup> Internal Rules of the Extraordinary Chambers in the Courts of Cambodia (Rev. 9), 16 January 2015, Rule 72(1) states that, "In the event of disagreement between the Co-Investigating Judges, either or both of them may record the exact nature of their disagreement in a signed, dated document which shall be placed in a register of disagreements kept by the Greffier of the Co-Investigating Judges." p. 55.

<sup>73</sup> Internal Rule 7.4 of the Extraordinary Chambers in the Courts of Cambodia. Articles 26 and 27 of ECCC Law. Article 5 (6) of the Agreement between the United Nations and the Royal Government of Cambodia concerning the prosecution under Cambodian law of crimes committed during the period of Democratic Kampuchea.

<sup>74</sup> Internal Rules of the Extraordinary Chambers in the Courts of Cambodia (Rev. 9), 16 January 2015, p. 44.

<sup>75</sup> **Case File No. 002-D427**, Closing Order in Case File No. 002/19-09-2007/ECCC-OCIJ, 15 September 2010, para. 1323, p. 330 (Classification Status: Public).

<sup>76</sup> Criminal Procedure, A Worldwide Study, Ceaig M. Bradley, 2<sup>nd</sup> ed., 2007, para. 289. **Article 80-1, Paragraph 1 of the French Code of Criminal Procedure**, see <https://www.legifrance.gouv.fr/affichCodeArticle.do?cidTexte=LEGITEXT000006071154&idArticle=LEGIARTI000006575198>.

<sup>77</sup> French Supreme Court Judgement, Criminal Chambers, 27 November 1963, Number 63-91. 516, published in Official Newsletter of the French Republic, Number 338.

<sup>78</sup> Article 14, Right to a Fair Trial, Covenant on Civil and Political Rights, 1966.

<sup>79</sup> Article 14, Right to a Fair Trial, Covenant on Civil and Political Rights, 1966.

<sup>80</sup> **Case File No. 004-D6.1.975**, Geography text book of DK's Ministry of Education entitled "Political Geography of Democratic Kampuchea", First Edition, 1977, p. 07.

<sup>81</sup> **Case File No. 004-D117/36.1.21**, Third Anniversary of the Organization of Peasant cooperatives, 20 May 1973 to 20 May 1976, pp. 21-22. **Case File No. 004-D6.1.815**, Foreign Broadcast Information Service (FBIS) Collection of Reports, Democratic Kampuchea Information Report entitled "27 Sep (1977) Mass Meeting, Pol Pot Speech Mark KCP Anniversary", 29 September 1977, p. 51. **Case File No. 004-D6.1.836**, BEN Kiernan's Handwritten English Translation of the Interview of Mr. UK Bunchhoeun, 30 September 1980, pp. 05-06.

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<sup>82</sup> **Case File No. 004-D322/8.1.6**, “Brief Study of the History of the Kampuchean Revolutionary Movement under the Leadership of the Communist Party of Kampuchea”, p. 05. **Case File No. 004-D6.1.815**, Foreign Broadcast Information Service (FBIS) Collection of Reports, Democratic Kampuchea Information Report entitled “27 Sep (1977) Mass Meeting, Pol Pot Speech Mark KCP Anniversary”, 29 September 1977, p. 51. **Case File No. 004-D6.1.702**, Written Record of Interview of Witness **MÂN Heang**, 10 December 2009, p. 03.

<sup>83</sup> **Case File No. 004-D322/8.1.6**, “Brief Study of the History of the Kampuchean Revolutionary Movement under the Leadership of the Communist Party of Kampuchea”, p. 03. **Case File No. 004-D6.1.196**, Francois Ponchaud, “Liberated Cambodia” Echange France-Asie, Special Report No. 13, January 1976, p. 03. **Case File No. 004-D6.1.768**, The Revolutionary Male and Female Youths, The Propaganda and Education Angkar of “CKYA” (Communist Kampuchea Youth Association), Published monthly, Number 10-11, October-November 1977, pp. 04-05, 10. **Case File No. 004-D6.1.1132**, The Revolutionary Youth, The Propaganda and Education Organization of the “Youth league”, Issued Monthly, Special Issue September 1975, pp. 05, 11-12, 21. **Case File No. 004-D1.3.22.1**, The Revolutionary Youth, The Propaganda and Education Organization of the “Youth League”, Issued Monthly, Issue No. 10, October 1975, p. 07-08. **Case File No. 004-D322/8.1.4**, The Revolutionary Male and Female Youths, The Propaganda and Education Angkar of “CKYA” (Communist Kampuchea Youth Association), Special Issue August-September 1974, p. 19. **Case File No. 004-D322/8.1.35**, The Revolutionary Youth, The Propaganda and Education Organization of “The Youth League”, Number 11, November 1978, p. 03-04. **Case File No. 004-D322/8.1.24**, The Revolutionary Male and Female Youths, The Propaganda and Education Angkar of “CKYA” (Communist Kampuchea Youth Association), Number 4, April 1977, pp. 04, 05. **Case File No. 004-D322/8.1.22**, The Revolutionary Youth, The Propaganda and Education Organization of “The Youth League”, Issued Every Month, Number 3, March 1977, p. 04.

<sup>84</sup> **Case File No. 004-D6.1.746**, Revolutionary Flag, Special Issue, October-November 1975, pp. 09-10. **Case File No. 004-D1.3.27.5**, Interviews with Kampuchean Refugees at Thai-Cambodian Border prepared for **Ishiyama Committee**, Annual Report 1980, February-March 1980, p. 23-25. **Case File No. 004-D6.1.717**, Written Record of Interview of Witness **IN Sopheap** alias Mi, 28 September 2009, p. 05-06. **Case File No. 004-D6.1.1059**, Written Record of Interview of Charged Person **KAING Guek Eav** alias Duch, 01 April 2009, p. 02-03.

<sup>85</sup> **Case File No. 004-D117/36.1.21**, Third Anniversary of the Organization of Peasant cooperatives, 20 May 1973 to 20 May 1976, pp. 01, 07-08. **Case File No. 004-D6.1.772**, Phnom Penh Domestic Service Broadcast entitled “NUON Chea’s Speech at Army Anniversary Meeting”, Dated 17 January 1977, Excerpts from broadcast extracts from speech by NUON Chea, Chairman of the the People’s Representative Assembly Standing Committee and Acting Premier, at the 16th January 1977 Meeting marking the Cambodian Revolutionary Army Anniversary, pp. 01-02. **Case File No. 004-D6.1.475**, Written Record of Interview of Civil Party **AFFONCO Denise**, 03 June 2009, p. 02-03. **Case File No. 004-D6.1.196**, Francois Ponchaud, “Liberated Cambodia” Echange France-Asie, Special Report No. 13, January 1976, p. 03. **Case File No. 004-D6.1.815**, Foreign Broadcast Information Service (FBIS) Collection of Reports, Democratic Kampuchea Information Report entitled “27 Sep (1977) Mass Meeting, Pol Pot Speech Mark KCP Anniversary”, 29 September 1977, p. 53. **Case File No. 004-D6.1.522**, Written Record of Interview of Witness **HON Sang**, 19 July 2009, p. 03. **Case File No. 004-D6.1.698**, Written Record of Interview of Witness **SOM Chhom**, 10 December 2009, p. 02. **Case File No. 004-D6.1.702**, Written Record of Interview of Witness **MÂN Heang**, 10 December 2009, p. 02-03. **Case File No. 004-D6.1.706**, Written Record of Interview of Witness **HIM Horn**, 18 December 2009, p. 03. **Case File No. 004-D6.1.1261**, Speech by **IENG Sary** alias Van, Democratic Kampuchea Deputy Prime Minister for Foreign Affairs, in the Summit of Non-Aligned Nations occurred in Lima, Peru on 08 September 1975, p. 01. **Case File No. 004-D6.1.1258**, DC-Cam magazine “Searching for the Truth”, first quarter of 2004, entitled “Second Open Letter of KHIEU Samphan”, 29 December 2003, p. 01. **Case File No. 004-D6.1.1257**, Speech by **IENG Sary** (the delegation of Democratic Kampuchea) on the Agenda Item 9 in the Thirty-Second Session of the UN General Assembly, 28th Plenary Meeting, ERN EN 00079811. **Case File No. 004-D6.1.487**, Telegram from RICHER through the Ministry of Foreign Affairs to ambassadors in Paris and Hanoi, 28 April 1975, pp. 01-02. **Case File No. 004-D322/8.1.24**, The Revolutionary Male and Female Youths, The Propaganda and Education Angkar of “CKYA” (Communist Kampuchea Youth Association), Number 4, April 1977, p. 05. **Case File No. 004-**

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<sup>119</sup> **Case File No. 004-D117/36.1.21**, Third Anniversary of the Organization of Peasant cooperatives, 20 May 1973-20 May 1976, pp. 13, 14-15, 18-19. **Case File No. 004-D6.1.384**, Written Record of Interview of Witness **TEP Poch**, 04 July 2009, p. 03. **Case File No. 004-D117/32**, Written Record of Interview of Witness **NHEM Kol**, 12 November 2013, pp. 04-05. **Case File No. 004-D6.1.813**, Foreign Broadcast Information Service (FBIS) Collection of Reports, Democratic Kampuchea Information Report entitled “Revolutionary Organization Gives Awards to Tree districts”, 23 July 1977, pp. 31-32. **Case File No. 004-D1.3.15.1**, Report of Expert **Craig C. Etcheson**, 18 July 2007, p. 07. **Case File No. 004-D6.1.724**, Written Record of Interview of Witness **PRUM Sou** alias SUN Loeun, alias Sou, 24 November 2009, p. 05. **Case File No. 004-D6.1.1145**, Minutes of Council of Ministers's 2nd Meeting, 31 May 1976, pp. 04, 10. **Case File No. 004-D6.1.836**, BEN Kiernan's Handwritten English Translation of the Interview of Mr. UK Bunchhoeun, 30 September 1980, p. 20. **Case File No. 004-D6.1.502**, Written Record of Interview of Witness **SĂ Siek** alias Sim, 24 March 2009, p. 16. **Case File No. 004-D117/52**, Written Record of Interview of Witness **BUM Sè**, 27 May 2014, pp. 07-08. **Case File No. 004-D322/8.1.6**, “Brief Study of the History of the Kampuchean Revolutionary Movement under the Leadership of the Communist Party of Kampuchea”, p. 06. **Case File No. 004-D6.1.1133**, Revolutionary Youth, The Propaganda and Education Organization of The “Youth League”, Issued Monthly, Issue 05, May 1976, pp. 03-04. **Case File No. 004-D6.1.765**, Revolutionary Youths, The Propaganda and Education Organization of Communist Kampuchea Youth Association “CKYA”, Published Monthly, Issue 1 and 2, January-February 1977, pp. 12, 13. **Case File No. 004-D1.3.22.3**, Revolutionary Youth, The Propaganda and Education Organization of “The Youth League”, Issued Monthly, Issue No. 7, July 1976, pp. 04-05, 05-07. **Case File No. 004-D1.3.22.1**, The Revolutionary Youth, The Propaganda and Education Organization of the “Youth League”, Issued Monthly, Issue No. 10, October 1975, p. 19. **Case File No.**

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<sup>148</sup> **Case File No. 004-D219/370.1.4**, Airgram entitled "Life inside Cambodia" from US Embassy in Bangkok, 31 March 1976, p. 09.

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<sup>176</sup> **Case File No. 004-D6.1.118**, Written Record of Interview of Witness **DUCH Phleu**, 28 August 2008, p. 03. **Case File No. 004-D118/112**, Written Record of Interview of Civil Party Applicant **VEN Nat** alias Ta Nat, 16 October 2013, pp. 13, 15.

<sup>177</sup> **Case File No. 004-D6.1.187**, Written Record of Interview of Witness **SIM Tun** alias **Tun**, 04 August 2008, pp. 04-05. **Case File No. 004-D219/370.1.14**, The Report entitled “Dear Respected, beloved and Missed Angkar: Report from Office 401, on the 10-day Activities for the first time”, 16 July 1978, pp. 03-04.

<sup>178</sup> **Case File No. 004-D6.1.56**, Summary of the Situation from 15 July to 31 August 1976, Division 164, pp. 01-02. **Case File No. 004-D118/112**, Written Record of Interview of Civil Party Applicant **VEN Nat** alias Ta Nat 16 October 2013, pp. 03-04, 05-06, 15. **Case File No. 004-D219/783**, Written Record of Interview of Witness **HEM Preng**, 22 November 2016, p. 10.

<sup>179</sup> **Case File No. 004-D219/472**, Written Record of Interview of Civil Party Applicant **SUM Chanthol**, 24 August 2015, pp. 05-06.

<sup>180</sup> **Case File No. 004-D118/112**, Written Record of Interview of Civil Party Applicant **VEN Nat** alias Ta Nat, 16 October 2013, pp. 03-04.

<sup>181</sup> **Case File No. 004-D219/764**, Written Record of Interview of Witness **KOEUN Saroet**, 18 May 2016, p. 05.

<sup>182</sup> **Case File No. 004-D219/764**, Written Record of Interview of Witness **KOEUN Saroet**, 18 May 2016, p. 05. **Case File No. 004-D219/320**, Written Record of Interview of Witness **PAOR (POR) Sâh**, 2 May 2015, pp. 03-04. **Case File No. 004-D219/370.1.14**, The Report entitled “Dear Respected, beloved and Missed Angkar: Report from Office 401, on the 10-day Activities for the first time”, 16 July 1978, pp. 03-04. **Case File No. 004-D117/42**, Written Record of Interview of Witness **KHOEM Neary**, 06 May 2014, pp. 04-05. **Case File No. 004-D219/326**, Written Record of Interview of Witness **HAO Yân**, 22 May 2015, pp. 07-08. **Case File No. 004-D6.1.187**, Written Record of Interview of Witness **SIM Tun** alias **Tun**, 04 August 2008, pp. 04-05.

<sup>183</sup> **Case File No. 004-D118/6**, Written Record of Interview of Witness **LAY Eng**, 14 January 2013, pp. 05-06. **Case File No. 004-D219/254**, Written Record of Interview of Witness **RY Rang** alias **RY Sarâng**, 31 March 2015, p. 05. **Case File No. 004-D117/42**, Written Record of Interview of Witness **KHOEM Neary**, 06 May 2014, pp. 04-05.

<sup>184</sup> **Case File No. 004-D6.1.1100**, DC-Cam analysis report by **YOUK Chhang** entitled “AT Risk”, p. 160.

<sup>185</sup> **Case File No. 004-D6.1.1231**, United Nations Economic and Social Council, E/CN.4/1335, 30 January 1979, UN Commission on Human Rights, Report on Thirty-Fifth Session, Item 12 of the Provisional Agenda entitled “Question of the violation of human rights and fundamental freedom in any part of the world, with particular reference to colonial and other dependent countries and territories”, p. 10-11.

<sup>186</sup> **Case File No. 004-D6.1.1231**, United Nations Economic and Social Council, E/CN.4/1335, 30 January 1979, UN Commission on Human Rights, Report on Thirty-Fifth Session, Item 12 of the Provisional Agenda entitled “Question of the violation of human rights and fundamental freedom in any part of the world, with particular reference to colonial and other dependent countries and territories”, p. 21.

<sup>187</sup> **Case File No. 004-D6.1.725**, Written Record of Interview of Witness **CHHOUK Rin** alias Sok, 26 November 2009, p. 04. **Case File No. 004-D3/4**, Written Record of Interview of Witness **CHIN Sinal**, 17 August 2010, p. 04. **Case File No. 004-D6.1.118**, Written Record of Interview of Witness **DUCH Phleu**, 28 August 2008, p. 03. **Case File No. 004-D6.1.1231**, United Nations Economic and Social Council, E/CN.4/1335, 30 January 1979, UN Commission on Human Rights, Report on Thirty-Fifth Session, Item 12 of the Provisional Agenda entitled “Question of the violation of human rights and fundamental freedom in any part of the world, with particular reference to colonial and other dependent countries and territories”, p. 10-11. **Case File No. 004-D6.1.642**, Written Record of Interview of Witness **SIENG Sêng**, 17 March 2009, p. 06. **Case File No. 004-D219/64**, Written Record of Interview of Witness **PEOU Koeun** alias **PEOU Raem**, 12 November 2014, pp. 09-10.

<sup>188</sup> **Case File No. 004-D118/6**, Written Record of Interview of Witness **LAY Eng**, 14 January 2013, pp. 07-08.



<sup>189</sup> **Case File No. 004-D219/64**, Written Record of Interview of Witness **PEOU Koeun** alias **PEOU Raem**, 12 November 2014, pp. 07-10. **Case File No. 002-D117/36.1.25**, Interview with Mr. IENG Sary and Mrs. IENG Thirith, conducted in French Language in Phnum Malai mountain, and with Mr. SUONG Sikoeun, July 2000, pp. 21, 23-24.

<sup>190</sup> **Case File No. 004-D6.1.425**, Written Record of Interview of Witness **TÀNN Than**, 18 December 2008, p. 03.

<sup>191</sup> **Case File No. 004-D6.1.425**, Written Record of Interview of Witness **TÀNN Than**, 18 December 2008, pp. 03-04.

<sup>192</sup> **Case File No. 004-D117/47**, Written Record of Interview of Witness **AOK Chănty** alias **Vănna**, 10 May 2014, pp. 03-04. **Case File No. 004-D322/8.1.16**, Revolutionary Male and Female Youths, Propaganda and Education Angkar of “CKYA” (Communist Kampuchea Youth Association ), Published Monthly, Issue 3, March 1976, p. 05.

<sup>193</sup> **Case File No. 004-D322/8.1.20**, Revolutionary Youth, The Propaganda and Education Organization of “The Youth League”, Issue 11, November 1976, p. 07-09.

<sup>194</sup> **Case File No. 004-D6.1.676**, Written Record of Interview of Witness **CHEANG Sreimom**, 11 November 2009, p. 02. **Case File No. 004-D6.1.686**, Written Record of Interview of Witness **SĂO Hean**, 21 November 2009, p. 05. **Case File No. 004-D6.1.358**, Written Record of Interview of Witness **MA Sa Êm** alias **Phin** or **Kràng**, 28 March 2009, p. 04. **Case File No. 004-D6.1.753**, The Revolutionary Flag, Special Issue, September-October 1976, p. 10. **Case File No. 004-D6.1.749**, Revolutionary Flag, Issue 2-3, February-March 1976, p. 07. **Case File No. 004-D6.1.811**, Foreign Broadcast Information Service (FBIS) Collection of Reports for May 1977, Democratic Kampuchea Information Report, 23 May 1977, p. 26. **Case File No. 004-D6.1.141**, Written Record of Interview of Witness **SAO Sarun**, 17 December 2008, pp. 02-03. **Case File No. 004-D6.1.820**, Foreign Broadcast Information Service (FBIS) Collection of Reports, Democratic Kampuchea Information Report, 31 March 1978, p. 51. **Case File No. 004-D6.1.1260**, The True fact about POL Pot’s Dictatorial regime 1975-1978, Research Centre and Democratic National United Movement (DNUM), 08 September 1996, p. 08-09. **Case File No. 004-D322/8.1.16**, Revolutionary Male and Female Youths, Propaganda and Education Angkar of “CKYA” (Communist Kampuchea Youth Association ), Published Monthly, Issue 3, March 1976, p. 05.

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<sup>196</sup> **Case File No. 004-D6.1.77**, Written Record of Interview of Witness **POEUY Pêl** alias **SAOM Ri**, 20 March 2008, p. 04.

<sup>197</sup> **Case File No. 004-D6.1.99**, Written Record of Interview of Witness **CHHOUK Rin** alias **Sok**, 29 July 2008, pp. 02, 05-06.

<sup>198</sup> **Case File No. 004-D6.1.686**, Written Record of Interview of Witness **SĂO Hean**, 21 November 2009, p. 05.

<sup>199</sup> **Case File No. 004-D6.1.477**, Written Record of Interview of Witness **THIOUNN Prasith**, 08 June 2009, p. 03.

<sup>200</sup> **Case File No. 004-D219/946**, Written Record of Interview of Witness **LĂO Kâng**, 13 March 2017, pp. 12-13.

<sup>201</sup> **Case File No. 004-D6.1.53**, BEN Kiernan, “Khmer Bodies with Vietnamese Minds – Kampuchea’s Eastern Zone 1975-1978”, Centre of Southeast Asian Studies, Monash University, pp. 04, 35.

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<sup>210</sup> **Case File No. 002-D427**, Closing Order in Case File No. 002/19-09-2007/ECCC-OCIJ, 15 September 2010, paras. 258-260, pp. 67-68.

<sup>211</sup> **Case File No. 004-D119/42**, Written Record of Interview of Witness **KRET Ret**, 20 May 2013, p. 03. **Case File No. 004-D6.1.480**, Telegram of Political Affairs Directorate Asia-Oceania, Ministry of Foreign Affairs, Republic of France, Subject: Cambodian Review (September 1976), Paris, 15 October 1976, pp. 01-02.

<sup>212</sup> **Case File No. 004-D219/946**, Written Record of Interview of Witness **LĂO Kâng**, 13 March 2017, pp. 11-13, 16-17. **Case File No. 004-D219/379**, Written Record of Interview of Civil Party Applicant **LACH Sambath**, 26 June 2015, pp. 03, 08. **Case File No. 004-D219/85**, Written Record of Interview of Witness **VY Phann**, 18 November 2014, p. 05.

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<sup>305</sup> **Case File No. 004-D6.1.99**, Written Record of Interview of Witness **CHHOUK Rin** alias Sokh, 29 July 2008, p. 02.

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<sup>335</sup> **Case File No. 004-D6.1.1051**, Written Record of Interview of Charged Person **KAING Guek Eav** alias **Duch**, 04 December 2007, p. 05. **Case File No. 004-D6.1.1055**, Written Record of Interview of Charged Person **KAING Guek Eav** alias **Duch**, 19 February 2008, pp. 04-05. **Case File No. 004-D6.1.373**, Written Record of Interview of Witness **PON OI**, 07 May 2009, p. 03. **Case File No. 004-D6.1.1073**, The Submission of **KAING Guek Eav** alias **Duch**, former Chairman of S-21 Security Centre, Response to the Co-Investigating Judges' Written Question, 21 October 2008, pp. 06-07. **Case File No. 004-D6.1.646**, Written Record of Interview of Witness **SUON Kanil** alias Nneang, 21 August 2009, p. 04. **Case File No. 004-D1.3.30.16**, Telegram 10, Band Radio 393: To beloved and Missed Committee 870, Comrade Pork, 04 May 1978. **Case File No. 004-D1.3.30.5**, Telegram 69, Radio Band 560: To Beloved M [Office] 870. We would like to report on the situation in battlefield of National Route 1, 06 November 1977. **Case File No. 004-D132.1.135**, Telegram 68, Radio Band 324, To Comrade Yi through [Office] 870, 22 December 1977, From Comrade Kuon. **Case File No. 004-D219/702.1.60**, Telegram 236, Radio Band 134, From Se to Dear beloved 870 Committee. It is Requested that Siem Reap and Banteay Srey district are merged as one because they are adjacent, 11 December 1977. **Case File No.**

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**004-D322/8.1.29**, Instructions of 870, Raised Issue: View, position, and line to victoriously attack the Yuon enemy invader and territory swallower, 03 January 1978. **Case File No. 004-D6.1.1266**, Telegram 14, Radio Band 556, From Phuong to Dear respected and beloved M 870, The Youn Situation, 30-31 December 1977. **Case File No. 004-D6.1.1267**, Telegram No. 284, Band 745, From Sae to respected and beloved 870 Committee, About the situation of the enemy along the border, 10 January 1978. **Case File No. 004-D6.1.1265**, Telegram 52, Radio Band 874, from Zone 801 to Dear missed and beloved Committee 870”, 23 August 1977. **Case File No. 004-D322/8.1.32**, Telegram from Office 870: Dear Brother(s), 01 April 1978. **Case File No. 004-D219/702.1.65**, Telegram 53, Characters 1122, From Zone 801 to Respected, beloved and missed Com 870, According to the Party’s decision to have me go to work in Sector 103 for a while, 23 August 1977. **Case File No. 004-D219/702.1.66**, Telegram 53, Characters 1122, From Zone 801 to Respected, beloved and missed Com 870, According to the party’s decision to have me go to work in Sector 103 for a while, 23 August 1977. **Case File No. 004-D219/702.1.3**, Telegram 33, From Chhan to beloved and missed M-870, 26 November 1976. **Case File No. 004-D219/702.1.31**, Telegram 313, Band 502, From Sae to respectfully Presented to Beloved Committee 870, 19 March 1978. **Case File No. 004-D219/702.1.59**, Telegram No. 225, Radio Band 127, From Sae to Dear beloved Committee 870, 10 December 1977. **Case File No. 004-D219/702.1.62**, Telegram 60, 1473 Characters, from Zone 801 to Missed and beloved Committee 870, 05 September 1977. **Case File No. 004-D132.1.36**, Telegram 57, Radio Band 273, from Chhon to Dear respected and beloved M 870, 27 October 1977. **Case File No. 004-D132.1.39**, Telegram 84, 126 Characters, from Nhim to respected *Angkar* 870, 20 October 1977. **Case File No. 004-D132.1.4**, Telegram 238, Radio Band 195, From Sae to Dear beloved M 870, 13 December 1977. **Case File No. 004-D132.1.47**, Facsimile No. 15, Radio Band 191, from Yi to Dear respected and beloved M-870, 16 December 1977. **Case File No. 004-D132.1.48**, Telegram 08, Radio Band 275, From Phuong to Dear respected and beloved M 870, 24 December 1977. **Case File No. 004-D132.1.55**, Telegram 92, Radio Band 320, From Chhom to Dear beloved M 870: We would like to make an additional report on the situation in Region 24 and Road No. 22, 12 December. **Case File No. 004-D132.1.56**, Telegram 85, Radio Band 332, From Chhon to Dear respected and beloved M 870, 07 December 1977. **Case File No. 004-D132.1.57**, Telegram 46, Characters 246, From Comrade Kuon to Comrade Yi via Office 870, 05 November 1977. **Case File No. 004-D132.1.60**, Telegram 96, Radio Band 674, From Chhon to Dear beloved and missed M 870, 13 December 1977. **Case File No. 004-D132.1.68**, Telegram 56, Radio Band 348, From Chhon to Dear respected and beloved M 870, 26 October 1977. **Case File No. 004-D132.1.73**, Telegram 78, To Brother Mo.870 [Office 870] and Brother Vi with respect, We would like to report about the result of the meeting with Vietnamese [delegation], 24 January 1976. **Case File No. 004-D132.1.133**, Telegram characters 218, from Chhon to respected and beloved Office 870, 27 October 1977. **Case File No. 004-D132.1.139**, Telegram 95, Radio Band 139, from Chhon to Dear beloved and missed M 870, 13 December 1977. **Case File No. 004-D132.1.140**, Telegram No. 17, Band 1297, From Phuong to Beloved and respected M-870, 15 January 1978. **Case File No. 004-D132.1.144**, Telegram 61, Radio Band 137, From Chhon to respected and beloved M [Office] 870, 29 October 1977. **Case File No. 004-D132.1.149**, Telegram No. 11, Radio Band 271, From Chhon to Respectfully sent to beloved and missed M-870: We would like to report on the situation at the boundary of Sector 23, 10 September 1976. **Case File No. 004-D132.1.152**, Telegram 06, Radio Band 285, 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beloved Office 870, 27 December 1977. **Case File No. 004-D132.1.107**, Telegram No. 15, Radio Band 416, Telegram by Phuong to respected and beloved Office 870, 01 January 1978. **Case File No. 004-D132.1.110**, Telegram No. 54, Radio Band 642: To respected and beloved Office 870. **Case File No. 004-D132.1.114**, Telegram No. 60, Radio Band 378, Telegram by Chhon to respected and beloved Office 870, 29 October. **Case File No. 004-D132.1.122**,

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Telegram No. 76, Radio Band 601, Telegram by Chhon to respected and beloved Office 870, 12 November 1977, at 5.00 p.m. **Case File No. 004-D132.1.13**, Telegram No. 59, Radio Band 684: To respected and beloved Office 870: We would like to report more on Sathngak Battle and new situation concerning Region 23, 28 October, at 8.30. **Case File No. 004-D132.1.130**, Telegram No. 55, Radio Band 403, Telegram by Chhon to respected and beloved Office 870, 26 October. **Case File No. 004-D1.3.30.10**, Telegram by Muth entitled "Telegram No. 00, Band 354, Respectfully Presented to Committee Mo-870", 31 December 1977. **Case File No. 004-D1.3.30.13**, Telegram 02, Radio Band 680, Telegram by Comrade Pauk to respected Committee 870: I would like to give an additional report on the situation of the battlefield around Road No 7. Additionally, comrade commanders from each battlefield coming to attend the meeting at the western part of the battlefields from Prek Pha to Kampong Roka, 12 April 1978. **Case File No. 004-D1.3.30.15**, Telegram No. 09, Radio Band 586, Telegram by Comrade Port to beloved and missed Committee 870: I would like to report further on the results on 28 April 1978, both the eastern and western battlefields, 29 April 1978. **Case File No. 004-D1.3.30.18**, Telegram No. 13, Radio Band 330, Telegram by Comrade Pork to respected and beloved Committee 870: I would like to report further on the attack on enemies, 08 May 1978, targets led by Comrade Tat and Comrade Vann, 09 May 1978, at 11.00 p.m. **Case File No. 004-D1.3.30.20**, Telegram No. 63, Radio Band 200, Telegram by Nhim to beloved and missed Office 870, 15 June 1978. **Case File No. 004-D1.3.30.21**, Advice from 870, View, Standpoint, and ways to Attack the Yuon (Vietnamese) Enemy Invading Territory (in order to) Gain a Victory. **Case File No. 004-D1.3.30.3**, Telegram No. 16, Radio Band 355, Telegram by Comrade Pork to respected and beloved Office 870, 30 April 1977. **Case File No. 004-D1.3.30.4**, Telegram No. , Radio Band 100, Telegram by Comrade Nhim to respected and beloved Office 870, 27 August 1977. **Case File No. 004-D1.3.30.6**, Telegram No. 05, Radio Band 160, Telegram by Phuong to respected and beloved Office 870, 22 December 1977. **Case File No. 004-D1.3.30.7**, Telegram No. 22, Radio Band 362, Telegram by Nhim and Hem to respected and beloved Office 870, 22 December 1977. **Case File No. 004-D1.3.30.8**, Telegram No. 25, Radio Band 184, Telegram by Nhim to respected and beloved Office 870, 24 December 1977. **Case File No. 004-D1.3.30.9**, Telegram No. 09, Radio Band 550, Telegram by Phuong to respected and beloved Office 870, 24 December 1977. **Case File No. 004-D6.1.464**, Telegram No. 09, Radio Band 586: To respected and missed Committee 870. **Case File No. 004-D6.1.465**, Telegram No. 10, Telegram by Pork to respected and beloved Committee 870, 04 September 1978. **Case File No. 004-D6.1.493**, Telegram No. 29, Radio Band 92: Telegram by Yi to beloved Committee 870, 10 September; Three Chams fled from Mel village Khsim commune. They fled to Vietnam on 14 September 1977. **Case File No. 004-D6.1.497**, Telegram No. 13, Radio Band 330, Telegram by Comrade Pork to respected and beloved Committee 870: I would like to report more on the attack on enemies, 08 May 1978, targets led by Comrade Tat and Comrade Vann, 09 May 1978, at 11.00 p.m. **Case File No. 004-D6.1.499**, Telegram No. 324, Respectfully Sent to beloved Committee 870, 10 April 1978, From Se. **Case File No. 004-D6.1.499**, Telegram No. 47, Radio Band 267, Telegram by Saron to respected and beloved Office 870, 01 January 1978, From Sarun. **Case File No. 004-D6.1.51**, Telegram No. 05, Telegram by Comrade Pork to beloved and missed Office 870 about the situation of enemies along Road No. 7, 18 April 1978, at 7.00 p.m. **Case File No. 004-D6.1.516**, Telegram No. 47, Radio Band 267, Telegram by Saron to respected and beloved Office 870, 01 January 1978. **Case File No. 004-D6.1.517**, Telegram No. 46, Radio Band 243, Telegram by Saron to respected and beloved Office 870. **Case File No. 004-D6.1.52**, Telegram No. 31, Radio Band 265, Telegram by Nhim to respected and beloved Office 870, 09 March. **Case File No. 004-D6.1.547**, Telegram No. 34, Telegram by Chhan to respected and beloved Office 870, 04 December. **Case File No. 004-D6.1.58**, Telegram No. 95, Radio Band 326, Telegram by Yi to respected and beloved Office 870, 11 May 1977. **Case File No. 004-D6.1.59**, Telegram No. 38, Radio Band 248, Telegram by Nhim to respected and beloved Office 870, 12 August 1977. **Case File No. 004-D6.1.60**, Telegram No. 32, Radio Band 463, Telegram by Phim to beloved and missed Office 870, 14 September. **Case File No. 004-D6.1.764**, Telegram No. 32, Radio Band 295, Telegram by Comrade Pork to beloved and missed Committee 870, 29 March 1978. **Case File No. 004-D6.1.973**, Telegram No. 21, Radio Band 74, Telegram by Nhim to respected and beloved Chief of 870, 21 December 1977. **Case File No. 004-D6.1.972**, Telegram No. 89, Radio Band 278, Telegram by Yi to respected and beloved Chief of 870, 01 May 1977. **Case File No. 004-D6.1.973**, Telegram No. 21, Radio Band 74, Telegram by Nhim to respected and beloved Chief of 870, 21 December 1977. **Case File No. 004-D6.1.974**, Telegram No. 03, Radio Band 267, Telegram by Comrade Pork to respected and beloved Committee 870 ,12 April 1978. **Case File No. 004-D117/36.1.18**, Written Record of Interview

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of Witness **SUONG Sikoeun** alias Kung or Thorn, 06 May 2009, pp. 07-08. **Case File No. 004-D6.1.730**, Written Record of Interview of Witness **PRĀK Yut** alias Yeay Yut, 21 July 2009, pp. 08-09. **Case File No. 004-D1.3.15.1**, Report of Expert **Craig C. Etcheson**, 18 July 2007, pp. 03, 04, 36. **Case File No. 004-D6.1.93**, Written Record of Interview of Charged Person **KAING Guek Eav** alias **Duch**, 25 November 2008, p. 03. **Case File No. 004-D6.1.729**, Written Record of Interview of Witness **SĒNG Kim Oeun** alias Ol, 17 December 2009, 03 December 2009, p. 03. **Case File No. 004-D6.1.723**, Written Record of Interview of Witness **LONH Dos**, 20 November 2009, p. 07. **Case File No. 004-D6.1.520**, Written Record of Interview of Witness **LĒNG Chhoeung**, 17 July 2009, p. 07. **Case File No. 004-D6.1.642**, Written Record of Interview of Witness **SIENG Sēng**, 17 March 2009, p. 05.

<sup>336</sup> **Case File No. 004-D6.1.91**, Written Record of Interview of Charged Person **KAING Guek Eav** alias **Duch**, 19 November 2008, p. 03. **Case File No. 004-D6.1.1073**, The Submission of **KAING Guek Eav** alias **Duch**, former Chairman of S-21 Security Centre, Response to the Co-Investing Judges' Written Question, 21 October 2008, pp. 03.

<sup>337</sup> **Case File No. 004-D1.3.24.1**, Record of the Standing [Committee's] Visit to the Northwest Zone, 20-24 August 1975., pp. 01-02. **Case File No. 004-D1.3.24.2**, Minutes of Meeting of the Standing Committee Meeting, 09 October 1975, pp. 04-05. **Case File No. 004-D6.1.1**, Minutes of Standing Committee Meeting, 02 November 1975, pp. 05-06. **Case File No. 004-D6.1.1136**, Record of Meeting of the Standing Committee, 11 March 1976, pp. 01-02. **Case File No. 004-D132.1.94**, Record of Meeting of the Standing Committee, 11 March 1976, pp. 01-02. **Case File No. 004-D6.1.1138**, Record of Meeting of the Standing Committee, 26 March 1976, pp. 01-07. **Case File No. 004-D6.1.850**, Summary of the Decision of the Standing Committee in the meetings on 19-20-21 April 1976, pp. 04-06. **Case File No. 004-D6.1.1142**, Examination of the Reaction of Vietnam During the Fifth Meeting, 14 May 1976, pp. 01-13. **Case File No. 004-D6.1.1144**, Minutes of the Standing Committee Meeting, 30 May 1976, pp. 01-02. **Case File No. 004-D6.1.1073**, The Submission of **KAING Guek Eav** alias **Duch**, former Chairman of S-21 Security Centre, Response to the Co-Investing Judges' Written Question, 21 October 2008, pp. 03.

<sup>338</sup> **Case File No. 004-D1.3.24.1**, Record of the Standing [Committee's] Visit to the Northwest Zone, 20-24 August 1975, p. 02. **Case File No. 004-D1.3.24.2**, Minutes of Meeting of the Standing Committee Meeting, 09 October 1975, pp. 01-04. **Case File No. 004-D6.1.1166**, Minutes of Meeting on Base work, 08 March 1976, pp. 06-07. **Case File No. 004-D6.1.1137**, Minutes of Meeting of the Standing Committee, 13 March 1976, pp. 01-02. **Case File No. 004-D6.1.850**, Summary of the Decision of the Standing Committee in the meetings on 19-20-21 April 1976, pp. 05-06. **Case File No. 004-D6.1.1140**, Record of Standing Committee Meeting, 07 May 1976, pp. 01-02. **Case File No. 004-D6.1.1144**, Minutes of the Standing Committee Meeting, 30 May 1976, pp. 03-04. **Case File No. 004-D6.1.1147**, Minutes of Meeting on Social Affairs and Health, 10 May 1976, pp. 01-11.

<sup>339</sup> **Case File No. 004-D1.3.19.1**, Decision of the Central Committee regarding a number of matters, 30 March 1976, p. 01. **Case File No. 004-D1.3.15.1**, Report of Expert **Craig C. Etcheson**, 18 July 2007, p. 06. **Case File No. 004-D6.1.1166**, Minutes of Meeting on Base work, 08 March 1976, p. 03-04. **Case File No. 004-D6.1.1147**, Minutes of Meeting on Social Affairs and Health, 10 May 1976, p. 05.

<sup>340</sup> **Case File No. 004-D6.1.1130**, The Democratic Kampuchea Constitution, adopted by the third National Congress on 14 December 1975, promulgated on 05 January 1976, p. 02. **Case File No. 004-D6.1.503**, Written Record of Interview of Witness **NORNG Siphàng** alias **NORNG Sēngchim**, 28 March 2009, pp. 07. **Case File No. 004-D6.1.1231**, United Nations Economic and Social Council, E/CN.4/1335, 30 January 1979, UN Commission on Human Rights, Report on Thirty-Fifth Session, Item 12 of the Provisional Agenda entitled "Question of the violation of human rights and fundamental freedom in any part of the world, with particular reference to colonial and other dependent countries and territories", p. 06-07. **Case File No. 004-IS9.3**, Democratic Kampuchea, Kram No: ក ជ ប ត ល ១-១

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<sup>341</sup> **Case File No. 004-D6.1.1073**, The Submission of **KAING Guek Eav** alias **Duch**, former Chairman of S-21 Security Centre, Response to the Co-Investing Judges' Written Question, 21 October 2008, pp. 04. **Case File No. 004-D6.1.975**, Geography text book of DK's Ministry of Education entitled "Political Geography of Democratic Kampuchea", First Edition, 1977, p. 10-11. **Case File No. 004-D6.1.1260**,

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<sup>342</sup> **Case File No. 004-D6.1.975**, Geography text book of DK's Ministry of Education entitled "Political Geography of Democratic Kampuchea", First Edition, 1977, p. 10-11.

<sup>343</sup> **Case File No. 004-D6.1.975**, Geography text book of DK's Ministry of Education entitled "Political Geography of Democratic Kampuchea", First Edition, 1977, p. 10-11. **Case File No. 004-D6.1.141**, Written Record of Interview of Witness **SAO Sarun**, 17 December 2008, pp. 05-06. **Case File No. 004-D1.3.29.2**, Written Record of Interview of Charged Person **KAING Guek Eav** alias **Duch**, 03 October 2007, p. 09. **Case File No. 004-D6.1.863**, Transcript of **Kaing Guek Eav** alias **Duch**, former Chairman of S-21 Security Centre, 18 May 2009, pp. 13-15. **Case File No. 004-D1.3.20.2**, DK's legal document entitled "Constitution of Democratic Kampuchea", 6 January 1976, Article 9, ERN EN 00184836. **Case File No. 004-D6.1.1231**, United Nations Economic and Social Council, E/CN.4/1335, 30 January 1979, UN Commission on Human Rights, Report on Thirty-Fifth Session, Item 12 of the Provisional Agenda entitled "Question of the violation of human rights and fundamental freedom in any part of the world, with particular reference to colonial and other dependent countries and territories", p. 21.

<sup>344</sup> **Case File No. 004-D6.1.975**, Geography text book of DK's Ministry of Education entitled "Political Geography of Democratic Kampuchea", First Edition, 1977, p. 10. **Case File No. 004-D1.3.15.1**, Report of Expert **Craig C. Etcheson**, 18 July 2007, p. 37. **Case File No. 004-D6.1.772**, Phnom Penh Domestic Service Broadcast entitled "NUON Chea's Speech at Army Anniversary Meeting", Dated 17 January 1977, p. 01. **Case File No. 004-D6.1.494**, Written Record of Initial Appearance of **NUON Chea**, 19 September 2007, p. 04. **Case File No. 004-D6.1.1260**, The True fact about POL Pot's Dictatorial regime 1975-1978, Research Centre and Democratic National United Movement (DNUM), 08 September 1996, p. 03. **Case File No. 004-D6.1.774**, Presentation by the Comrade Party Secretary During the Session of the First Meeting of the Council of Ministers, 22 April 1976, pp. 07-08. **Case File No. 004-D6.1.1139**, Document on Conference 1 of Legislature 1 of the People's Representative Assembly of Kampuchea, 11-13 April 1976. **Case File No. 004-D6.1.975**, Geography text book of DK's Ministry of Education entitled "Political Geography of Democratic Kampuchea", First Edition, 1977, p. 18-19. **Case File No. 004-D1.3.15.1**, Report of Expert **Craig C. Etcheson**, 18 July 2007, pp. 03. **Case File No. 004-D6.1.1167**, Minutes of Meeting of the Standing Committee the Front, 11 March 1976, pp. 03-04. **Case File No. 004-D6.1.811**, Foreign Broadcast Information Service (FBIS) Collection of Reports, Democratic Kampuchea Information Report entitled "The Leaders bless Vietnam during Victory Day", 03 May 1977, p. 01. **Case File No. 004-D6.1.816**, Foreign Broadcast Information Service (FBIS) Collection of Reports, Democratic Kampuchea Information Report entitled "The People's Republic of China (PRC) Charge in Phnom Penh hosts a National Day Reception to gave a brilliant reception to welcome the 28<sup>th</sup> founding anniversary of the PRC", 03 September 1977, pp. 02-03. **Case File No. 004-D6.1.1260**, The True fact about POL Pot's Dictatorial regime 1975-1978, Research Centre and Democratic National United Movement (DNUM), 08 September 1996, pp. 02-03. **Case File No. 004-D6.1.1231**, United Nations Economic and Social Council, E/CN.4/1335, 30 January 1979, UN Commission on Human Rights, Report on Thirty-Fifth Session, Item 12 of the Provisional Agenda entitled "Question of the violation of human rights and fundamental freedom in any part of the world, with particular reference to colonial and other dependent countries and territories", p. 01-02. **Case File No. 004-D6.1.774**, Presentation by the Comrade Party Secretary During the Session of the First Meeting of the Council of Ministers, 22 April 1976, pp. 01, 07-08.

<sup>345</sup> **Case File No. 004-D6.1.975**, Geography text book of DK's Ministry of Education entitled "Political Geography of Democratic Kampuchea", First Edition, 1977, pp. 10-11.

<sup>346</sup> **Case File No. 004-D6.1.975**, Geography text book of DK's Ministry of Education entitled "Political Geography of Democratic Kampuchea", First Edition, 1977, p. 10. **Case File No. 004-D1.3.15.1**, Report of Expert **Craig C. Etcheson**, 18 July 2007, p. 37. **Case File No. 004-D6.1.458**, DC-Cam document: "Interview with **MATH Ly**", by Mr. SIM Sorya and Mr. YSA Osman, 27 March 2000, ERN EN 00441575. **Case File No. 004-D6.1.1231**, United Nations Economic and Social Council, E/CN.4/1335, 30 January 1979, UN Commission on Human Rights, Report on Thirty-Fifth Session, Item 12 of the Provisional Agenda entitled "Question of the violation of human rights and fundamental freedom in any

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<sup>347</sup> **Case File No. 004-D6.1.1130**, The Democratic Kampuchea Constitution, adopted by the third National Congress on 14 December 1975, promulgated on 05 January 1976, p. 03-04. **Case File No. 004-D1.3.15.1**, Report of Expert **Craig C. Etcheson**, 18 July 2007, p. 37. **Case File No. 004-D6.1.975**, Geography text book of DK's Ministry of Education entitled “Political Geography of Democratic Kampuchea”, First Edition, 1977, p. 10. **Case File No. 004-D6.1.458**, DC-Cam document: “Interview with **MATH Ly**”, by Mr. SIM Sorya and Mr. YSA Osman, 27 March 2000, ERN EN 00441575.

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<sup>349</sup> **Case File No. 004-D6.1.975**, Geography text book of DK's Ministry of Education entitled “Political Geography of Democratic Kampuchea”, First Edition, 1977, p. 10-11.

<sup>350</sup> **Case File No. 004-IS9.3**, Democratic Kampuchea, Kram No: កំណត់ត្រា លេខ ១ of The State Presidium, KRAM On the determination of the functioning of the people’s representative assembly of Kampuchea and Standing Committee of the people’s representative assembly of Kampuchea, 02 May 1976, by KHIEU Samphan, President of the State Presidium, pp. 06-07.

<sup>351</sup> **Case File No. 004-D6.1.882**, Written Record of Interview of Charged Person **KAING Guek Eav** alias **Duch** (Interview conducted by [Cambodian] Military Court), 04 June 1999, p. 01. **Case File No. 004-D1.3.15.1**, Report of Expert **Craig C. Etcheson**, 18 July 2007, p. 37. **Case File No. 004-D1.3.19.1**, Decision of the Central Committee regarding a number of matters, 30 March 1976, pp. 05-06. **Case File No. 004-D6.1.772**, Phnom Penh Domestic Service Broadcast entitled “**NUON Chea**’s Speech at Army Anniversary Meeting”, Dated 17 January 1977, Excerpts from broadcast extracts from speech by **NUON Chea**, Chairman of the the People’s Representative Assembly Standing Committee and Acting Premier, at the 16th January 1977 Meeting marking the Cambodian Revolutionary Army Anniversary, pp. 01. **Case File No. 004-D6.1.636**, Written Record of Interview of Charged Person **KAING Guek Eav** alias **Duch**, 21 October 2009, pp. 05-06. **Case File No. 004-D6.1.736**, Written Record of Interview of Charged Person **KAING Guek Eav** alias **Duch**, 11 November 2009, pp. 10-11. **Case File No. 004-D6.1.494**, Written Record of Initial Appearance of **NUON Chea**, 19 September 2007, p. 04. **Case File No. 004-D6.1.512**, Written Record of Interview of Witness **KIM Vun** alias Chhaom, 25 July 2009, pp. 05-06. **Case File No. 004-D6.1.727**, Written Record of Interview of Witness **SOUTR Toeung**, 02 December 2009, p. 06-07. **Case File No. 004-D6.1.734**, Written Record of Interview of Witness **SOKH Chhien**, 19 August 2009, p. 08. **Case File No. 004-D6.1.458**, DC-Cam document: “Interview with **MATH Ly**”, by Mr. SIM Sorya and Mr. YSA Osman, 27 March 2000, ERN EN 00441575-00441576. **Case File No. 004-D6.1.811**, Foreign Broadcast Information Service (FBIS) Collection of Reports, Democratic Kampuchea Information Report entitled “The Leaders bless Vietnam during Victory Day”, 03 May 1977, p. 01. **Case File No. 004-D6.1.817**, Foreign Broadcast Information Service (FBIS) Collection of Reports for November 1977, Democratic Kampuchea Information Report entitled “Arrival Ceremony for H.E. U Ne Win, President and Chairman of the Council of State of the Socialist Republic of the Union of Burma”, 26 November 1977, p. 01. **Case File No. 004-D6.1.719**, Written Record of Interview of Witness **NAM Chè**, 20 October 2009, p. 05. **Case File No. 004-D6.1.1260**, The True fact about POL Pot’s Dictatorial regime 1975-1978, Research Centre and Democratic National United Movement (DNUM), 08 September 1996, p. 03.

<sup>352</sup> **Case File No. 004-D6.1.882**, Written Record of Interview of Charged Person **KAING Guek Eav** alias **Duch** (Interview conducted by [Cambodia] Military Court), 04 June 1999, p. 03. **Case File No. 004-D6.1.503**, Written Record of Interview of Witness **NORNG Siphàng** alias **NORNG Sēngchim**, 28 March 2009, pp. 07. **Case File No. 004-D1.3.15.1**, Report of Expert **Craig C. Etcheson**, 18 July 2007, p. 37.

<sup>353</sup> **Case File No. 004-D6.1.730**, Written Record of Interview of Witness **PRĀK Yut** alias Yeay Yut, 21 July 2009, pp. 08-09. **Case File No. 004-D1.3.15.1**, Report of Expert **Craig C. Etcheson**, 18 July 2007, p. 37.

<sup>354</sup> **Case File No. 004-D6.1.1063**, Written Record of Interview of Charged Person **KAING Guek Eav** alias **Duch** (former Chairman of S-21 Security Centre), 05 May 2008, p. 16. **Case File No. 004-**

**D6.1.736**, Written Record of Interview of Charged Person **KAING Guek Eav alias Duch** (former Chairman of S-21 Security Centre), 11 November 2009, pp. 10-11.

<sup>355</sup> **Case File No. 004-D6.1.503**, Written Record of Interview of Witness **NORNG Siphàng alias NORNG Sēngchim**, 28 March 2009, pp. 07. **Case File No. 004-D6.1.730**, Written Record of Interview of Witness **PRĀK Yut alias Yeay Yut**, 21 July 2009, pp. 08-09. **Case File No. 004-D6.1.1063**, Written Record of Interview of Charged Person **KAING Guek Eav alias Duch**, 05 May 2008, p. 16.

<sup>356</sup> **Case File No. 004-D1.3.15.2**, Timothy CARNEY, “Cambodia, 1975-1978”, p. 21.

<sup>357</sup> **Case File No. 004-D1.3.15.2**, Timothy CARNEY, “Cambodia, 1975-1978”, p. 21.

<sup>358</sup> **Case File No. 004-IS9.3**, Democratic Kampuchea, Kram No: កំ ជំ ប៉ តី ណ៍-១ of The State Presidium, KRAM On the determination of the functioning of the people’s representative assembly of Kampuchea and Standing Committee of the people’s representative assembly of Kampuchea, 02 May 1976, by KHIEU Samphan, President of the State Presidium, pp. 06-07.

<sup>359</sup> **Case File No. 004-IS9.3**, Democratic Kampuchea, Kram No: កំ ជំ ប៉ តី ណ៍-១ of The State Presidium, KRAM On the determination of the functioning of the people’s representative assembly of Kampuchea and Standing Committee of the people’s representative assembly of Kampuchea, 02 May 1976, by KHIEU Samphan, President of the State Presidium, pp. 06-07.

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<sup>361</sup> **Case File No. 004-D1.3.20.1**, CPK Legal Documents entitled “Communist Party of Kampuchea Statute”, January 1976, Article 23, p. 24.

<sup>362</sup> **Case File No. 004-D1.3.20.1**, CPK Legal Documents entitled “Communist Party of Kampuchea Statute”, January 1976, Article 7, p. 17. **Case File No. 004-Case File No. 004-D1.3.15.1**, Report of Expert **Craig C. Etcheson**, 18 July 2007, p. 10.

<sup>363</sup> **Case File No. 004-D6.1.1062**, Written Record of Interview of Charged Person **KAING Guek Eav alias Duch**, 30 April 2008, p. 03.

<sup>364</sup> **Case File No. 004-D1.3.15.1**, Report of Expert **Craig C. Etcheson**, 18 July 2007, p. 15-16.

<sup>365</sup> **Case File No. 004-D6.1.495**, Written Record of Interview of Witness **SĒNG Mon**, 14 February 2009, pp. 15-16. **Case File No. 004-D6.1.500**, Written Record of Interview of Witness **KHAM Phn̄n alias PHAN Van**, 10 March 2009, p. 06. **Case File No. 004-D6.1.501**, Written Record of Interview of Witness **PHAN Sovannhan alias Bophan**, 11 March 2009, pp. 03-04. **Case File No. 004-D117/66**, Written Record of Interview of Witness **ORN Kim Ēng**, 27 August 2014, pp. 03-04. **Case File No. 004-D107/5**, Written Record of Interview of Witness **ORN Kim Ēng alias Thēng**, 18 February 2012, pp. 03-04.

<sup>366</sup> **Case File No. 004-D6.1.50**, Telegram by Sarun entitled “Telegram No. 47, Radio Band 267: To respected and beloved Brothers of Office 870”, 01 January 1978, p. 01.

<sup>367</sup> **Case File No. 004-D219/511.1.1**, Written Record of Interview of Witness **CHHOUK Rin alias Sok**, 24 March 2011, p. 02-03. **Case File No. 004-D219/511.1.2**, Written Record of Interview of Witness **CHHOUK Rin alias Sok**, 16 June 2015, p. 03. **Case File No. 004-D1.3.27.5**, Interviews with Kampuchean Refugees at Thai-Cambodian Border prepared for **Ishiyama Committee**, Annual Report 1980, February-March 1980, p. 05-06. **Case File No. 004-D1.3.11.4**, Written Record of Interview of Interviewee **BAO Troab**, 05 August 2008, at 4.07 p.m., pp. 03-04. **Case File No. 004-D6.1.53**, BEN Kiernan, “Khmer Bodies with Vietnamese Minds – Kampuchea’s Eastern Zone 1975-1978”, Centre of Southeast Asian Studies, Monash University, pp. 02-03. **Case File No. 004-D1.3.15.1**, Report of Expert **Craig C. Etcheson**, 18 July 2007, pp. 15-16, 35. **Case File No. 004-D6.1.513**, Written Record of Interview of Witness **KIM Vun**, revolutionary name: **Chhaom**, 28 July 2009, p. 04.

<sup>368</sup> **Case File No. 004-D6.1.1073**, The Submission of **KAING Guek Eav alias Duch**, former Chairman of S-21 Security Centre, Response to the Co-Investigating Judges’ Written Question, 21 October 2008, pp. 08. **Case File No. 004-D1.3.15.1**, Report of Expert **Craig C. Etcheson**, 18 July 2007, p. 02. **Case File No. 004-D1.3.19.1**, Decision of the Central Committee regarding a number of matters (1- Decision-Making to purge both within and outside the party), 30 March 1976, p. 01.

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- <sup>370</sup> **Case File No. 004-D6.1.1063**, Written Record of Interview of Charged Person **KAING Guek Eav** alias **Duch**, 05 May 2008, pp. 06-07.
- <sup>371</sup> **Case File No. 004-D118/249**, Written Record of Interview of Civil Party Applicant **SON Èm**, 02 June 2014, pp. 10-11.
- <sup>372</sup> **Case File No. 004-D118/249**, Written Record of Interview of Civil Party Applicant **SON Èm**, 02 June 2014, pp. 10-11.
- <sup>373</sup> **Case File No. 004-D6.1.848**, Written Record of Witness Interview **KHIEV Èn**, 02 September 2009, p. 07. **Case File No. 004-D6.1.1056**, Written Record of Interview of Charged Person **KAING Guek Eav** alias **Duch**, 27 March 2008, pp. 03-04. **Case File No. 004-D6.1.441**, Written Record of Interview of Witness **KOL Lim**, 17 September 2008, p. 04. **Case File No. 004-D76**, Written Record of Interview of Witness **SÈNG Srun**, 25 August 2011, p. 02. **Case File No. 004-D1.3.15.1**, Report of Expert **Craig C. Etcheson**, 18 July 2007, pp. 16-17.
- <sup>374</sup> **Case File No. 004-D6.1.848**, Written Record of Witness Interview **KHIEV Èn**, 02 September 2009, p. 06.
- <sup>375</sup> **Case File No. 004-D6.1.848**, Written Record of Witness Interview **KHIEV Èn**, 02 September 2009, p. 07. **Case File No. 004-D76**, Written Record of Interview of Witness **SÈNG Srun**, 25 August 2011, p. 02. The abbreviation “CYLK” stands for “Communist Youth League of Kampuchea”.
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- <sup>382</sup> **Case File No. 004-D117/66**, Written Record of Interview of Witness **ORN Kim Èng**, 27 August 2014, pp. 03-04. **Case File No. 004-D117/50**, Written Record of Interview of Witness **IM Pon**, 23 May 2014, pp. 13-14.
- <sup>383</sup> **Case File No. 004-D219/511.1.2**, Written Record of Interview of Witness **CHHOUK Rin** alias **Sok**, 16 June 2015, p. 03.
- <sup>384</sup> **Case File No. 004-D6.1.1063**, Written Record of Interview of **KAING Guek Eav** alias **Duch**, 05 May 2008, pp. 06-07. **Case File No. 004-D118/202**, Written Record of Interview of Civil Party



Applicant **PRĀK Sarin**, 14 March 2014, pp. 10-12. **Case File No. 004-D219/528**, Written Record of Interview of Witness **LONH Lun**, 28 September 2015, pp. 08-10.

<sup>385</sup> **Case File No. 004-D6.1.1063**, Written Record of Interview of Charged Person **KAING Guek Eav** alias **Duch**, 05 May 2008, pp. 06-07.

<sup>386</sup> **Case File No. 004-D6.1.1063**, Written Record of Interview of Charged Person **KAING Guek Eav** alias **Duch**, 05 May 2008, p. 16. **Case File No. 004-D219/193**, Written Record of Interview of Witness **VAT Phat**, 23 February 2015, pp. 34-35.

<sup>387</sup> **Case File No. 004-D1.3.19.1**, Decision of the Central Committee regarding a number of matters, 30 March 1976, p. 01. **Case File No. 004-D6.1.1073**, The Submission of **KAING Guek Eav** alias **Duch**, former Chairman of S-21 Security Centre, Response to the Co-Investigating Judges' Written Question, 21 October 2008, pp. 03. **Case File No. 004-D6.1.91**, Written Record of Interview of Charged Person **KAING Guek Eav** alias **Duch**, 19 November 2008, p. 03. **Case File No. 004-D6.1.1063**, Written Record of Interview of Charged Person **KAING Guek Eav** alias **Duch**, 05 May 2008, p. 13.

<sup>388</sup> **Case File No. 004-D6.1.137**, Written Record of Interview of Witness **LIM Sat**, 23 November 2008, p. 03. **Case File No. 004-D6.1.1073**, The Submission of **KAING Guek Eav** alias **Duch**, former Chairman of S-21 Security Centre, Response to the Co-Investigating Judges' Written Question, 21 October 2008, pp. 03. **Case File No. 004-D119/27**, Written Record of Investigation Action, 19 March 2013, p. 03. **Case File No. 004-D1.3.11.36**, Interview Notes of Office of the Co-Prosecutors with **NOUN Moun**, 02 August 2008, p. 05. **Case File No. 004-D219/758**, Written Record of Interview of Witness **OEM Lun**, 11 May 2016, p. 04. **Case File No. 004-D219/359.1**, Searching for the Truth Magazine-History and Research, Number 185, May 2015, entitled "Preah Netr Preah district Committee: His life was spared because he was wanted to help with the arrests of others", p. 02.

<sup>389</sup> **Case File No. 004-D119/27**, Written Record of Investigation Action, 19 March 2013, p. 03. **Case File No. 004-D1.3.11.36**, Interview Notes of Office of the Co-Prosecutors with **NOUN Moun**, 02 August 2008, p. 05. **Case File No. 004-D219/758**, Written Record of Interview of Witness **OEM Lun**, 11 May 2016, p. 04. **Case File No. 004-D219/359.1**, Searching for the Truth Magazine-History and Research, Number 185, May 2015, entitled "Preah Netr Preah district Committee: His life was spared because he was wanted to help with the arrests of others", p. 02.

<sup>390</sup> **Case File No. 004-D1.3.11.36**, Interview Notes of Office of the Co-Prosecutors with **NOUN Moun**, 02 August 2008, p. 05. **Case File No. 004-D119/33**, Written Record of Interview of Witness **CHHĪT Yoek**, 26 April 2013, p. 07-08. **Case File No. 004-D118/86**, Written Record of Interview of Witness **NHOEK LY**, 11 August 2013, pp. 06-07.

<sup>391</sup> **Case File No. 004-D219/627**, Written Record of Interview of Witness **LOCH Eng**, 10 December 2015, pp. 04-05.

<sup>392</sup> **Case File No. 004-D119/33**, Written Record of Interview of Witness **CHHĪT Yoek**, 26 April 2013, pp. 04-05. **Case File No. 004-D1.3.11.36**, Interview Notes of Office of the Co-Prosecutors with **NOUN Moun**, 02 August 2008, p. 05.

<sup>393</sup> **Case File No. 004-D6.1.137**, Written Record of Interview of Witness **LIM Sat**, 23 November 2008, p. 03. **Case File No. 004-D6.1.1073**, The Submission of **KAING Guek Eav** alias **Duch**, former Chairman of S-21 Security Centre, Response to the Co-Investigating Judges' Written Question, 21 October 2008, pp. 03.

<sup>394</sup> **Case File No. 004-D219/142**, Written Record of Interview of Witness **TEP Sarun**, 13 January 2015, pp. 10-11. **Case File No. 004-D119/33**, Written Record of Interview of Witness **CHHĪT Yoek**, 26 April 2013, p. 07-08. **Case File No. 004-D219/528**, Written Record of Interview of Witness **LONH Lun**, 28 September 2015, pp. 06-07. **Case File No. 004-D219/895**, Written Record of Interview of Witness **KHIM Lumtaun**, 15 January 2017, p. 04.

<sup>395</sup> **Case File No. 004-D118/69**, Written Record of Interview of Witness **NUON Muon**, 30 May 2013, p. 04.

<sup>396</sup> **Case File No. 004-D118/108**, Written Record of Witness Interview **LIM Tim**, 24 September 2013, pp. 04-05. **Case File No. 004-D118/136**, Written Record of Interview of Witness **CHHEAN Hea**, 30 October 2013, p. 03. **Case File No. 004-D118/106**, Written Record of Interview of Witness **HUON Choem**, 22 September 2013, pp. 04-05. **Case File No. 004-D118/108**, Written Record of Witness Interview **LIM Tim**, 24 September 2013, pp. 04-08. **Case File No. 004-D219/88**, Written Record of Witness Interview **POL Sot**, 23 November 2014, pp. 06-07. **Case File No. 004-D118/221**, Written

Record of Interview of Witness **PHĂN Yim**, 10 April 2014, pp. 21-22. **Case File No. 004-D118/1**, Written Record of Interview of Witness **UK Soeum**, 14 December 2012, pp. 04-05.

<sup>397</sup> **Case File No. 004-D219/294**, Written Record of Interview of Witness **MOUL Ēng**, 04 May 2015, pp. 09-10. **Case File No. 004-D118/86**, Written Record of Interview of Witness **NHOEK LY**, 11 August 2013, pp. 03-06. **Case File No. 004-D118/150**, Written Record of Interview of Witness **HEM Moeun**, 21 November 2013, pp. 05-07. **Case File No. 004-D118/136**, Written Record of Interview of Witness **CHHEAN Hea**, 30 October 2013, pp. 08-09. **Case File No. 004-D123/1/5.1a**, DC-Cam's Interview with **IM Chem**, 04 March 2007, p. 06. **Case File No. 004-D1.3.11.36**, Interview Notes of Office of the Co-Prosecutors with **NOUN Moun**, 02 August 2008, p. 05. **Case File No. 004-D219/57**, Written Record of Interview of Witness **KONG Run** alias **KONG Sarun**, 30 October 2014, pp. 11-12. **Case File No. 004-D118/262**, Written Record of Interview of Witness **TEP Phon**, 24 June 2014, pp. 06-08. **Case File No. 004-D6.1.450**, Written Record of Interview of Witness **SAOM Phăn**, 30 January 2009, p. 04. **Case File No. 004-D6.1.425**, Written Record of Interview of Witness **TÀNN Than**, 18 December 2008, p. 05. **Case File No. 004-D6.1.427**, Written Record of Interview of Witness **LĪV Peou**, 19 December 2008, p. 05. **Case File No. 004-D219/294**, Written Record of Interview of Witness **MOUL Ēng**, 04 May 2015, p. 03. **Case File No. 004-D118/86**, Written Record of Interview of Witness **NHOEK LY**, 11 August 2013, pp. 03-06. **Case File No. 004-D118/150**, Written Record of Interview of Witness **HEM Moeun**, 21 November 2013, pp. 05-07. **Case File No. 004-D118/136**, Written Record of Interview of Witness **CHHEAN Hea**, 30 October 2013, pp. 08-09. **Case File No. 004-D123/1/5.1a**, DC-Cam's Interview with **IM Chem**, 04 March 2007, p. 06. **Case File No. 004-D219/64**, Written Record of Interview of Witness **PEOU Koeun** alias **PEOU Raem**, 12 November 2014, pp. 06-07. **Case File No. 004-D219/359.1**, Searching for the Truth Magazine-History and Research, Number 185, May 2015, entitled "Preah Netr Preah district Committee: His life was spared because he was wanted to help with the arrests of others", p. 02. **Case File No. 004-D6.1.1063**, Written Record of Interview of Charged Person **KAING Guek Eav** alias **Duch**, 05 May 2008, pp. 16-17. **Case File No. 004-D219/193**, Written Record of Interview of Witness **VAT Phat**, 23 February 2015, pp. 34-35.

<sup>398</sup> **Case File No. 004-D118/153**, Written Record of Interview of Witness **LONG Vun**, 26 November 2013, pp. 06-07. **Case File No. 004-D118/107**, Written Record of Interview of Witness **SĒT Dun**, 23 September 2013, pp. 04-05. **Case File No. 004-D118/85**, Written Record of Interview of Witness **CHEA Chooun**, 09 August 2013, pp. 03-05. **Case File No. 004-D219/228**, Written Record of Interview of Witness **NUT Nov**, 17 March 2015, p. 06. **Case File No. 004-D118/285**, Written Record of Interview of Witness **NOP Ngim**, 12 August 2014, pp. 07-11.

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<sup>400</sup> **Case File No. 004-D6.1.362**, Written Record of Interview of Witness **POL Seun**, 08 April 2009, p. 04. **Case File No. 004-D6.1.382**, Written Record of Interview of Witness **HUOT Robieb**, 24 June 2009, pp. 03-04. **Case File No. 004-D6.1.447**, Written Record of Interview of Witness **THĒNG Huy**, 17 September 2008, pp. 03-04. **Case File No. 004-D6.1.362**, Written Record of Interview of Witness **POL Seun**, 08 April 2009, p. 03. **Case File No. 004-D6.1.117**, Written Record of Interview of Witness **DI Piech**, 27 August 2008, p. 03.

<sup>401</sup> **Case File No. 004-D118/66**, Written Record of Interview of Witness **IM Ăn**, 28 May 2013, pp. 04-05.

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<sup>407</sup> **Case File No. 004-D219/627**, Written Record of Interview of Witness **LOCH Ēng**, 10 December 2015, p. 03.

<sup>408</sup> **Case File No. 004-D219/627**, Written Record of Interview of Witness **LOCH Ēng**, 10 December 2015, p. 03.

- <sup>409</sup> **Case File No. 004-D118/242**, Written Record of Interview of Witness **KHOEM Boeun**, 21 May 2014, pp. 55-56.
- <sup>410</sup> **Case File No. 004-D219/528**, Written Record of Interview of Witness **LONH Lun**, 28 September 2015, pp. 08-09. **Case File No. 004-D219/343**, Written Record of Interview of Witness **ROS Maong**, 28 May 2015, pp. 03-04.
- <sup>411</sup> **Case File No. 004-D219/528**, Written Record of Interview of Witness **LONH Lun**, 28 September 2015, pp. 08-09. **Case File No. 004-D219/895**, Written Record of Interview of Witness **KHIM Lumtaun**, 15 January 2017, p. 04. **Case File No. 004-D219/142**, Written Record of Interview of Witness **TEP Sarun**, 13 January 2015, pp. 09-11. **Case File No. 004-D1.3.25.4**, List of S-21 Prisoners, pp. 06-10.
- <sup>412</sup> **Case File No. 004-D118/250**, Written Record of Interview of Witness **MUTH Voek**, 04 June 2014, p. 14.
- <sup>413</sup> **Case File No. 004-D118/86**, Written Record of Interview of Witness **NHOEK LY**, 11 August 2013, pp. 06-07.
- <sup>414</sup> **Case File No. 004-D219/193**, Written Record of Interview of Witness **VAT Phat**, 23 February 2015, pp. 33-34, 40.
- <sup>415</sup> **Case File No. 004-D219/193**, Written Record of Interview of Witness **VAT Phat**, 23 February 2015, pp. 34-35, 43-44.
- <sup>416</sup> **Case File No. 004-D118/259**, Written Record of Interview of Witness **PECH Chim**, 19 June 2014, p. 11.
- <sup>417</sup> **Case File No. 004-D118/259**, Written Record of Interview of Witness **PECH Chim**, 19 June 2014, p. 11. **Case File No. 004-D6.1.1063**, Written Record of Interview of Charged Person **KAING Guek Eav** alias **Duch**, 05 May 2008, pp. 16-17.
- <sup>418</sup> **Case File No. 004-D219/528**, Written Record of Interview of Witness **LONH Lun**, 23 September 2015, pp. 08-09.
- <sup>419</sup> **Case File No. 004-D1.3.11.55**, Office of the Co-Prosecutors' Written Record of Interview of **NUON Muon**, 02 August 2008, pp. 09-15.
- <sup>420</sup> **Case File No. 004-D219/64**, Written Record of Interview of Witness **PEOU Koeun**, 12 November 2014, pp. 06-09.
- <sup>421</sup> **Case File No. 004-D118/69**, Written Record of Interview of Witness **NUON Muon**, 30 May 2013, p. 05.
- <sup>422</sup> **Case File No. 004-D118/108**, Written Record of Witness Interview **LIM Tim**, 24 September 2013, pp. 07-08. (witness heard by own hear).
- <sup>423</sup> **Case File No. 004-D1.3.11.55**, Office of the Co-Prosecutors' Written Record of Interview of **NUON Muon**, 02 August 2008, pp. 09-15.
- <sup>424</sup> **Case File No. 004-D1.3.11.55**, Office of the Co-Prosecutors' Written Record of Interview of **NUON Muon**, 02 August 2008, pp. 09-15.
- <sup>425</sup> **Case File No. 004-D118/153**, Written Record of Interview of Witness **LONG Vun**, 26 November 2013, pp. 05-06.
- <sup>426</sup> **Case File No. 004-D118/60**, Written Record of Interview of Witness **LONG Sokhy**, 22 May 2013, p. 04. **Case File No. 004-D118/87**, Written Record of Interview of Witness **TEP Siem**, 13 August 2013, pp. 08-09. **Case File No. 004-D219/294**, Written Record of Interview of Witness **MOUL Eng**, 04 May 2015, pp. 02-03, 04-06. **Case File No. 004-D118/285**, Written Record of Interview of Witness **NOP Ngim**, 12 August 2014, pp. 07-08, 10-11. **Case File No. 004-D219/62**, Written Record of Interview of Witness **PREAP Kap**, 03 November 2014, pp. 07-09, 10-11. **Case File No. 004-D119/124**, Written Record of Interview of Witness **NHEM En**, 07 May 2014, pp. 08-10.
- <sup>427</sup> **Document D118/85**, Written Record of Interview of Witness **CHEA Choeun**, 09 August 2013, pp. 03-05.
- <sup>428</sup> **Case File No. 004-D118/107**, Written Record of Interview of Witness **SÉT Dun**, 23 September 2013, pp. 03-05.
- <sup>429</sup> **Case File No. 004-D118/153**, Written Record of Interview of Witness **LONG Vun**, 26 November 2013, pp. 05-08.
- <sup>430</sup> **Case File No. 004-D118/84**, Written Record of Interview of Witness **TOCH Phoeun**, 08 August 2013, pp. 04-05. **Case File No. 004-D118/87**, Written Record of Interview of Witness **TEP Siem**, 13

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<sup>431</sup> **Case File No. 004-D118/136**, Written Record of Interview of Witness **CHHEAN Hea**, 30 October 2013, pp. 03, 09-10. **Case File No. 004-D219/117**, Written Record of Interview of Witness **TOP Seung**, 08 December 2014, pp. 07-09, 20-21. **Case File No. 004-D118/249**, Written Record of Interview of Civil Party Applicant **SON Òm**, 02 June 2014, pp. 04-05. **Case File No. 004-D118/86**, Written Record of Interview of Witness **NHOEK LY**, 11 August 2013, pp. 06-07.

<sup>432</sup> **Case File No. 004-D118/153**, Written Record of Interview of Witness **LONG Vun**, 26 November 2013, pp. 12-13.

<sup>433</sup> **Case File No. 004-D118/86**, Written Record of Interview of Witness **NHOEK LY**, 11 August 2013, pp. 06-07. **Case File No. 004-D118/107**, Written Record of Interview of Witness **SÈT Dun**, 23 September 2013, pp. 07-08. **Case File No. 004-D118/250**, Written Record of Interview of Witness **MUTH Voek**, 04 June 2014, pp. 11, 13.

<sup>434</sup> **Case File No. 004-D118/107**, Written Record of Interview of Witness **SÈT Dun**, 23 September 2013, pp. 03-05, 07-08. **Case File No. 004-D118/153**, Written Record of Interview of Witness **LONG Vun**, 26 November 2013, p. 03. **Case File No. 004-D118/137**, Written Record of Interview of Witness **CHHORN Vorn**, 31 October 2013, pp. 04-05. **Case File No. 004-D118/4**, Written Record of Interview of Witness **KÂN Choek**, 11 January 2013, pp. 04-05. **Case File No. 004-D118/285**, Written Record of Interview of Witness **NOP Ngim**, 12 August 2014, pp. 07-09. **Case File No. 004-D118/250**, Written Record of Interview of Witness **MUTH Voek**, 04 June 2014, p. 11. **Case File No. 004-D219/359.1**, Searching for the Truth Magazine-History and Research, Number 185, May 2015, p. 02. **Case File No. 004-D119/33**, Written Record of Interview of Witness **CHHIT Yoek**, 26 April 2013, pp. 04-05. **Case File No. 004-D1.3.11.36**, Interview Notes of Office of the Co-Prosecutors with **NOUN Moun**, 02 August 2008, p. 05. **Case File No. 004-D219/359.1**, Searching for the Truth Magazine-History and Research, Number 185, May 2015, p. 02. **Case File No. 004-D6.1.362**, Written Record of Interview of Witness **POL Seun**, 08 April 2009, p. 04. **Case File No. 004-D6.1.382**, Written Record of Interview of Witness **HUOT Robieb**, 24 June 2009, pp. 03-04. **Case File No. 004-D6.1.447**, Written Record of Interview of Witness **THÈNG Huy**, 17 September 2008, p. 03.

<sup>435</sup> **Case File No. 004-D118/107**, Written Record of Interview of Witness **SÈT Dun**, 23 September 2013, pp. 07-09. **Case File No. 004-D118/86**, Written Record of Interview of Witness **NHOEK LY**, 11 August 2013, pp. 06-07, 11-13. **Case File No. 004-D219/294**, Written Record of Interview of Witness **MOUL Èng**, 04 May 2015, pp. 07-08. **Case File No. 004-D118/102**, Written Record of Interview of Witness **TOAT Thooun**, 10 September 2013, pp. 04-05, 09-10. **Case File No. 004-D219/208**, Written Record of Interview of Witness **HÀNG Thai**, 26 February 2015, pp. 03-04. **Case File No. 004-D219/528**, Written Record of Interview of Witness **LONH Lun**, 23 September 2015, p. 10. **Case File No. 004-D219/763**, Written Record of Interview of Witness **SÁO Chorp**, 17 May 2016, pp. 15-17. **Case File No. 004-D219/257**, Written Record of Interview of Witness **SÈK Chaot**, 02 April 2015, p. 03. **Case File No. 004-D119/33**, Written Record of Interview of Witness **CHHIT Yoek**, 26 April 2013, p. 07-08. **Case File No. 004-D1.3.11.36**, Interview Notes of Office of the Co-Prosecutors with **NOUN Moun**, 02 August 2008, p. 05. **Case File No. 004-D6.1.362**, Written Record of Interview of Witness **POL Seun**, 08 April 2009, p. 04. **Case File No. 004-D6.1.382**, Written Record of Interview of Witness **HUOT Robieb**, 24 June 2009, pp. 03-04. **Case File No. 004-D6.1.447**, Written Record of Interview of Witness **THÈNG Huy**, 17 September 2008, p. 03.

<sup>436</sup> **Case File No. 004-D219/343**, Written Record of Interview of Witness **ROS Maong**, 28 May 2015, pp. 03-04.

<sup>437</sup> **Case File No. 004-D219/343**, Written Record of Interview of Witness **ROS Maong**, 28 May 2015, pp. 03-04.

<sup>438</sup> **Case File No. 004-D118/34**, Written Record of Interview of Witness **NUT Nov**, 11 April 2013, p. 04.

<sup>439</sup> **D118/150**, Written Record of Interview of Witness **HEM Mocun**, 21 November 2013, pp. 04-05, 06-07, 11-12. **Case File No. 004-D118/137**, Written Record of Interview of Witness **CHHORN Vorn**, 31 October 2013, pp. 10-11. **Case File No. 004-D119/66**, Written Record of Interview of Witness **BIN Heuy**, 27 November 2013, pp. 04-05-06. **Case File No. 004-D118/106**, Written Record of Interview of Witness **HUON Choem**, 22 September 2013, p. 03.

<sup>440</sup> **Case File No. 004-D219/528**, Written Record of Interview of Witness **LONH Lun**, 28 September 2015, p. 10.

<sup>441</sup> **Case File No. 004-D219/142**, Written Record of Interview of Witness **TEP Sarun**, 13 January 2015, pp. 09-11.

<sup>442</sup> **Case File No. 004-D118/34**, Written Record of Interview of Witness **NUT Nov**, 11 April 2013, p. 04. **Case File No. 004-D118/242**, Written Record of Interview of Witness **KHOEM Bocun**, 21 May 2014, pp. 55-56.

<sup>443</sup> **Case File No. 004-D6.1.984**, Written Record of Interview of Witness **SEK Sâm At** alias Rim alias *Yeay Rim*, 23 March 2010, pp. 05-07.

<sup>444</sup> **Case File No. 004-D219/528**, Written Record of Interview of Witness **LONH Lun**, 28 September 2015, p. 10.

<sup>445</sup> **Case File No. 004-D118/107**, Written Record of Interview of Witness **SÈT Dun**, 23 September 2013, pp. 09-10. **Case File No. 004-D118/86**, Written Record of Interview of Witness **NHOEK LY**, 11 August 2013, pp. 06-07. 11-13. **Case File No. 004-D219/294**, Written Record of Interview of Witness **MOUL Eng**, 04 May 2015, pp. 07-08. **Case File No. 004-D118/102**, Written Record of Interview of Witness **TOAT Thoeun**, 10 September 2013, pp. 04-05, 09-10. **Case File No. 004-D219/208**, Written Record of Interview of Witness **HÀNG Thai**, 26 February 2015, p. 03. **Case File No. 004-D219/528**, Written Record of Interview of Witness **LONH Lun**, 28 September 2015, p. 10. **Case File No. 004-D219/763**, Written Record of Interview of Witness **SÀO Chorp**, 17 May 2016, pp. 15-16. **Case File No. 004-D219/257**, Written Record of Interview of Witness **SÈK Chaot**, 02 April 2015, p. 05. **Case File No. 004-D119/33**, Written Record of Interview of Witness **CHHÏT Yoek**, 26 April 2013, p. 07-08. **Case File No. 004-D1.3.11.36**, Interview Notes of Office of the Co-Prosecutors with **NOUN Moun**, 02 August 2008, p. 05. **Case File No. 004-D118/34**, Written Record of Interview of Witness **NUT Nov**, 11 April 2013, p. 04. **Case File No. 004-D219/304**, Written Record of Interview of Witness **IM Bunchhoeun**, 06 May 2015, pp. 04-06. **Case File No. 004-D118/248**, Written Record of Interview of Witness **LY Lon**, 30 May 2014, pp. 08-10. **Case File No. 004-D118/250**, Written Record of Interview of Witness **MUTH Voek**, 04 June 2014, p. 14. **Case File No. 004-D219/257**, Written Record of Interview of Witness **SÈK Chaot**, 02 April 2015, pp. 05. **Case File No. 004-D219/895**, Written Record of Interview of Witness **KHIM Lumtaun**, 15 January 2017, pp. 04-05. **Case File No. 004-D118/250**, Written Record of Interview of Witness **MUTH Voek**, 04 June 2014, pp. 04, 11, 13. **Case File No. 004-D119/124**, Written Record of Interview of Witness **NHÈM Èn**, 07 May 2014, pp. 08-09, 11. **Case File No. 004-D219/400**, Written Record of Interview of Civil Party Applicant **BOU Tuok**, 09 July 2015, pp. 04-05, 06-09. **Case File No. 004-D219/475**, Written Record of Interview of Witness **ITH Hài**, 19 August 2015, pp. 04-05. **Case File No. 004-D119/42**, Written Record of Interview of Witness **KRET Ret**, 20 May 2013, pp. 06-07.

<sup>446</sup> **Case File No. 004-D118/250**, Written Record of Interview of Witness **MUTH Voek**, 04 June 2014, p. 14.

<sup>447</sup> **Case File No. 004-D118/136**, Written Record of Interview of Witness **CHHEAN Hea**, 30 October 2013, p. 03. **Case File No. 004-D118/77**, Written Record of Interview of Witness **NÂNG Ny**, 23 June 2013, pp. 08-09. **Case File No. 004-D118/285**, Written Record of Interview of Witness **NOP Ngim**, 12 August 2014, pp. 09-11. **Case File No. 004-D118/290**, Written Record of Interview of Witness **KONG Vach**, 26 August 2014, pp. 07-08. **Case File No. 004-D219/20**, Written Record of Interview of Civil Party Applicant **CHHUM Vănny**, 2 October 2014, p. 10. **Case File No. 004-D118/4**, Written Record of Interview of Witness **KÂN Choek**, 11 January 2013, pp. 04-05. **Case File No. 004-D219/263**, Written Record of Interview of Witness **CHHAIM Luy**, 8 April 2015, pp. 02-03, 03-04. **Case File No. 004-D219/172**, Written Record of Interview of Witness **TOCH Bunthy**, 12 February 2015, pp. 10-11. **Case File No. 004-D219/20**, Written Record of Interview of Civil Party Applicant **CHHUM Vănny**, 2 October 2014, pp. 19-21. **Case File No. 004-D119/73**, Written Record of Interview of Witness **NOU Choung**, 20 February 2014, p. 05. **Case File No. 004-D119/124**, Written Record of Interview of Witness **NHÈM Èn**, 07 May 2014, pp. 09-10. **Case File No. 004-D219/57**, Written Record of Interview of Witness **KONG Run** alias **KONG Sarun**, 30 October 2014, pp. 07-09. **Case File No. 004-D118/250**, Written Record of Interview of Witness **MUTH Voek**, 04 June 2014, p. 14. **Case File No. 004-D118/262**, Written Record of Interview of Witness **TEP Phon**, 24 June 2014, pp. 06-07. **Case File No. 004-D6.1.137**, Written Record of Interview of Witness **LIM Sat**, 23 November 2008, p. 04. **Case File No. 004-D118/202**, Written Record of Interview of Civil Party Applicant **PRĂK Sarin**, 14 March 2014, pp. 10-12. **Case File No. 004-D118/262**, Written Record of Interview of Witness **TEP Phon**, 24 June

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<sup>448</sup> **Case File No. 004-D6.1.1185**, List of S-21 Prisoners, pp. 08-10. **Case File No. 004-D6.1.1182**, List of S-21 Prisoners, pp. 12-14. **Case File No. 004-D6.1.1181**, List of S-21 Prisoners, pp. 11-12. **Case File No. 004-D6.1.1187**, List of S-21 Prisoners, pp. 15-17. **Case File No. 004-D6.1.1184**, List of S-21 Prisoners, pp. 13-15. **Case File No. 004-D6.1.64**, List of S-21 Prisoners, p. 04. **Case File No. 004-D6.1.1176**, S-21, List of prisoners Interrogated, 11 April 1978, pp. 09-10. **Case File No. 004-D6.1.1174**, List of S-21 Prisoners, pp. 06-08. **Case File No. 004-D6.1.1173**, List of S-21 Prisoners, pp. 03-05. **Case File No. 004-D6.1.1180**, List of S-21 Prisoners, pp. 12-15. **Case File No. 004-D6.1.1179**, List of S-21 Prisoners, pp. 10-11. **Case File No. 004-D6.1.1177**, List of S-21 Prisoners, pp. 08-09. **Case File No. 004-D6.1.1178**, List of S-21 Prisoners, pp. 14-16. **Case File No. 004-D6.1.29**, List of S-21 Prisoners, pp. 04-07. **Case File No. 004-D6.1.28**, List of S-21 Prisoners, pp. 07-08, 15-16. **Case File No. 004-D6.1.32**, List of S-21 Prisoners, pp. 02-03. **Case File No. 004-D6.1.31**, List of S-21 Prisoners, p. 02. **Case File No. 004-D6.1.30**, List of S-21 Prisoners, p. 03. **Case File No. 004-D6.1.43**, List of S-21 Prisoners, pp. 02-03. **Case File No. 004-D6.1.38**, List of S-21 Prisoners, pp. 02-03. **Case File No. 004-D6.1.1203**, List of S-21 Prisoners, pp. 05-07. **Case File No. 004-D6.1.36**, List of S-21 Prisoners, p. 01. **Case File No. 004-D6.1.35**, List of S-21 Prisoners, p. 02. **Case File No. 004-D6.1.33**, List of S-21 Prisoners, pp. 01-02. **Case File No. 004-D6.1.1172**, List of S-21 Prisoners, pp. 03, 08. **Case File No. 004-D6.1.1170**, List of S-21 Prisoners, pp. 09-10. **Case File No. 004-D6.1.16**, List of S-21 Prisoners, pp. 06-07, 12-13. **Case File No. 004-D6.1.15**, List of S-21 Prisoners, pp. 03-05. **Case File No. 004-D6.1.1173**, List of S-21 Prisoners, pp. 13-15. **Case File No. 004-D6.1.17**, List of S-21 Prisoners, p. 02. **Case File No. 004-D6.1.19**, List of S-21 Prisoners, pp. 02-03, 08-10. **Case File No. 004-D6.1.21**, List of S-21 Prisoners, pp. 06-10. **Case File No. 004-D6.1.20**, List of S-21 Prisoners, p. 02. **Case File No. 004-D6.1.26**, List of S-21 Prisoners, pp. 08-11. **Case File No. 004-D6.1.22**, List of S-21 Prisoners, pp. 14-16. **Case File No. 004-D6.1.27**, List of S-21 Prisoners, pp. 16-18. **Case File No. 004-D6.1.1208**, List of S-21 Prisoners, pp. 03-05. **Case File No. 004-D1.3.25.3**, List of S-21 Prisoners. **Case File No. 004-D1.3.25.5**, List of S-21 Prisoners. **Case File No. 004-D6.1.1209**, List of S-21 Prisoners, pp. 10-11. **Case File No. 004-D1.3.25.7**, List of S-21 Prisoners, pp. 01-09. **Case File No. 004-D1.3.25.8**, List of S-21 Prisoners. **Case File No. 004-D6.1.18**, List of S-21 Prisoners, pp. 03-04. **Case File No. 004-D6.1.34**, List of S-21 Prisoners. **Case File No. 004-D6.1.12**, List of S-21 Prisoners, pp. 02-04. **Case File No. 004-D6.1.14**, List of S-21 Prisoners, pp. 04-05. **Case File No. 004-D6.1.1186**, List of S-21 Prisoners, pp. 11-14. **Case File No. 004-D6.1.1188**, List of S-21 Prisoners, pp. 01-02. **Case File No. 004-D6.1.1190**, List of S-21 Prisoners, pp. 01-02. **Case File No. 004-D6.1.1199**, List of S-21 Prisoners, pp. 09-10. **Case File No. 004-D6.1.1201**, List of S-21 Prisoners, pp. 01-02, 04-05. **Case File No. 004-D6.1.1192**, List of S-21 Prisoners, pp. 04-05. **Case File No. 004-D6.1.1193**, List of S-21 Prisoners, pp. 01-03. **Case File No. 004-D6.1.22**, List of S-21 Prisoners, pp. 14-16. **Case File No. 004-D1.3.25.4**, List of S-21 Prisoners, pp. 05-10. **Case File No. 004-D219/702.1.55**, List of S-21 Prisoners, pp. 01-02. **Case File No. 004-D1.3.5.1**, List of S-21 Prisoners. **Case File No. 004-D1.3.25.1**, List of S-21 Prisoners, pp. 01-05. **Case File No. 004-D1.3.25.2**, List of S-21 Prisoners, pp. 01-02. **Case File No. 004-D6.1.1194**, List of S-21 Prisoners, pp. 03-04.

<sup>449</sup> **Case File No. 004-D1.3.11.55**, Office of the Co-Prosecutors' Written Record of Interview of **NUON Muon**, 02 August 2008, pp. 09-15.

<sup>450</sup> **Case File No. 004-D219/528**, Written Record of Interview of Witness **LONH Lun**, 28 September 2015, pp. 08-09.

<sup>451</sup> **Case File No. 004-D219/528**, Written Record of Interview of Witness **LONH Lun**, 28 September 2015, pp. 08-09.

<sup>452</sup> **Case File No. 004-D118/136**, Written Record of Interview of Witness **CHHEAN Hea**, 30 October 2013, pp. 04-05.

<sup>453</sup> **Case File No. 004-D219/294**, Written Record of Interview of Witness **MOUL Eng**, 04 May 2015, p. 03. **Case File No. 004-D118/86**, Written Record of Interview of Witness **NHOEK LY**, 11 August 2013, pp. 03-04, 06-08. **Case File No. 004-D118/150**, Written Record of Interview of Witness **HEM Moeun**, 21 November 2013, pp. 05-07, 08-09. **Case File No. 004-D118/136**, Written Record of Interview of Witness **CHHEAN Hea**, 30 October 2013, pp. 04-05. **Case File No. 004-D123/1/5.1a**, DC-Cam's Interview with **IM Chem**, 04 March 2007, p. 09. **Case File No. 004-D1.3.11.36**, Interview Notes of Office of the Co-Prosecutors with **NOUN Moun**, 02 August 2008, p. 05. **Case File No. 004-D219/57**,

Written Record of Interview of Witness **KONG Run** alias **KONG Sarun**, 30 October 2014, pp. 10-12. **Case File No. 004-D118/262**, Written Record of Interview of Witness **TEP Phon**, 24 June 2014, p. 08. **Case File No. 004-D6.1.450**, Written Record of Interview of Witness **SAOM Phăn**, 30 January 2009, p. 04. **Case File No. 004-D6.1.425**, Written Record of Interview of Witness **TÀNN Than**, 18 December 2008, p. 05. **Case File No. 004-D6.1.427**, Written Record of Interview of Witness **LĪV Peou**, 19 December 2008, p. 05. **Case File No. 004-D219/294**, Written Record of Interview of Witness **MOUL Ēng**, 04 May 2015, p. 03. **Case File No. 004-D118/86**, Written Record of Interview of Witness **NHOEK LY**, 11 August 2013, pp. 03-04, 06-08. **Case File No. 004-D118/150**, Written Record of Interview of Witness **HEM Moeun**, 21 November 2013, pp. 05-07, 08-09. **Case File No. 004-D118/136**, Written Record of Interview of Witness **CHHEAN Hea**, 30 October 2013, pp. 04-05. **Case File No. 004-D123/1/5.1a**, DC-Cam's Interview with **IM Chem**, 04 March 2007, p. 09. **Case File No. 004-D219/64**, Written Record of Interview of Witness **PEOU Koeun** alias **PEOU Raem**, 12 November 2014, pp. 09-10. **Case File No. 004-D219/359.1**, Searching for the Truth Magazine-History and Research, Number 185, May 2015, p. 02. **Case File No. 004-D6.1.1063**, Written Record of Interview of Charged Person **KAING Guek Eav** alias **Duch**, 05 May 2008, pp. 16-17. **Case File No. 004-D219/193**, Written Record of Interview of Witness **VAT Phat**, 23 February 2015, pp. 34-35.

<sup>454</sup> **Case File No. 004-D118/136**, Written Record of Interview of Witness **CHHEAN Hea**, 30 October 2013, pp. 04-05. **Case File No. 004-D118/69**, Written Record of Interview of Witness **NUON Muon**, 30 May 2013, p. 04.

<sup>455</sup> **Case File No. 004-D219/85**, Written Record of Interview of Witness **VY Phann**, 18 November 2014, pp. 03-05.

<sup>456</sup> **Case File No. 004-D219/304**, Written Record of Interview of Witness **IM Bunchhoeun**, 06 May 2015, pp. 05-06.

<sup>457</sup> **Case File No. 004-D1.3.25.4**, List of S-21 Prisoners, pp. 09-10.

<sup>458</sup> **Case File No. 004-D1.3.25.1**, List of S-21 Prisoners, p. 04.

<sup>459</sup> **Case File No. 004-D1.3.25.2**, List of S-21 Prisoners, p. 02.

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<sup>461</sup> **Case File No. 004-D6.1.1199**, List of S-21 Prisoners, pp. 09-10. **Case File No. 004-D6.1.1186**, List of S-21 Prisoners, pp. 12-14.

<sup>462</sup> **Case File No. 004-D6.1.12**, List of S-21 Prisoners, pp. 02-04.

<sup>463</sup> **Case File No. 004-D1.3.25.7**, List of S-21 Prisoners, pp. 01-02.

<sup>464</sup> **Case File No. 004-D6.1.1209**, List of S-21 Prisoners, pp. 10-11.

<sup>465</sup> **Case File No. 004-D6.1.1177**, List of S-21 Prisoners, pp. 08-09. **Case File No. 004-D6.1.1180**, List of S-21 Prisoners, pp. 12-15.

<sup>466</sup> **Case File No. 004-D6.1.1203**, List of S-21 Prisoners, pp. 05-06.

<sup>467</sup> **Case File No. 004-D6.1.30**, List of S-21 Prisoners, p. 03.

<sup>468</sup> **Case File No. 004-D219/85**, Written Record of Interview of Witness **VY Phann**, 18 November 2014, pp. 03-05.

<sup>469</sup> **Case File No. 004-D219/64**, Written Record of Interview of Witness **PEOU Koeun** alias **PEOU Raem**, 12 November 2014, pp. 06-07. **Case File No. 004-D219/172**, Written Record of Interview of Witness **TOCH Bunthy**, 12 February 2015, pp. 05-06. **Case File No. 004-D1.3.11.36**, Interview Notes of Office of the Co-Prosecutors with **NOUN Moun**, 02 August 2008, p. 05. **Case File No. 004-D119/33**, Written Record of Interview of Witness **CHHĪT Yoek**, 26 April 2013, p. 05-06. **Case File No. 004-D118/202**, Written Record of Interview of Civil Party Applicant **PRĀK Sarĭn**, 14 March 2014, pp. 05-06, 10. **Case File No. 004-D219/20**, Written Record of Interview of Civil Party Applicant **CHHUM Vĕnny**, 2 October 2014, pp. 13-14. **Case File No. 004-D1.3.25.4**, List of S-21 Prisoners, pp. 05-06.

<sup>470</sup> **Case File No. 004-D219/85**, Written Record of Interview of Witness **VY Phann**, 18 November 2014, pp. 03-05.

<sup>471</sup> **Case File No. 004-D1.3.11.36**, Interview Notes of Office of the Co-Prosecutors with **NOUN Moun**, 02 August 2008, p. 05. **Case File No. 004-D118/136**, Written Record of Interview of Witness **CHHEAN Hea**, 30 October 2013, pp. 04-05.

<sup>472</sup> **Case File No. 004-D219/117**, Written Record of Interview of Witness **TOP Seung**, 08 December 2014, pp. 12-13. **Case File No. 004-D219/85**, Written Record of Interview of Witness **VY Phann**, 18 November 2014, pp. 03-05.

- <sup>473</sup> **Case File No. 004-D1.3.11.55**, Office of the Co-Prosecutors' Written Record of Preliminary Interview with **THI Hean**, pp. 13-14.
- <sup>474</sup> **Case File No. 004-D219/763**, Written Record of Interview of Witness **SÃO Chorp**, 17 May 2016, pp. 17-18.
- <sup>475</sup> **Case File No. 004-D219/142**, Written Record of Interview of Witness **TEP Sarun**, 13 January 2015, pp. 10-11.
- <sup>476</sup> **Case File No. 004-D1.3.25.4**, List of S-21 Prisoners, pp. 05-07.
- <sup>477</sup> **Case File No. 004-D1.3.25.7**, List of S-21 Prisoners, pp. 01-02.
- <sup>478</sup> **Case File No. 004-D219/758**, Written Record of Interview of Witness **OEM Lun**, 11 May 2016, p. 04.
- <sup>479</sup> **Case File No. 004-D6.1.984**, Written Record of Interview of Witness **SEK Sâm At** alias Rim alias *Yeay Rim*, 23 March 2010, pp. 04-05.
- <sup>480</sup> **Case File No. 004-D6.1.1192**, List of S-21 Prisoners, pp. 02-04. **Case File No. 004-D6.1.1201**, List of S-21 Prisoners, pp. 04-05. **Case File No. 004-D6.1.1186**, List of S-21 Prisoners, pp. 11-12. **Case File No. 004-D6.1.12**, List of S-21 Prisoners, pp. 02-04. **Case File No. 004-D6.1.1203**, List of S-21 Prisoners, pp. 05-06.
- <sup>481</sup> **Case File No. 004-D1.3.25.4**, List of S-21 Prisoners, pp. 06-07.
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- <sup>483</sup> **Case File No. 004-D6.1.1199**, List of S-21 Prisoners, pp. 09-10. **Case File No. 004-D6.1.1186**, List of S-21 Prisoners, pp. 12-14.
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- <sup>488</sup> **Case File No. 004-D6.1.117**, Written Record of Interview of Witness **DI Piech**, 27 August 2013, p. 03.
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- <sup>495</sup> **Case File No. 004-D6.1.1203**, List of S-21 Prisoners, pp. 05-06.
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- <sup>508</sup> **Case File No. 004-D1.3.25.8**, List of S-21 Prisoners.
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- <sup>513</sup> **Case File No. 004-D219/953**, Written Record of Interview of Witness **CHHOENG Chhoeut**, 17 March 2017, p. 10.
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<sup>568</sup> **Case File No. 004-D119/65**, Written Record of Interview of Witness **TUM Soeun**, 16 October 2013, pp. 19-20.

<sup>569</sup> **Case File No. 004-D219/359.1**, Searching for the Truth Magazine-History and Research, Number 185, May 2015, p. 02. **Case File No. 004-D1.3.25.4**, List of S-21 Prisoners, pp. 07-09.

<sup>570</sup> **Case File No. 004-D118/136**, Written Record of Interview of Witness **CHHEAN Hea**, 30 October 2013, pp. 08-09. **Case File No. 004-D118/102**, Written Record of Interview of Witness **TOAT Thoeun**, 10 September 2013, pp. 08-09.

<sup>571</sup> **Case File No. 004-D118/136**, Written Record of Interview of Witness **CHHEAN Hea**, 30 October 2013, pp. 08-09. **Case File No. 004-D118/102**, Written Record of Interview of Witness **TOAT Thoeun**, 10 September 2013, pp. 08-09.

<sup>572</sup> **Case File No. 002/19-09-2007/ECCC, D427**, Closing Order, 15 September 2010, para. 702.

<sup>573</sup> **Case File No. 004-D6.1.137**, Written Record of Interview of Witness **LIM Sat**, 23 November 2008, pp. 02-03. **Case File No. 004-D6.1.161**, Written Record of Interview of Witness **SUY Sengchhorn**, 11 June 2008, p. 02. **Case File No. 004-D6.1.145**, Written Record of Interview of Witness **UNG Chhät**, 31 January 2009, pp. 02-04, 05-06. **Case File No. 004-D6.1.991**, Written Record of Interview of Witness **UK Soeum** alias **SÂN Soeum**, 03 March 2010, p. 09.

<sup>574</sup> **Case File No. 004-D6.1.161**, Written Record of Interview of Witness **SUY Sengchhorn**, 11 June 2008, p. 02.

<sup>575</sup> **Case File No. 004-D118/95**, Written Record of Interview of Witness **SAMEY Savèng**, 03 September 2013, p. 04. **Case File No. 004-D118/138**, Written Record of Interview of Witness **TIEP Tith**, 02 November 2013, pp. 04-05. **Case File No. 004-D118/37**, Site Identification Report, 10 March 2013, p. 02. **Case File No. 004-D118/19**, Written Record of Interview of Witness **YOENG Yean**, 14 February 2013, pp. 02-04. **Case File No. 004-D219/20**, Written Record of Interview of Civil Party Applicant **CHHUM Vanny**, 2 October 2014, pp. 07-08. **Case File No. 004-D118/6**, Written Record of Interview of Witness **LAY Eng**, 14 January 2013, p. 05. **Case File No. 004-D118/138**, Written Record of Interview of Witness **TIEP Tith**, 02 November 2013, pp. 04-05. **Case File No. 004-D118/7**, Written Record of Interview of Civil Party Applicant **CHEA Chanty** alias **Ty**, 15 January 2013, p. 02. **Case File No. 004-D219/117**, Written Record of Interview of Witness **TOP Seung**, 08 December 2014, pp. 14-15. **Case File No. 004-D118/295**, Written Record of Interview of Witness **SUM Voet**, 23 August 2014, pp. 07-08. **Case File No. 004-D219/368**, Written Record of Interview of Witness **CHHOEUNG Bean**, 17 June 2015, pp. 02-03. **Case File No. 004-D219/273**, Site Identification Report, 24 April 2015, pp. 01-03. **Case File No. 004-D219/274**, Site Identification Report, 24 April 2015, pp. 01, 02. **Case File No. 004-D118/106**, Written Record of Interview of Witness **HUON Choeum**, 22 September 2013, p. 05-06. **Case File No. 004-D118/108**, Written Record of Witness Interview **LIM Tim**, 24 September 2013, pp. 03-04. **Case File No. 004-D219/89**, Written Record of Interview of Civil Party **SAM Leng**, 25 November 2014, pp. 08-10.

<sup>576</sup> **Case File No. 004-D118/102**, Written Record of Interview of Witness **TOAT Thoeun**, 10 September 2013, pp. 14-15.

<sup>577</sup> **Case File No. 004-D272/1**, Response to Forwarding Order dated 05 November 2015 and Supplementary Submission Regarding the Scope of Investigation into Forced Marriage in Sector 1 and Sector 4, para. 10, p. 04.

<sup>578</sup> **Case File No. 004-D118/18**, Written Record of Interview of Witness **NUON Muon**, 13 February 2013, pp. 04-05. **Case File No. 004-D6.1.173**, Written Record of Interview of Witness **UM Saroeun**, 19 June 2008, p. 04.

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<sup>580</sup> **Case File No. 004-D118/245**, Written Record of Interview of Witness **CHUON Thân**, 26 May 2014, pp. 03-04.

<sup>581</sup> **Case File No. 004-D118/106**, Written Record of Interview of Witness **HUON Choeum**, 22 September 2013, p. 05-06. **Case File No. 004-D118/102**, Written Record of Interview of Witness **TOAT Thoeun**, 10 September 2013, pp. 04-05. **Case File No. 004-D219/85**, Written Record of Interview of Witness **VY Phann**, 18 November 2014, pp. 03-05.

<sup>582</sup> **Case File No. 004-D118/102**, Written Record of Interview of Witness **TOAT Thoeun**, 10 September 2013, p. 06.

<sup>583</sup> **Case File No. 004-D118/108**, Written Record of Witness Interview **LIM Tim**, 24 September 2013, pp. 09-10.

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<sup>597</sup> **Case File No. 004-D219/236**, Written Record of Interview of Witness **LEK Phiev**, 20 March 2015, p. 03.

<sup>598</sup> **Case File No. 004-D118/285**, Written Record of Interview of Witness **NOP Ngim**, 12 August 2014, p. 17. **Case File No. 004-D219/62**, Written Record of Interview of Witness **PREAP Kap**, 03 November 2014, pp. 12-13.

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<sup>600</sup> **Case File No. 004-D118/152**, Written Record of Interview of Witness **POK Touch**, 25 November 2013, p. 03. **Case File No. 004-D118/259**, Written Record of Interview of Witness **PECH Chim**, 19 June 2014, p. 25. **Case File No. 004-D6.1.99**, Written Record of Interview of Witness **CHHOUK Rin** alias **Sok**, 29 July 2008, p. 03. **Case File No. 004-D6.1.734**, Written Record of Interview of Witness **SOKH Chhien**, 19 August 2009, p. 05. **Case File No. 004-D117/31**, Written Record of Interview of Witness **YOU Văn**, 11 November 2013, p. 03.

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<sup>618</sup> **Case File No. 004-D118/274**, Written Record of Interview of Witness **BUN Thoeun**, 10 July 2014, pp. 06-07. **Case File No. 004-D118/23**, Written Record of Interview of Witness **TEM Phâl**, 20 February 2013, pp. 03-04.



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- <sup>622</sup> **Case File No. 004-D118/62**, Written Record of Interview of Witness **POL Nhân**, 23 May 2013, pp. 02, 03. **Case File No. 004-D118/21**, Written Record of Interview of Witness **TIM Phy**, 19 February 2013, p. 03.
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- <sup>714</sup> **Case File No. 004-D118/49**, Written Record of Interview of Witness **CHEV Nhân**, 26 April 2013, p. 05. **Case File No. 004-D118/152**, Written Record of Interview of Witness **POK Touch**, 25 November 2013, pp. 05, 09-10. **Case File No. 004-D118/153**, Written Record of Interview of Witness **LONG Vun**, 26 November 2013, pp. 11-12. **Case File No. 004-D118/171**, Written Record of Interview of Witness **KHIEV Nov**, 23 January 2014, p. 19. **Case File No. 004-D118/181**, Written Record of Interview of Witness **RIEL Son**, 18 February 2014, pp. 11-12, 12-13.
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- <sup>719</sup> **Case File No. 004-D118/155**, Written Record of Interview of Witness **HAO Yân**, 06 December 2013, pp. 15-16. **Case File No. 004-D219/121**, Written Record of Interview of Witness **LOEM Ngên**, 11 December 2014, p. 05. **Case File No. 004-D219/326**, Written Record of Interview of Witness **HAO Yân**, 22 May 2015, pp. 05-06.
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<sup>722</sup> **Case File No. 004-D118/305**, Written Record of Interview of Witness **TOP Phan**, 06 September 2014, pp. 08-09.

<sup>723</sup> **Case File No. 004-D3/8**, Written Record of Interview of Witness **TUN Soun**, 29 September 2010, p. 03. **Case File No. 004-D1.3.11.56**, Interview Notes of **TUN Soun**, by the Office of the Co-Prosecutors, 15 August 2008, p. 03. **Case File No. 004-D219/121**, Written Record of Interview of Witness **LOEM Ngēn**, 11 December 2014, pp. 08-09.

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<sup>725</sup> **Case File No. 004-D219/121**, Written Record of Interview of Witness **LOEM Ngēn**, 11 December 2014, pp. 08-09. **Case File No. 004-D219/326**, Written Record of Interview of Witness **HAO Yān**, 22 May 2015, p. 03.

<sup>726</sup> **Case File No. 004-D118/302**, Written Record of Interview of Witness **PANN Sarou**, 02 September 2014, p. 16-18.

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<sup>729</sup> **Case File No. 004-D118/112**, Written Record of Interview of Civil Party Applicant **VEN Nat** alias **Ta Nat**, 16 October 2013, p. 07. **Case File No. 004-D219/86**, Written Record of Interview of Witness **DOK Chann**, 20 November 2014, p. 04. **Case File No. 004-D219/108**, Written Record of Interview of Witness **YOU Phnum**, 01 December 2014, p. 04.

<sup>730</sup> **Case File No. 004-D118/156**, Written Record of Interview of Witness **ORK Chān**, 09 December 2013, pp. 08-09. **Case File No. 004-D219/86**, Written Record of Interview of Witness **DOK Chann**, 20 November 2014, p. 04. **Case File No. 004-D219/189**, Written Record of Interview of Witness **SOEUM Chhoeun**, 02 December 2014, p. 04. **Case File No. 004-D219/109**, Written Record of Interview of Witness **YOU Phnum**, 02 December 2014, p. 03. **Case File No. 004-D219/121**, Written Record of Interview of Witness **LOEM Ngēn**, 11 December 2014, p. 05.

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<sup>732</sup> **Case File No. 004-D1.3.11.2**, Interview Notes of **KHLÔK Lim**, by the Office of the Co-Prosecutors, 05 August 2008, p. 03.

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<sup>736</sup> **Case File No. 004-D219/160**, Written Record of Interview of Witness **DOK Chann**, 20 February 2015, p. 04. **Case File No. 004-D219/121**, Written Record of Interview of Witness **LOEM Ngēn**, 11 December 2014, pp. 07-08.

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<sup>740</sup> **Case File No. 004-D118/302**, Written Record of Interview of Witness PANN Sarou, 02 September 2014, p. 16-18.

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<sup>748</sup> **Case File No. 004-D1.3.11.2**, Interview Notes of KHLÔK Lim, by the Office of the Co-Prosecutors, 05 August 2008, p. 05.

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- <sup>758</sup> **Case File No. 004-D219/326**, Written Record of Interview of Witness **HAO Yân**, 22 May 2015, pp. 05-06.
- <sup>759</sup> **Case File No. 004-D118/302**, Written Record of Interview of Witness PANN Sarou, 02 September 2014, p. 16-18. **Case File No. 004-D219/379**, Written Record of Interview of Civil Party Applicant **LACH Sambath**, 26 June 2015, p. 06.
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- <sup>768</sup> **Case File No. 004-D1.3.17.5**, **BEN Kiernan**, "POL Pot Regime: Race, Power, and Genocide in Cambodia under the Khmer Rouge, 1975-1979", 20 May 1975, p. 115. **Case File No. 004-D219/326**, Written Record of Interview of Witness **HAO Yân**, 22 May 2015, pp. 04-05.
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<sup>773</sup> **Case File No. 004-D219/358**, Written Record of Interview of Witness **LUON Mul**, 08 June 2015, pp. 02-03. **Case File No. 004-D118/92**, Written Record of Interview of Witness **NOP Nan**, 31 August 2013, pp. 07-08. **Case File No. 004-D118/181**, Written Record of Interview of Witness **RIEL Son**, 18 February 2014, pp. 16-18. **Case File No. 004-D118/134**, Written Record of Interview of Witness **SREI Thân** alias **Duch**, 31 October 2013, pp. 08-09. **Case File No. 004-D118/166**, Written Record of Interview of Witness **TOEM Hy**, 06 December 2013, pp. 04-05. **Case File No. 004-D6.1.692**, Written Record of Interview of Witness **PHĂN Chhēn**, 28 December 2009, p. 03. **Case File No. 004-D6.1.709**, Written Record of Interview of Witness **SREI Thân** alias **Duch**, 29 December 2009, p. 07. **Case File No. 004-D6.1.778**, Written Record of Interview of Witness **KÈV Chāndara** alias **KROU Yav**, 29 October 2007, p. 03. **Case File No. 004-D118/167**, Written Record of Interview of Witness **VĂN Soeun** alias **VAN Soan**, 18 December 2013, pp. 11-12. **Case File No. 004-D118/242**, Written Record of Interview of Witness **KHOEM Boeun**, 21 May 2014, pp. 08-09.

<sup>774</sup> **Case File No. 004-D219/135**, Written Record of Interview of Witness **YĪN Tēng**, 29 December 2014, pp. 12-13. **Case File No. 004-D118/181**, Written Record of Interview of Witness **RIEL Son**, 18 February 2014, pp. 16-18. **Case File No. 004-D118/134**, Written Record of Interview of Witness **SREI Thân** alias **Duch**, 31 October 2013, pp. 08-09. **Case File No. 004-D118/133**, Written Record of Interview of Witness **SÂY Sèn**, 31 October 2013, pp. 04-05.

<sup>775</sup> **Case File No. 004-D219/135**, Written Record of Interview of Witness **YĪN Tēng**, 29 December 2014, pp. 54-56.

<sup>776</sup> **Case File No. 004-D219/135**, Written Record of Interview of Witness **YĪN Tēng**, 29 December 2014, pp. 54-56.

<sup>777</sup> **Case File No. 004-D219/135**, Written Record of Interview of Witness **YĪN Tēng**, 29 December 2014, pp. 39-41.

<sup>778</sup> **Case File No. 004-D6.1.692**, Written Record of Interview of Witness **PHĂN Chhēn**, 28 December 2009, p. 05. **Case File No. 004-D118/133**, Written Record of Interview of Witness **SÂY Sèn**, 31 October 2013, pp. 04-05, 08-09. **Case File No. 004-D134/8**, Written Record of Interview of Witness **SAUTR Sāing**, 25 November 2013, pp. 12-13. **Case File No. 004-D6.1.788**, Written Record of Interview of Witness **NEANG Dam**, 01 November 2007, p. 02. **Case File No. 004-D118/103.1**, Written Record of Interview of Witness **PHĂN Chhēn**, 02 March 2010, p. 09. **Case File No. 004-D6.1.119**, Written Record of Interview of Witness **SÂY Sèn**, 01 September 2008, pp. 05-07. **Case File No. 004-D6.1.778**, Written Record of Interview of Witness **KÈV Chāndara** alias **KROU Yav**, 29 October 2007, p. 02. **Case File No. 004-D6.1.652**, Written Record of Interview of Witness **PECH Chim**, 27 August 2009, p. 02.

<sup>779</sup> **Case File No. 004-D219/135**, Written Record of Interview of Witness **YĪN Tēng**, 29 December 2014, pp. 12-13.

<sup>780</sup> **Case File No. 004-D118/300**, Written Record of Interview of Witness **KIM Bunli**, 04 September 2014, p. 32-33.

<sup>781</sup> **Case File No. 004-D118/276**, Written Record of Interview of Witness **UK Him**, 14 July 2014, pp. 17-18.

<sup>782</sup> **Case File No. 004-D6.1.652**, Written Record of Interview of Witness **PECH Chim**, 27 August 2009, p. 03-04. **Case File No. 004-D118/242**, Written Record of Interview of Witness **KHOEM Boeun**, 21 May 2014, pp. 43-44. **Case File No. 004-D219/135**, Written Record of Interview of Witness **YĪN Tēng**, 29 December 2014, pp. 22-23.

<sup>783</sup> **Case File No. 004-D6.1.788**, Written Record of Interview of Witness **NEANG Dam**, 01 November 2007, p. 02-03. **Case File No. 004-D6.1.1000**, Written Record of Interview of Witness **VANN Soan** alias **VANNN Soeun**, 29 November 2007, p. 03. **Case File No. 004-D6.1.709**, Written Record of Interview of Witness **SREI Thân** alias **Duch**, 29 December 2009, p. 02. **Case File No. 004-D6.1.119**, Written Record of Interview of Witness **SÂY Sèn**, 01 September 2008, pp. 05-06.

<sup>784</sup> **Case File No. 004-D118/133**, Written Record of Interview of Witness **SÂY Sèn**, 31 October 2013, pp. 04-05, 08-09. **Case File No. 004-D134/8**, Written Record of Interview of Witness **SAUTR Sāing**, 25 November 2013, pp. 12-13. **Case File No. 004-D6.1.690**, Written Record of Interview of Witness **PECH Chim**, 06 December 2009, p. 07. **Case File No. 004-D6.1.119**, Written Record of Interview of Witness **SÂY Sèn**, 01 September 2008, pp. 07-08. **Case File No. 004-D6.1.778**, Written Record of Interview of Witness **KÈV Chāndara** alias **Krou Yav**, 29 October 2007, pp. 04-05. **Case File No. 004-D6.1.1089**,

Written Record of Interview of Witness KÈV Chândara alias SOK Yav, 12 March 2008, p. 03. **Case File No. 004-D6.1.779**, Written Record of Interview of Witness KEV Mao alias SAO Sary, 29 October 2007, p. 04. **Case File No. 004-D6.1.652**, Written Record of Interview of Witness PECH Chim, 27 August 2009, p. 04. **Case File No. 004-D6.1.653**, Written Record of Interview of Witness PECH Chim, 28 August 2009, pp. 03-04.

<sup>785</sup> **Case File No. 004-D118/133**, Written Record of Interview of Witness SÂY Sèn, 31 October 2013, pp. 07-08. **Case File No. 004-D118/134**, Written Record of Interview of Witness SREI Thân alias Duch, 31 October 2013, pp. 04-05. **Case File No. 004-D118/166**, Written Record of Interview of Witness TOEM Hy, 06 December 2013, pp. 07-08. **Case File No. 004-D118/167**, Written Record of Interview of Witness VÂN Soeun alias VAN Soan, 18 December 2013, pp. 07-08. **Case File No. 004-D118/181**, Written Record of Interview of Witness RIEL Son, 18 February 2014, pp. 16-17. **Case File No. 004-D118/242**, Written Record of Interview of Witness KHOEM Boeun, 21 May 2014, pp. 34-35. **Case File No. 004-D134/8**, Written Record of Interview of Witness SAUTR Săing, 25 November 2013, pp. 09-12. **Case File No. 004-D6.1.782**, Written Record of Interview of Witness IEP Duch, 30 October 2007, pp. 05-06. **Case File No. 004-D6.1.788**, Written Record of Interview of Witness NEANG Dam, 01 November 2007, p. 03. **Case File No. 004-D6.1.709**, Written Record of Interview of Witness SREI Thân alias Duch, 29 December 2009, p. 03. **Case File No. 004-D6.1.119**, Written Record of Interview of Witness SÂY Sèn, 01 September 2008, pp. 07-08. **Case File No. 004-D6.1.690**, Written Record of Interview of Witness PECH Chim, 06 December 2009, p. 07. **Case File No. 004-D6.1.695**, Written Record of Interview of Witness PHÂN Chhên, 09 December 2009, p. 08. **Case File No. 004-D219/135**, Written Record of Interview of Witness YÏN Têng, 29 December 2014, pp. 19-21, 25-26.

<sup>786</sup> **Case File No. 004-D118/133**, Written Record of Interview of Witness SÂY Sèn, 31 October 2013, pp. 07-08. **Case File No. 004-D118/134**, Written Record of Interview of Witness SREI Thân alias Duch, 31 October 2013, pp. 04-05. **Case File No. 004-D134/8**, Written Record of Interview of Witness SAUTR Săing, 25 November 2013, pp. 09-10. **Case File No. 004-D6.1.119**, Written Record of Interview of Witness SÂY Sèn, 01 September 2008, pp. 07-08, 12-13.

<sup>787</sup> **Case File No. 004-D6.1.784**, Written Record of Interview of Witness MEAS Sokha alias Thlang, 31 October 2007, p. 08. **Case File No. 004-D6.1.1000**, Written Record of Interview of Witness VANN Soan alias VANNN Soeun, 29 November 2007, p. 03.

<sup>788</sup> **Case File No. 004-D6.1.784**, Written Record of Interview of Witness MEAS Sokha alias Thlang, 31 October 2007, p. 08. **Case File No. 004-D6.1.1000**, Written Record of Interview of Witness VANN Soan alias VANNN Soeun, 29 November 2007, p. 04. **Case File No. 004-D6.1.119**, Written Record of Interview of Witness SÂY Sèn, 01 September 2008, pp. 06-07.

<sup>789</sup> **Case File No. 004-D134/8**, Written Record of Interview of Witness SAUTR Săing, 25 November 2013, pp. 09-12. **Case File No. 004-D6.1.1000**, Written Record of Interview of Witness VANN Soan alias VANNN Soeun, 29 November 2007, pp. 03-04.

<sup>790</sup> **Case File No. 004-D118/276**, Written Record of Interview of Witness UK Him, 14 July 2014, pp. 17-18. **Case File No. 004-D6.1.778**, Written Record of Interview of Witness KÈV Chândara alias Krou Yav, 29 October 2007, pp. 04-05.

<sup>791</sup> **Case File No. 004-D6.1.119**, Written Record of Interview of Witness SÂY Sèn, 01 September 2008, pp. 11-12. **Case File No. 004-D6.1.778**, Written Record of Interview of Witness KÈV Chândara alias Krou Yav, 29 October 2007, pp. 04-05.

<sup>792</sup> **Case File No. 004-D6.1.217**, Extract of Prisoner's confession from Kraing Ta Chan Security Center.

<sup>793</sup> **Case File No. 004-D219/135**, Written Record of Interview of Witness YÏN Têng, 29 December 2014, pp. 17-20.

<sup>794</sup> **Case File No. 004-D219/135**, Written Record of Interview of Witness YÏN Têng, 29 December 2014, pp. 19-20, 39-40. **Case File No. 004-D219/525**, Written Record of Interview of Witness YORK Pèt, 18 September 2015, pp. 10-12.

<sup>795</sup> **Case File No. 004-D118/133**, Written Record of Interview of Witness SÂY Sèn, 31 October 2013, pp. 12-13.

<sup>796</sup> **Case File No. 004-D6.1.217**, Extract of Prisoner's confession from Kraing Ta Chan Security Center. **Case File No. 004-D6.1.282**, Request to report to respected Angkar about A-ATT Phuong (Note on the arrest of Khmer Krom families and sent them to Kraing Ta Chan). **Case File No. 004-D6.1.260**, Report to Angkar about those who have ranks + Kampuchea Krom, p. 01. **Case File No. 004-D6.1.255**, Report to the respected Angkar of district 105, About Female Comrade THAN Ny, 04 May 1977. **Case File No.**

**004-D6.1.262**, Report on situation of Yuon coming to stay in Tram Kak district, 05 June 1977, p. 01. **Case File No. 004-D6.1.203**, Report about three arrested people, 07 March 1978 (It describes the arrest of three Khmer Krom, with agreement from the district office). **Case File No. 004-D6.1.207**, Report submitted for approval from Party of Tram Kak district has decided to order to arrest a youth named KÁP, new, from 109, 08 July 1978. **Case File No. 004-D6.1.209**, Report to district 109 police about the enemy, 27 July 1978. **Case File No. 004-D118/133**, Written Record of Interview of Witness SÂY Sèn, 31 October 2013, pp. 12-13.

<sup>797</sup> **Case File No. 004-D219/135**, Written Record of Interview of Witness YÏN Tēng, 29 December 2014, pp. 13-16.

<sup>798</sup> **Case File No. 004-D219/135**, Written Record of Interview of Witness YÏN Tēng, 29 December 2014, pp. 65-67.

<sup>799</sup> **Case File No. 004-D118/134**, Written Record of Interview of Witness SREI Thân alias Duch, 31 October 2013, pp. 05-06.

<sup>800</sup> **Case File No. 004-D118/181**, Written Record of Interview of Witness RIEL Son, 18 February 2014, pp. 06-08.

<sup>801</sup> **Case File No. 004-D6.1.119**, Written Record of Interview of Witness SÂY Sèn, 01 September 2008, p. 10. **Case File No. 004-D6.1.782**, Written Record of Interview of Witness IEP Duch, 30 October 2007, pp. 05-07. **Case File No. 004-D6.1.686**, Written Record of Interview of Witness SÂO Hean, 21 November 2009, p. 05. **Case File No. 004-D6.1.688**, Written Record of Interview of Witness BUN Thien, 17 August 2009, pp. 04-06. **Case File No. 004-D6.1.652**, Written Record of Interview of Witness PECH Chim, 27 August 2009, p. 05. **Case File No. 004-D6.1.692**, Written Record of Interview of Witness PHÂN Chhēn, 28 December 2009, p. 10. **Case File No. 004-D6.1.780**, Written Record of Interview of Witness SEANG Soeun, 29 October 2007, p. 05. **Case File No. 004-D6.1.778**, Written Record of Interview of Witness KÈV Chāndara alias Krou Yav, 29 October 2007, pp. 04-05.

<sup>802</sup> **Case File No. 004-D219/135**, Written Record of Interview of Witness YÏN Tēng, 29 December 2014, pp. 34-35.

<sup>803</sup> **Case File No. 004-D118/242**, Written Record of Interview of Witness KHOEM Boeun, 21 May 2014, pp. 37-38. **Case File No. 004-D6.1.783**, Written Record of Interview of Witness HUN Kimsēng alias Yeay Nha, 31 October 2007, p. 02. **Case File No. 004-D6.1.784**, Written Record of Interview of Witness MEAS Sokha alias Thlang, 31 October 2007, p. 05. **Case File No. 004-D6.1.999**, Written Record of Interview of Witness LIM Hach, 29 November 2007, p. 03. **Case File No. 004-D6.1.119**, Written Record of Interview of Witness SÂY Sèn, 01 September 2008, p. 03.

<sup>804</sup> **Case File No. 004-D6.1.778**, Written Record of Interview of Witness KÈV Chāndara, 29 October 2007, p. 03.

<sup>805</sup> **Case File No. 004-D134/8**, Written Record of Interview of Witness SAUTR Sāing, 25 November 2013, pp. 13-14. **Case File No. 004-D6.1.119**, Written Record of Interview of Witness SÂY Sèn, 01 September 2008, pp. 11-12. **Case File No. 004-D219/135**, Written Record of Interview of Witness YÏN Tēng, 29 December 2014, pp. 40-41.

<sup>806</sup> **Case File No. 004-D219/135**, Written Record of Interview of Witness YÏN Tēng, 29 December 2014, pp. 15-17.

<sup>807</sup> **Case File No. 004-D6.1.119**, Written Record of Interview of Witness SÂY Sèn, 01 September 2008, pp. 11-13.

<sup>808</sup> **Case File No. 004-D219/2**, Written Record of Interview of Civil Party Applicant SÈT Yèm, 09 September 2014, pp. 08-09.

<sup>809</sup> **Case File No. 004-D219/135**, Written Record of Interview of Witness YÏN Tēng, 29 December 2014, pp. 04-05.

<sup>810</sup> **Case File No. 004-D219/135**, Written Record of Interview of Witness YÏN Tēng, 29 December 2014, pp. 19-20, 25-26.

<sup>811</sup> **Case File No. 004-D219/135**, Written Record of Interview of Witness YÏN Tēng, 29 December 2014, pp. 39-40. **Case File No. 004-D118/181**, Written Record of Interview of Witness RIEL Son, 18 February 2014, pp. 16-17.

<sup>812</sup> **Case File No. 004-D134/8**, Written Record of Interview of Witness SAUTR Sāing, 25 November 2013, pp. 12-13.

<sup>813</sup> **Case File No. 004-D219/2**, Written Record of Interview of Civil Party Applicant SÈT Yèm, 09 September 2014, p. 06.

- <sup>814</sup> **Case File No. 004-D118/181**, Written Record of Interview of Witness RIEL Son, 18 February 2014, pp. 16-17. **Case File No. 004-D134/8**, Written Record of Interview of Witness SAUTR Săing, 25 November 2013, pp. 13-14.
- <sup>815</sup> **Case File No. 004-D219/135**, Written Record of Interview of Witness YĪN Tēng, 29 December 2014, pp. 63-64.
- <sup>816</sup> **Case File No. 004-D6.1.217**, Extract of Prisoner's confession from Kraing Ta Chan Security Center. **Case File No. 004-D219/135**, Written Record of Interview of Witness YĪN Tēng, 29 December 2014, pp. 41-43.
- <sup>817</sup> **Case File No. 004-D118/133**, Written Record of Interview of Witness SĀY Sèn, 31 October 2013, pp. 08-09. **Case File No. 004-D219/2**, Written Record of Interview of Civil Party Applicant SÈT Yèm, 09 September 2014, p. 07.
- <sup>818</sup> **Case File No. 004-D219/2**, Written Record of Interview of Civil Party Applicant SÈT Yèm, 09 September 2014, pp. 07-09.
- <sup>819</sup> **Case File No. 004-D219/135**, Written Record of Interview of Witness YĪN Tēng, 29 December 2014, pp. 41-42.
- <sup>820</sup> **Case File No. 004-D118/133**, Written Record of Interview of Witness SĀY Sèn, 31 October 2013, pp. 14-16.
- <sup>821</sup> **Case File No. 004-D219/2**, Written Record of Interview of Civil Party Applicant SÈT Yèm, 09 September 2014, p. 06.
- <sup>822</sup> **Case File No. 004-D219/135**, Written Record of Interview of Witness YĪN Tēng, 29 December 2014, pp. 21-22, 23-24.
- <sup>823</sup> **Case File No. 004-D118/133**, Written Record of Interview of Witness SĀY Sèn, 31 October 2013, pp. 12-13.
- <sup>824</sup> **Case File No. 004-D219/522**, Written Record of Interview of Witness HUN Kimsēng, 15 September 2015, pp. 07-08.
- <sup>825</sup> **Case File No. 004-D118/134**, Written Record of Interview of Witness SREI Thân alias Duch, 31 October 2013, pp. 05-06.
- <sup>826</sup> **Case File No. 004-D134/8**, Written Record of Interview of Witness SAUTR Săing, 25 November 2013, pp. 15-16. **Case File No. 004-D6.1.119**, Written Record of Interview of Witness SĀY Sèn, 01 September 2008, pp. 12-13. **Case File No. 004-D118/167**, Written Record of Interview of Witness VĀN Soeun alias VAN Soan, 18 December 2013, pp. 09-10.
- <sup>827</sup> **Case File No. 004-D6.1.782**, Written Record of Interview of Witness IEP Duch, 30 October 2007, pp. 07-08.
- <sup>828</sup> **Case File No. 004-D6.1.1212**, Report: Respect to the Party of Tram Kak district base, 17 February 1977. **Case File No. 004-D6.1.1215**, Report to Respected and beloved Angkar of Tram Kak district, 05 March 1977. **Case File No. 004-D6.1.1217**, Report: Respect to Angkar of Tram Kak district, 06 May 1977. **Case File No. 004-D6.1.1219**, Report: Respect beloved Angkar, district, 26 May 1977. **Case File No. 004-D6.1.1223**, Request to report on the enemy situation to respected Tram Kak district base, 11 September 1977. **Case File No. 004-D6.1.1221**, Report: Respects to the Party at the Tram Kak district base, 06 December 1977. **Case File No. 004-D6.1.1225**, Request to report to beloved and Respected Angkar of Tram Kak district, Takeo province, 09 October 1977. **Case File No. 004-D6.1.1227**, Report: Request to make a report to Camrade Brother Security of the Reeducation Office, 10 February 1978. **Case File No. 004-D6.1.209**, Report to district 109 police about the enemy, 27 July 1978. **Case File No. 004-D6.1.234**, Report to the respected Tram Kak district Party for your information, 02 January 1977. **Case File No. 004-D6.1.240**, Report to the respected for dear local Party of Tram Kak district, 02 August 1977. **Case File No. 004-D6.1.255**, Report to the respected Angkar of district 105, 04 May 1977. **Case File No. 004-D6.1.257**, Report to respected and beloved Angkar of Tram Kak district, 24 July 1977. **Case File No. 004-D6.1.262**, Report to the respected Party on situation of Tram Kak district, 08 June 1977. **Case File No. 004-D6.1.279**, Report about KING Hin and HI Di, 06 September 1977. **Case File No. 004-D6.1.280**, **Case File No. 004-D6.1.287**, Report: Respect to beloved Tram Kak district Party base, 22 September 1977. **Case File No. 004-D6.1.295**, Report: to the respected beloved Tram Kak district organization, 18 October 1977, pp. 05, 07, 09-11, 13, 13-14. **Case File No. 004-D6.1.296**, Report: Respectfully submitted to the local party of Tram Kak district for information, 27 October 1977. **Case File No. 004-D6.1.299**, Report: To respected and beloved Angkar of Tram Kak district, for its information, 02 November 1977. **Case File No. 004-D6.1.301**, Report: To respected base party of Tram

Kak district, 19 July 1977. **Case File No. 004-D6.1.306**, Report: To respected and beloved Party of Tram Kak district, for its information, 28 July 1977, p. 07. **Case File No. 004-D118/242**, Written Record of Interview of Witness **KHOEM Boeun** alias Yeay Boeun, 21 May 2014, pp. 27-28, 29-30, 42-43.

<sup>829</sup> **Case File No. 004-D6.1.203**, Report: With respect beloved Angkar of Tram Kak district, 01 March 1978. **Case File No. 004-D6.1.204**, Report on the enemy situation, 07 April 1978. **Case File No. 004-D6.1.207**, Report submitted for approval from Party of Tram Kak district has decided to order to arrest a youth named KÂP, new, from 109, 08 July 1978. **Case File No. 004-D6.1.253**, Report to Comrade chief of Education Office of district 105, for your information, 29 April 1977. **Case File No. 004-D6.1.260**, Report on enemy situation, 14 May 1977, pp. 03, 17. **Case File No. 004-D6.1.265**, Report to the respected police of Tram Kak district, 18 June 1977. **Case File No. 004-D6.1.278**, Report to respectfully to Comrade An, Police Office, 11 June 1977. **Case File No. 004-D6.1.290**, Report to the Comrade An, 29 September 1977. **Case File No. 004-D6.1.295**, Report: Statement sent to inform beloved Comrade Brother An, 14 October 1977, pp. 01-02. **Case File No. 004-D6.1.301**, Report to respected Comrade Uncle An, 07 December 1977. **Case File No. 004-D6.1.302**, Report to respected and beloved Comrade Borthier An, 13 December 1977. **Case File No. 004-D6.1.306**, Report to beloved Comrade Ann, 03 January 1978, pp. 01-05. **Case File No. 004-D6.1.307**, Report on the transfer of people to the district 105, Education Office, 16 January 1978. **Case File No. 004-D6.1.1211**, Report to Comrade Education Office of Tram Kak Distric, for his information, 09 January 1977. **Case File No. 004-D6.1.1215**, Report to respected and beloved Comrade Ann, police of Tram Kak district, 04 March 1977, p. 09. **Case File No. 004-D6.1.1218**, Report to respected and beloved Comrade An, Tram Kak district police, 07 July 1977. **Case File No. 004-D6.1.1227**, Report to respected Brother, 02 February 1978, pp. 08-09.

<sup>830</sup> **Case File No. 004-D6.1.653**, Written Record of Interview of Witness **PECH Chim**, 28 August 2009, p. 02. **Case File No. 004-D6.1.695**, Written Record of Interview of Witness **PHÂN Chhên**, 09 December 2009, p. 03-05.

<sup>831</sup> **Case File No. 004-D6.1.260**, Report on enemy situation, 14 May 1977, pp. 19, 24. **Case File No. 004-D6.1.263**, Report on the enemy's action and collective in the youth unit in Srae Ronaung, 07 June 1977. **Case File No. 004-D6.1.279**, Report about KING Hin and HI Di, 06 September 1977, p. 02. **Case File No. 004-D6.1.300**, Report: To Respected and beloved comrade brother for information, 17 December 1977, pp. 01-02. **Case File No.-D6.1.251**, Report on action of MAU Phon in Nhaeng Nhang commune, 28 April 1977, p. 01. **Case File No. 004-D6.1.295**, Report to district party for information, 13 October 1977, pp. 08, 12. **Case File No. 004-D6.1.299**, Report on situation of the people who were brought from district 109 to live in Srae Ronaung commune, 02 November 1977, pp. 03-04. **Case File No. 004-D6.1.225**, Verification about SOEUR An and CHAU Nga, no date. **Case File No. 004-D6.1.782**, Written Record of Interview of Witness **IEP Duch**, 30 October 2007, pp. 08-09. **Case File No. 004-D6.1.652**, Written Record of Interview of Witness **PECH Chim**, 27 August 2009, p. 02. **Case File No. 004-D6.1.653**, Written Record of Interview of Witness **PECH Chim**, 28 August 2009, p. 03-04. **Case File No. 004-D6.1.695**, Written Record of Interview of Witness **PHÂN Chhên**, 09 December 2009, pp. 05-06. **Case File No. 004-D6.1.1227**, Report to Reeducation Office about enemy situation, 06 February 1978, pp. 04-05.

<sup>832</sup> **Case File No. 004-D6.1.1200**, Report by district 105 Education Office to the Party about the prison's statement, 30 July 1977. **Case File No. 004-D6.1.1221**, Report: Respects to the Party at the Tram Kak district base, 06 December 1977, p. 02. **Case File No. 004-D6.1.1227**, Report to respected Angkar, 04 February 1978, p. 07. **Case File No. 004-D347/2.1.7**, Report: Respectfully submitted to the Party on the Prisoners' confessions, 25 August 1977. **Case File No. 004-D6.1.211**, Report to the party of the Prisoners's statements, 25 September 1978. **Case File No. 004-D6.1.229**, Report to the Party of the statement of the Prisoners, 04 August 1976. **Case File No. 004-D6.1.237**, Report to the Party of the prisoner's statement, 07 March 1977. **Case File No. 004-D6.1.238**, Report of Education office of district 105 to the Party about the prison's statement, 10 March 1977. **Case File No. 004-D6.1.273**, Report to the party about prisoner's statement, 26 August 1977. **Case File No. 004-D6.1.276**, Confirmation to the statement of the contemptible Try at Ta Pheim commune, 02 September 1977. **Case File No. 004-D6.1.782**, Written Record of Interview of Witness **IEP Duch**, 30 October 2007, pp. 04-05. **Case File No. 004-D6.1.652**, Written Record of Interview of Witness **PECH Chim**, 27 August 2009, p. 03.

<sup>833</sup> **Case File No. 004-D219/135**, Written Record of Interview of Witness **YÏN Têng**, 29 December 2014, pp. 49-51.

- <sup>834</sup> **Case File No. 004-D118/133**, Written Record of Interview of Witness SÂY Sèn, 31 October 2013, pp. 07-08.
- <sup>835</sup> **Case File No. 004-D118/133**, Written Record of Interview of Witness SÂY Sèn, 31 October 2013, pp. 12-13. **Case File No. 004-D6.1.119**, Written Record of Interview of Witness SÂY Sèn, 01 September 2008, pp. 11-12.
- <sup>836</sup> **Case File No. 004-D219/2**, Written Record of Interview of Civil Party Applicant SÈT Yèm, 09 September 2014, p. 08-10. **Case File No. 004-D134/8**, Written Record of Interview of Witness SAUTR Săing, 25 November 2013, pp. 13-14.
- <sup>837</sup> **Case File No. 004-D6.1.709**, Written Record of Interview of Witness SREI Thân alias Duch, 29 December 2009, p. 11.
- <sup>838</sup> **Case File No. 004-D219/135**, Written Record of Interview of Witness YÏN Tēng, 29 December 2014, pp. 45-46, 47-48.
- <sup>839</sup> **Case File No. 004-D118/133**, Written Record of Interview of Witness SÂY Sèn, 31 October 2013, pp. 06-07. **Case File No. 004-D6.1.119**, Written Record of Interview of Witness SÂY Sèn, 01 September 2008, pp. 06-07, 12-13. **Case File No. 004-D6.1.1089**, Written Record of Interview of Witness KÈV Chāndara alias SOK Yav, 12 March 2008, p. 04. **Case File No. 004-D6.1.783**, Written Record of Interview of Witness HUN Kimsēng alias Yeay Nhā, 31 October 2007, p. 06.
- <sup>840</sup> **Case File No. 004-D134/8**, Written Record of Interview of Witness SAUTR Săing, 25 November 2013, pp. 15-18. **Case File No. 004-D219/522**, Written Record of Interview of Witness HUN Kimsēng, 15 September 2015, pp. 14-16. **Case File No. 004-D118/134**, Written Record of Interview of Witness SREI Thân alias Duch, 31 October 2013, pp. 09-10. **Case File No. 004-D118/167**, Written Record of Interview of Witness VĂN Soeun alias VAN Soan, 18 December 2013, pp. 14-15.
- <sup>841</sup> **Case File No. 004-D219/49**, Written Record of Interview of Civil Party Applicant TOB Ngèt, 21 October 2014, pp. 14-15. **Case File No. 004-D219/449**, Written Record of Interview of Civil Party Applicant YÈM Yorn, 06 August 2015, pp. 04-05.
- <sup>842</sup> **Case File No. 004-D219/482**, Written Record of Interview of Civil Party LACH Sèb, 28 August 2015, p. 05. **Case File No. 004-D118/233**, Written Record of Interview of Civil Party Applicant LACH Sèm, 09 May 29014, pp. 03-04, 09-10.
- <sup>843</sup> **Case File No. 004-D219/482**, Written Record of Interview of Civil Party LACH Sèb, 28 August 2015, pp. 05-06.
- <sup>844</sup> **Case File No. 004-D219/488**, Written Record of Interview of Witness MOENG Vēt, 01 September 2015, p. 17.
- <sup>845</sup> **Case File No. 004-D219/49**, Written Record of Interview of Civil Party Applicant TOB Ngèt, 21 October 2014, pp. 17-18.
- <sup>846</sup> **Case File No. 004-D118/291**, Written Record of Interview of Civil Party Applicant KHIN Suo, 26 August 2014, pp. 04-05, 10-11.
- <sup>847</sup> **Case File No. 004-D118/233**, Written Record of Interview of Civil Party Applicant LACH Sèm, 09 May 29014, pp. 05-06. **Case File No. 004-D118/291**, Written Record of Interview of Civil Party Applicant KHIN Suo, 26 August 2014, pp. 07-08. **Case File No. 004-D219/449**, Written Record of Interview of Civil Party Applicant YÈM Yorn, 06 August 2015, pp. 03-04. **Case File No. 004-D118/131**, Written Record of Interview of Civil Party Applicant SĂN Touch, 30 October 2013, pp. 04-05.
- <sup>848</sup> **Case File No. 004-D118/233**, Written Record of Interview of Civil Party Applicant LACH Sèm, 09 May 29014, pp. 06-07.
- <sup>849</sup> **Case File No. 004-D118/233**, Written Record of Interview of Civil Party Applicant LACH Sèm, 09 May 29014, pp. 04-05, 06-07, 09-10.
- <sup>850</sup> **Case File No. 004-D118/163** Written Record of Interview of Civil Party Applicant PROM Saroeurn, 03 December 2013, pp. 06-07.
- <sup>851</sup> **Case File No. 004-D219/49**, Written Record of Interview of Civil Party Applicant TOB Ngèt, 21 October 2014, pp. 15-16.
- <sup>852</sup> **Case File No. 004-D219/488**, Written Record of Interview of Witness MOENG Vēt, 01 September 2015, p. 17.
- <sup>853</sup> **Case File No. 004-D118/233**, Written Record of Interview of Civil Party Applicant LACH Sèm, 09 May 29014, pp. 10-11.
- <sup>854</sup> **Case File No. 004-D118/233**, Written Record of Interview of Civil Party Applicant LACH Sèm, 09 May 29014, pp. 10-11.

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- <sup>1073</sup> **Case File No. 004-D118/280**, Written Record of Interview of Civil Party Applicant **SÀNG Sây**, 27 July 2014, pp. 05-06.
- <sup>1074</sup> **Case File No. 004-D219/368**, Written Record of Interview of Witness **CHHOEUNG Bean**, 17 June 2015, p. 03.
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<sup>1081</sup> **Case File No. 004-D118/136**, Written Record of Interview of Witness **CHHEAN Hea**, 30 October 2013, pp. 09-10. **Case File No. 004-D118/283**, Written Record of Investigation Action, 04 August 2014, p. 02. **Case File No. 004-D118/136**, Written Record of Interview of Witness **CHHEAN Hea**, 30 October 2013, pp. 09-10. **Case File No. 004-D219/11**, Written Record of Interview of Witness **PENH Nhanh**, 17 September 2014, pp. 05-06, 07-08. **Case File No. 004-D219/412**, Written Record of Interview of Witness **KOCH Rien**, 08 July 2015, pp. 17-18. **Case File No. 004-D118/138**, Written Record of Interview of Witness **TIEP Tith**, 02 November 2013, pp. 04-05.

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<sup>1090</sup> **Case File No. 004-D219/272**, Site Identification Report, 24 April 2015, pp. 03-04.

<sup>1091</sup> **Case File No. 004-D219/11**, Written Record of Interview of Witness **PENH Nhanh**, 17 September 2014, pp. 05-06. **Case File No. 004-D219/830**, Written Record of Interview of Witness **SĒNG Reut**, 09 September 2016, pp. 19-20.

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<sup>1094</sup> **Case File No. 004-D118/281**, Written Record of Interview of Witness **KEO Sokha**, 29 July 2014, pp. 05-07. **Case File No. 004-D219/272**, Site Identification Report, 24 April 2015, pp. 03-04.

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<sup>1098</sup> **Case File No. 004-D1.3.10.2**, Report of Region 1, 28 May 1977, pp. 03-04.

<sup>1099</sup> **Case File No. 004-D118/281**, Written Record of Interview of Witness **KEO Sokha**, 29 July 2014, pp. 05-07. **Case File No. 004-D219/428**, Written Record of Interview of Civil Party Applicant **VĂN Chea**, 23 July 2015, pp. 04-05. **Case File No. 004-D219/946**, Written Record of Interview of Witness **LÃO Kâng**, 13 March 2017, pp. 06-07.

<sup>1100</sup> **Case File No. 004-D219/428**, Written Record of Interview of Civil Party Applicant **VĂN Chea**, 23 July 2015, pp. 04-05. **Case File No. 004-D219/367**, Written Record of Interview of Witness **REACH Sarân**, 15 June 2015, pp. 05-06.

<sup>1101</sup> **Case File No. 004-D219/367**, Written Record of Interview of Witness **REACH Sarân**, 15 June 2015, p. 05.

<sup>1102</sup> **Case File No. 004-D118/271**, Written Record of Interview of Witness **CHHEAN Hea**, 07 July 2014, p. 07. **Case File No. 004-D219/428**, Written Record of Interview of Civil Party Applicant **VĂN Chea**, 23 July 2015, pp. 05-06. **Case File No. 004-D219/367**, Written Record of Interview of Witness **REACH Sarân**, 15 June 2015, pp. 04-05.

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<sup>1107</sup> **Case File No. 004-D219/428**, Written Record of Interview of Civil Party Applicant **VĂN Chea**, 23 July 2015, pp. 05-06.

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<sup>1111</sup> **Case File No. 004-D219/428**, Written Record of Interview of Civil Party Applicant **VĂN Chea**, 23 July 2015, pp. 05-06.

<sup>1112</sup> **Case File No. 004-D219/85**, Written Record of Interview of Witness **VY Phann**, 18 November 2014, p. 09.

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<sup>1114</sup> **Case File No. 004-D118/149**, Written Record of Interview of Witness **HÂM Saom**, 20 November 2013, pp. 07-08. **Case File No. 004-D219/430**, Written Record of Interview of Witness **CHHOEUNG Bean**, 27 July 2015, pp. 04-05. **Case File No. 004-D219/465**, Written Record of Interview of Witness

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<sup>1117</sup> **Case File No. 004-D118/221**, Written Record of Interview of Witness **PHĂN Yim**, 10 April 2015, pp. 07-10.

<sup>1118</sup> **Case File No. 004-D118/221**, Written Record of Interview of Witness **PHĂN Yim**, 10 April 2015, pp. 07-10.

<sup>1119</sup> **Case File No. 004-D219/117**, Written Record of Interview of Witness **TOP Seung**, 08 December 2014, pp. 12-13, 19-20.

<sup>1120</sup> **Case File No. 004-D219/117**, Written Record of Interview of Witness **TOP Seung**, 08 December 2014, pp. 19-20.

<sup>1121</sup> **Case File No. 004-D219/374**, Written Record of Interview of Witness **KHĪN Khim**, 22 June 2015, p. 11.

<sup>1122</sup> **Case File No. 004-D219/117**, Written Record of Interview of Witness **TOP Seung**, 08 December 2014, pp. 19-20.

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<sup>1127</sup> **Case File No. 004-D219/428**, Written Record of Interview of Civil Party Applicant **VĂN Chea**, 23 July 2015, p. 04-05.

<sup>1128</sup> **Case File No. 004-D219/428**, Written Record of Interview of Civil Party Applicant **VĂN Chea**, 23 July 2015, pp. 04-05.

<sup>1129</sup> **Case File No. 004-D219/268**, Written Record of Interview of Witness **NĂM Phorn**, 09 April 2015, pp. 08-09. **Case File No. 004-D219/373**, Written Record of Interview of Witness **NĂM Phorn**, 19 June 2015, pp. 13-14.

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<sup>1134</sup> **Case File No. 004-D219/373**, Written Record of Interview of Witness **NĂM Phorn**, 19 June 2015, pp. 08, 10-11.

<sup>1135</sup> **Case File No. 004-D219/368**, Written Record of Interview of Witness **CHHOEUNG Bean**, 17 June 2015, pp. 05-06.

<sup>1136</sup> **Case File No. 004-D219/368**, Written Record of Interview of Witness **CHHOEUNG Bean**, 17 June 2015, pp. 05-06, 07.

<sup>1137</sup> **Case File No. 004-D219/85**, Written Record of Interview of Witness **VY Phann**, 18 November 2014, pp. 03-04.

<sup>1138</sup> **Case File No. 004-D219/85**, Written Record of Interview of Witness **VY Phann**, 18 November 2014, p. 05.

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<sup>1144</sup> **Case File No. 004-D219/85**, Written Record of Interview of Witness **VY Phann**, 18 November 2014, p. 09.

<sup>1145</sup> **Case File No. 004-D219/373**, Written Record of Interview of Witness **NÂM Phorn**, 19 June 2015, pp. 12-13.

<sup>1146</sup> **Case File No. 004-D219/117**, Written Record of Interview of Witness **TOP Seung**, 08 December 2014, pp. 15-16.

<sup>1147</sup> **Case File No. 004-D219/368**, Written Record of Interview of Witness **CHHOEUNG Bean**, 17 June 2015, p. 04.

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<sup>1149</sup> **Case File No. 004-D219/85**, Written Record of Interview of Witness **VY Phann**, 18 November 2014, p. 05. **Case File No. 004-D219/896**, Written Record of Interview of Witness **CHUONG Luom**, 07 May 2017, p. 05-06.

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<sup>1151</sup> **Case File No. 004-D118/296**, Written Record of Interview of Witness **HOEM Chhongly**, 26 August 2014, pp. 03-04. **Case File No. 004-D219/85**, Written Record of Interview of Witness **VY Phann**, 18 November 2014, pp. 03-04. **Case File No. 004-D118/138**, Written Record of Interview of Witness **TIEP Tith**, 02 November 2013, pp. 09-10. **Case File No. 004-D118/144**, Written Record of Interview of Witness **KOET Chuoen**, 12 November 2013, pp. 04-05. **Case File No. 004-D219/85**, Written Record of Interview of Witness **VY Phann**, 18 November 2014, pp. 03-04.

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<sup>1161</sup> **Case File No. 004-D219/208**, Written Record of Interview of Witness **HÀNG Thai**, 26 February 2015, pp. 04-05. **Case File No. 004-D219/68**, Written Record of Interview of Witness **YOEUN Chanthou**, 17 November 2014, pp. 06-07. **Case File No. 004-D219/946**, Written Record of Interview of Witness **LĂO Kâng**, 13 March 2017, pp. 09-10.

<sup>1162</sup> **Case File No. 004-D219/783**, Written Record of Interview of Witness **HEM Preng**, 22 November 2016, p. 11.

<sup>1163</sup> **Case File No. 004-D219/783**, Written Record of Interview of Witness **HEM Preng**, 22 November 2016, p. 11.

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<sup>1171</sup> **Case File No. 004-D219/68**, Written Record of Interview of Witness **YOEUN Chanthou**, 17 November 2014, pp. 05-06.

<sup>1172</sup> **Case File No. 004-D219/68**, Written Record of Interview of Witness **YOEUN Chanthou**, 17 November 2014, pp. 04-04. **Case File No. 004-D118/77**, Written Record of Interview of Witness **NÂNG Ny**, 23 June 2013, pp. 04-05. **Case File No. 004-D118/138**, Written Record of Interview of Witness **TIEP Tith**, 02 November 2013, pp. 07-08.

<sup>1173</sup> **Case File No. 004-D219/68**, Written Record of Interview of Witness **YOEUN Chanthou**, 17 November 2014, pp. 14-15.

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<sup>1175</sup> **Case File No. 004-D118/138**, Written Record of Interview of Witness **TIEP Tith**, 02 November 2013, pp. 07-08.

<sup>1176</sup> **Case File No. 004-D219/68**, Written Record of Interview of Witness **YOEUN Chanthou**, 17 November 2014, pp. 03-05. **Case File No. 004-D219/783**, Written Record of Interview of Witness **HEM Preng**, 22 November 2016, p. 11.

<sup>1177</sup> **Case File No. 004-D219/68**, Written Record of Interview of Witness **YOEUN Chanthou**, 17 November 2014, pp. 03-05. **Case File No. 004-D219/783**, Written Record of Interview of Witness **HEM Preng**, 22 November 2016, p. 09.

<sup>1178</sup> **Case File No. 004-D219/68**, Written Record of Interview of Witness **YOEUN Chanthou**, 17 November 2014, pp. 14-15.

<sup>1179</sup> **Case File No. 004-D118/77**, Written Record of Interview of Witness **NÂNG Ny**, 23 June 2013, p. 07.

<sup>1180</sup> **Case File No. 004-D118/77**, Written Record of Interview of Witness **NÂNG Ny**, 23 June 2013, pp. 04-05.

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<sup>1183</sup> **Case File No. 004-D219/946**, Written Record of Interview of Witness **LĂO Kâng**, 13 March 2017, pp. 10-12. **Case File No. 004-D219/208**, Written Record of Interview of Witness **HĂNG Thai**, 26 February 2015, pp. 04-05. **Case File No. 004-D219/390**, Written Record of Interview of Witness **HĂNG Suom**, 21 June 2015, pp. 05-06.

<sup>1184</sup> **Case File No. 004-D219/946**, Written Record of Interview of Witness **LĂO Kâng**, 13 March 2017, pp. 10-11. **Case File No. 004-D118/138**, Written Record of Interview of Witness **TIEP Tith**, 02 November 2013, pp. 07-09. **Case File No. 004-D118/63**, Written Record of Interview of Witness **HĂN Thy**, 25 May 2013, pp. 06-07.

<sup>1185</sup> **Case File No. 004-D219/68**, Written Record of Interview of Witness **YOEUN Chanthou**, 17 November 2014, pp. 04-05.

<sup>1186</sup> **Case File No. 004-D219/68**, Written Record of Interview of Witness **YOEUN Chanthou**, 17 November 2014, pp. 06-07. **Case File No. 004-D219/390**, Written Record of Interview of Witness **HĂNG Suom**, 21 June 2015, pp. 04-05.

<sup>1187</sup> **Case File No. 004-D219/68**, Written Record of Interview of Witness **YOEUN Chanthou**, 17 November 2014, pp. 14-15, 16-17.

<sup>1188</sup> **Case File No. 004-D118/138**, Written Record of Interview of Witness **TIEP Tith**, 02 November 2013, pp. 07-09. **Case File No. 004-D118/63**, Written Record of Interview of Witness **HĂN Thy**, 25 May 2013, pp. 06-07.

<sup>1189</sup> **Case File No. 004-D219/751**, Written Record of Interview of Witness **VOR Ruom**, 28 April 2016, p. 05.

<sup>1190</sup> **Case File No. 004-D118/63**, Written Record of Interview of Witness **HĂN Thy**, 25 May 2013, pp. 06-07.

<sup>1191</sup> **Case File No. 004-D219/868**, Written Record of Interview of Witness **CHEA Cheuy** alias *Ta Punlork* or *Ta Lork* or *Ta Machul Cres*, 07 November 2016, pp. 04-06.

<sup>1192</sup> **Case File No. 004-D219/946**, Written Record of Interview of Witness **LĂO Kâng**, 13 March 2017, pp. 10-11.

<sup>1193</sup> **Case File No. 004-D219/751**, Written Record of Interview of Witness **VOR Ruom**, 28 April 2016, pp. 04-05.

<sup>1194</sup> **Case File No. 004-D219/390**, Written Record of Interview of Witness **HĂNG Suom**, 21 June 2015, pp. 05-06.

<sup>1195</sup> **Case File No. 004-D219/273**, Site Identification Report, 24 April 2015, pp. 01-03.



<sup>1196</sup> **Case File No. 004-D118/135**, Written Record of Interview of Witness **CHHOM Youn**, 29 October 2013, pp. 05-06. **Case File No. 004-D118/102**, Written Record of Interview of Witness **TOAT Thoeun**, 10 September 2013, pp. 24-25. **Case File No. 004-D219/90**, Written Record of Interview of Witness **KOCH Rien**, 26 November 2014, pp. 11-12. **Case File No. 004-D118/149**, Written Record of Interview of Witness **HÂM Saom**, 20 November 2013, pp. 10-11. **Case File No. 004-D219/538**, Written Record of Interview of Witness **SOEUN Mât**, 08 October 2015, pp. 21-22.

<sup>1197</sup> **Case File No. 004-D118/296**, Written Record of Interview of Witness **HOEM Chhongly**, 26 August 2014, pp. 07-08.

<sup>1198</sup> **Case File No. 004-D219/273**, Site Identification Report, 24 April 2015, pp. 03-04.

<sup>1199</sup> **Case File No. 004-D219/235**, Written Record of Interview of Witness **PHOEUK Lam**, 19 March 2015, pp. 02-03. **Case File No. 004-D219/273**, Site Identification Report, 24 April 2015, pp. 03-04.

<sup>1200</sup> **Case File No. 004-D219/235**, Written Record of Interview of Witness **PHOEUK Lam**, 19 March 2015, pp. 02-03. **Case File No. 004-D219/273**, Site Identification Report, 24 April 2015, p. 05.

<sup>1201</sup> **Case File No. 004-D219/273**, Site Identification Report, 24 April 2015, p. 04. **Case File No. 004-D118/296**, Written Record of Interview of Witness **HOEM Chhongly**, 26 August 2014, p. 05. **Case File No. 004-D219/235**, Written Record of Interview of Witness **PHOEUK Lam**, 19 March 2015, pp. 02-03. **Case File No. 004-D219/156**, Written Record of Interview of Witness **KIM Chat**, 21 January 2015, pp. 04-05. **Case File No. 004-D118/295**, Written Record of Interview of Witness **SUM Voeut**, 23 August 2014, pp. 03-04.

<sup>1202</sup> **Case File No. 004-D219/273**, Site Identification Report, 24 April 2015, p. 04. **Case File No. 004-D118/296**, Written Record of Interview of Witness **HOEM Chhongly**, 26 August 2014, p. 05. **Case File No. 004-D219/235**, Written Record of Interview of Witness **PHOEUK Lam**, 19 March 2015, pp. 02-03. **Case File No. 004-D219/156**, Written Record of Interview of Witness **KIM Chat**, 21 January 2015, pp. 04-05. **Case File No. 004-D118/295**, Written Record of Interview of Witness **SUM Voeut**, 23 August 2014, pp. 04-05.

<sup>1203</sup> **Case File No. 004-D219/235**, Written Record of Interview of Witness **PHOEUK Lam**, 19 March 2015, pp. 02-03. **Case File No. 004-D219/158**, Written Record of Interview of Witness **PHOEUK Lam**, 26 January 2015, p. 06. **Case File No. 004-D118/296**, Written Record of Interview of Witness **HOEM Chhongly**, 26 August 2014, p. 05. **Case File No. 004-D118/295**, Written Record of Interview of Witness **SUM Voeut**, 23 August 2014, pp. 04-05.

<sup>1204</sup> **Case File No. 004-D219/235**, Written Record of Interview of Witness **PHOEUK Lam**, 19 March 2015, pp. 02-03.

<sup>1205</sup> **Case File No. 004-D219/235**, Written Record of Interview of Witness **PHOEUK Lam**, 19 March 2015, pp. 02-03. **Case File No. 004-D118/295**, Written Record of Interview of Witness **SUM Voeut**, 23 August 2014, pp. 04-05.

<sup>1206</sup> **Case File No. 004-D219/235**, Written Record of Interview of Witness **PHOEUK Lam**, 19 March 2015, pp. 02-03. **Case File No. 004-D219/156**, Written Record of Interview of Witness **KIM Chat**, 21 January 2015, pp. 04-05. **Case File No. 004-D219/158**, Written Record of Interview of Witness **PHOEUK Lam**, 26 January 2015, p. 06. **Case File No. 004-D118/296**, Written Record of Interview of Witness **HOEM Chhongly**, 26 August 2014, p. 05.

<sup>1207</sup> **Case File No. 004-D118/149**, Written Record of Interview of Witness **HÂM Saom**, 20 November 2013, pp. 11-12. **Case File No. 004-D118/296**, Written Record of Interview of Witness **HOEM Chhongly**, 26 August 2014, pp. 03-05. **Case File No. 004-D219/273**, Site Identification Report, 24 April 2015, p. 04. **Case File No. 004-D219/988**, Written Record of Investigation Action, 05 June 2017, p. 02. **Case File No. 004-D219/797**, Written Record of Interview of Witness **DOS Doeun**, 16 July 2016, pp. 09-10. **Case File No. 004-D219/698**, Written Record of Interview of Witness **DOS Doeun**, 25 February 2016, pp. 04-05.

<sup>1208</sup> **Case File No. 004-D118/149**, Written Record of Interview of Witness **HÂM Saom**, 20 November 2013, pp. 11-12. **Case File No. 004-D219/423**, Written Record of Interview of Witness **YON Yooun**, 17 July 2015, pp. 10-11.

<sup>1209</sup> **Case File No. 004-D118/296**, Written Record of Interview of Witness **HOEM Chhongly**, 26 August 2014, pp. 03-05. **Case File No. 004-D219/410**, Written Record of Interview of Witness **HOEM Chhongly**, 06 July 2015, p. 11.

<sup>1210</sup> **Case File No. 004-D219/156**, Written Record of Interview of Witness **KIM Chat**, 21 January 2015, pp. 04-05. **Case File No. 004-D118/149**, Written Record of Interview of Witness **HÂM Saom**, 20

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<sup>1211</sup> **Case File No. 004-D118/295**, Written Record of Interview of Witness **SUM Voeut**, 23 August 2014, pp. 04-05. **Case File No. 004-D219/797**, Written Record of Interview of Witness **DOS Doeun**, 16 July 2016, pp. 04-06. **Case File No. 004-D219/545**, Written Record of Interview of Witness **PHÂR Pèt**, 04 October 2015, pp. 10-11. **Case File No. 004-D219/90**, Written Record of Interview of Witness **KOCH Rien**, 26 November 2014, pp. 09-10. **Case File No. 004-D219/515**, Written Record of Interview of Witness **CHHEUN Chhuoy**, 18 September 2015, pp. 07-08.

<sup>1212</sup> **Case File No. 004-D219/748**, Written Record of Interview of Witness **SREY Soeun**, 20 April 2016, pp. 08-09. **Case File No. 004-D219/751**, Written Record of Interview of Witness **VOR Ruom**, 28 April 2016, p. 05.

<sup>1213</sup> **Case File No. 004-D219/797**, Written Record of Interview of Witness **DOS Doeun**, 16 July 2016, pp. 06-07. **Case File No. 004-D219/698**, Written Record of Interview of Witness **DOS Doeun**, 25 February 2016, pp. 04-05. **Case File No. 004-D118/149**, Written Record of Interview of Witness **HÂM Saom**, 20 November 2013, pp. 10-12. **Case File No. 004-D219/390**, Written Record of Interview of Witness **HÂNG Suom**, 21 June 2015, p. 07.

<sup>1214</sup> **Case File No. 004-D219/423**, Written Record of Interview of Witness **YON Yoeun**, 17 July 2015, pp. 10-11.

<sup>1215</sup> **Case File No. 004-D118/136**, Written Record of Interview of Witness **CHHEAN Hea**, 30 October 2013, pp. 14-15. **Case File No. 004-D118/271**, Written Record of Interview of Witness **CHHEAN Hea**, 07 July 2014, p. 11. **Case File No. 004-D118/295**, Written Record of Interview of Witness **SUM Voeut**, 23 August 2014, pp. 05-06. **Case File No. 004-D219/515**, Written Record of Interview of Witness **CHHEUN Chhuoy**, 18 September 2015, pp. 07-08.

<sup>1216</sup> **Case File No. 004-D118/136**, Written Record of Interview of Witness **CHHEAN Hea**, 30 October 2013, pp. 14-15. **Case File No. 004-D118/271**, Written Record of Interview of Witness **CHHEAN Hea**, 07 July 2014, p. 11. **Case File No. 004-D118/296**, Written Record of Interview of Witness **HOEM Chhongly**, 26 August 2014, pp. 07-08. **Case File No. 004-D219/545**, Written Record of Interview of Witness **PHÂR Pèt**, 04 October 2015, pp. 10-11. **Case File No. 004-D219/538**, Written Record of Interview of Witness **SOEUN Mât**, 08 October 2015, pp. 22-23. **Case File No. 004-D219/390**, Written Record of Interview of Witness **HÂNG Suom**, 21 June 2015, pp. 07-08. **Case File No. 004-D219/533**, Written Record of Interview of Witness **CHHOEUNG Bean**, 24 September 2015, pp. 33-34. **Case File No. 004-D1.3.11.55**, Written Record of Interview of **THI Han** by the Office of the Co-Prosecutors, 04 August 2008, p. 09.

<sup>1217</sup> **Case File No. 004-D219/545**, Written Record of Interview of Witness **PHÂR Pèt**, 04 October 2015, pp. 10-11.

<sup>1218</sup> **Case File No. 004-D219/538**, Written Record of Interview of Witness **SOEUN Mât**, 08 October 2015, pp. 22-23.

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<sup>1220</sup> **Case File No. 004-D219/235**, Written Record of Interview of Witness **PHOEUK Lam**, 19 March 2015, pp. 03-04. **Case File No. 004-D219/158**, Written Record of Interview of Witness **PHOEUK Lam**, 26 January 2015, pp. 03-05.

<sup>1221</sup> **Case File No. 004-D219/533**, Written Record of Interview of Witness **CHHOEUNG Bean**, 24 September 2015, pp. 33-34.

<sup>1222</sup> **Case File No. 004-D219/158**, Written Record of Interview of Witness **PHOEUK Lam**, 26 January 2015, pp. 03-05.

<sup>1223</sup> **Case File No. 004-D219/158**, Written Record of Interview of Witness **PHOEUK Lam**, 26 January 2015, pp. 03-05.

<sup>1224</sup> **Case File No. 004-D219/751**, Written Record of Interview of Witness **VOR Ruom**, 28 April 2016, p. 05.

<sup>1225</sup> **Case File No. 004-D219/751**, Written Record of Interview of Witness **VOR Ruom**, 28 April 2016, p. 03. **Case File No. 004-D219/533**, Written Record of Interview of Witness **CHHOEUNG Bean**, 24 September 2015, pp. 13-14, 33-34.

- <sup>1226</sup> **Case File No. 004-D219/156**, Written Record of Interview of Witness **KIM Chat**, 21 January 2015, pp. 04-05. **Case File No. 004-D219/158**, Written Record of Interview of Witness **PHOEUK Lam**, 26 January 2015, pp. 04-06. **Case File No. 004-D219/410**, Written Record of Interview of Witness **HOEUM Chhongly**, 06 July 2015, pp. 14-16. **Case File No. 004-D219/797**, Written Record of Interview of Witness **DOS Doeun**, 16 July 2016, pp. 18-19. **Case File No. 004-D219/538**, Written Record of Interview of Witness **SOEUN Mât**, 08 October 2015, pp. 21-22. **Case File No. 004-D1.3.11.24**, Interview Notes of Office of the Co-Prosecutors with KOCH Roem, 04 August 2008, p. 05.
- <sup>1227</sup> **Case File No. 004-D118/295**, Written Record of Interview of Witness **SUM Voeut**, 23 August 2014, pp. 05-06. **Case File No. 004-D219/410**, Written Record of Interview of Witness **HOEUM Chhongly**, 06 July 2015, pp. 15-16. **Case File No. 004-D219/515**, Written Record of Interview of Witness **CHHEUN Chhuoy**, 18 September 2015, pp. 06-07. **Case File No. 004-D219/533**, Written Record of Interview of Witness **CHHOEUNG Bean**, 24 September 2015, p. 31. **Case File No. 004-D219/797**, Written Record of Interview of Witness **DOS Doeun**, 16 July 2016, pp. 21-22. **Case File No. 004-D219/751**, Written Record of Interview of Witness **VOR Ruom**, 28 April 2016, p. 05.
- <sup>1228</sup> **Case File No. 004-D219/85**, Written Record of Interview of Witness **VY Phann**, 18 November 2014, pp. 09-10.
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- <sup>1233</sup> **Case File No. 004-D219/158**, Written Record of Interview of Witness **PHOEUK Lam**, 26 January 2015, pp. 04-06. **Case File No. 004-D219/533**, Written Record of Interview of Witness **CHHOEUNG Bean**, 24 September 2015, pp. 32-33. **Case File No. 004-D219/156**, Written Record of Interview of Witness **KIM Chat**, 21 January 2015, pp. 04-05.
- <sup>1234</sup> **Case File No. 004-D219/158**, Written Record of Interview of Witness **PHOEUK Lam**, 26 January 2015, pp. 04-06.
- <sup>1235</sup> **Case File No. 004-D219/533**, Written Record of Interview of Witness **CHHOEUNG Bean**, 24 September 2015, pp. 33-34.
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- <sup>1237</sup> **Case File No. 004-D219/156**, Written Record of Interview of Witness **KIM Chat**, 21 January 2015, pp. 05-06.
- <sup>1238</sup> **Case File No. 004-D219/156**, Written Record of Interview of Witness **KIM Chat**, 21 January 2015, pp. 05-06.
- <sup>1239</sup> **Case File No. 004-D219/235**, Written Record of Interview of Witness **PHOEUK Lam**, 19 March 2015, p. 03.
- <sup>1240</sup> **Case File No. 004-D219/235**, Written Record of Interview of Witness **PHOEUK Lam**, 19 March 2015, p. 03. **Case File No. 004-D219/797**, Written Record of Interview of Witness **DOS Doeun**, 16 July 2016, pp. 21-22. **Case File No. 004-D219/156**, Written Record of Interview of Witness **KIM Chat**, 21 January 2015, pp. 04-05. **Case File No. 004-D219/751**, Written Record of Interview of Witness **VOR Ruom**, 28 April 2016, p. 03. **Case File No. 004-D219/533**, Written Record of Interview of Witness **CHHOEUNG Bean**, 24 September 2015, pp. 34-35.
- <sup>1241</sup> **Case File No. 004-D219/235**, Written Record of Interview of Witness **PHOEUK Lam**, 19 March 2015, pp. 03-04.
- <sup>1242</sup> **Case File No. 004-D219/235**, Written Record of Interview of Witness **PHOEUK Lam**, 19 March 2015, pp. 03-04.
- <sup>1243</sup> **Case File No. 004-D219/235**, Written Record of Interview of Witness **PHOEUK Lam**, 19 March 2015, pp. 03-04.
- <sup>1244</sup> **Case File No. 004-D219/158**, Written Record of Interview of Witness **PHOEUK Lam**, 26 January 2015, pp. 04-05.

<sup>1245</sup> **Case File No. 004-D219/158**, Written Record of Interview of Witness **PHOEUK Lam**, 26 January 2015, p. 06. **Case File No. 004-D219/90**, Written Record of Interview of Witness **KOCH Rien**, 26 November 2014, pp. 19-20. **Case File No. 004-D219/533**, Written Record of Interview of Witness **CHHOEUNG Bean**, 24 September 2015, pp. 31, 33-34.

<sup>1246</sup> **Case File No. 004-D219/946**, Written Record of Interview of Witness **LĂO Kâng**, 13 March 2017, pp. 08-09.

<sup>1247</sup> **Case File No. 004-D219/423**, Written Record of Interview of Witness **YON Yoeun**, 17 July 2015, pp. 10-12.

<sup>1248</sup> **Case File No. 004-D219/423**, Written Record of Interview of Witness **YON Yoeun**, 17 July 2015, pp. 10-11.

<sup>1249</sup> **Case File No. 004-D219/85**, Written Record of Interview of Witness **VY Phann**, 18 November 2014, pp. 09-10.

<sup>1250</sup> **Case File No. 004-D219/85**, Written Record of Interview of Witness **VY Phann**, 18 November 2014, pp. 09-10.

<sup>1251</sup> **Case File No. 004-D219/85**, Written Record of Interview of Witness **VY Phann**, 18 November 2014, pp. 09-11.

<sup>1252</sup> **Case File No. 004-D118/149**, Written Record of Interview of Witness **HÂM Saom**, 20 November 2013, pp. 11-12. **Case File No. 004-D219/698**, Written Record of Interview of Witness **DOS Doeun**, 25 February 2016, pp. 04-05, 07-08. **Case File No. 004-D219/797**, Written Record of Interview of Witness **DOS Doeun**, 16 July 2016, pp. 09-10, 28-29.

<sup>1253</sup> **Case File No. 004-D118/149**, Written Record of Interview of Witness **HÂM Saom**, 20 November 2013, pp. 11-12.

<sup>1254</sup> **Case File No. 004-D219/946**, Written Record of Interview of Witness **LĂO Kâng**, 13 March 2017, pp. 08-09.

<sup>1255</sup> **Case File No. 004-D219/235**, Written Record of Interview of Witness **PHOEUK Lam**, 19 March 2015, pp. 03-04.

<sup>1256</sup> **Case File No. 004-D118/295**, Written Record of Interview of Witness **SUM Voeut**, 23 August 2014, pp. 04-05. **Case File No. 004-D118/296**, Written Record of Interview of Witness **HOEM Chhongly**, 26 August 2014, pp. 05-06.

<sup>1257</sup> **Case File No. 004-D118/296**, Written Record of Interview of Witness **HOEM Chhongly**, 26 August 2014, pp. 03-05. **Case File No. 004-D219/410**, Written Record of Interview of Witness **HOEUM Chhongly**, 06 July 2015, pp. 15-16. **Case File No. 004-D118/295**, Written Record of Interview of Witness **SUM Voeut**, 23 August 2014, pp. 04-05. **Case File No. 004-D118/149**, Written Record of Interview of Witness **HÂM Saom**, 20 November 2013, pp. 11-12.

<sup>1258</sup> **Case File No. 004-D118/295**, Written Record of Interview of Witness **SUM Voeut**, 23 August 2014, pp. 04-05. **Case File No. 004-D118/296**, Written Record of Interview of Witness **HOEM Chhongly**, 26 August 2014, pp. 05-06.

<sup>1259</sup> **Case File No. 004-D118/295**, Written Record of Interview of Witness **SUM Voeut**, 23 August 2014, pp. 04-05.

<sup>1260</sup> **Case File No. 004-D118/296**, Written Record of Interview of Witness **HOEM Chhongly**, 26 August 2014, pp. 05-06.

<sup>1261</sup> **Case File No. 004-D219/410**, Written Record of Interview of Witness **HOEUM Chhongly**, 06 July 2015, pp. 15-16. **Case File No. 004-D118/295**, Written Record of Interview of Witness **SUM Voeut**, 23 August 2014, pp. 04-05.

<sup>1262</sup> **Case File No. 004-D118/149**, Written Record of Interview of Witness **HÂM Saom**, 20 November 2013, pp. 11-12.

<sup>1263</sup> **Case File No. 004-D118/149**, Written Record of Interview of Witness **HÂM Saom**, 20 November 2013, pp. 11-12.

<sup>1264</sup> **Case File No. 004-D219/158**, Written Record of Interview of Witness **PHOEUK Lam**, 26 January 2015, p. 06.

<sup>1265</sup> **Case File No. 004-D219/916**, Written Record of Interview of Witness **DOEP Y**, 04 February 2017, p. 07.

<sup>1266</sup> **Case File No. 004-D219/894**, Written Record of Interview of Witness **KĂO Porn**, 14 January 2017, p. 08.

- <sup>1267</sup> **Case File No. 004-D219/933**, Written Record of Interview of Witness **PRĪN Ān**, 22 February 2017, pp. 10-12.
- <sup>1268</sup> **Case File No. 004-D219/274**, Site Identification Report, 24 April 2015, pp. 01, 02. **Case File No. 004-D118/106**, Written Record of Interview of Witness **HUON Chocum**, 22 September 2013, pp. 05-06. **Case File No. 004-D118/108**, Written Record of Witness Interview **LIM Tim**, 24 September 2013, pp. 03-04. **Case File No. 004-D219/89**, Written Record of Interview of Civil Party **SAM Leng**, 25 November 2014, pp. 08-10.
- <sup>1269</sup> **Case File No. 004-D219/88**, Written Record of Witness Interview **POL Sot**, 23 November 2014, pp. 03-04. **Case File No. 004-D118/108**, Written Record of Witness Interview **LIM Tim**, 24 September 2013, pp. 03-04, 07-08.
- <sup>1270</sup> **Case File No. 004-D219/89**, Written Record of Interview of Civil Party **SAM Leng**, 25 November 2014, pp. 09-10.
- <sup>1271</sup> **Case File No. 004-D219/274**, Site Identification Report, 24 April 2015, pp. 03-04. **Case File No. 004-D219/157**, Written Record of Interview of Witness **KHĀY Chhauy**, 22 January 2015, p. 04.
- <sup>1272</sup> **Case File No. 004-D219/89**, Written Record of Interview of Civil Party **SAM Leng**, 25 November 2014, pp. 09-10.
- <sup>1273</sup> **Case File No. 004-D219/274**, Site Identification Report, 24 April 2015, pp. 03-04. **Case File No. 004-D219/89**, Written Record of Interview of Civil Party **SAM Leng**, 25 November 2014, pp. 09-10. **Case File No. 004-D219/88**, Written Record of Witness Interview **POL Sot**, 23 November 2014, pp. 03-04. **Case File No. 004-D219/157**, Written Record of Interview of Witness **KHĀY Chhauy**, 22 January 2015, p. 04.
- <sup>1274</sup> **Case File No. 004-D219/274**, Site Identification Report, 24 April 2015, pp. 03-04.
- <sup>1275</sup> **Case File No. 004-D118/108**, Written Record of Witness Interview **LIM Tim**, 24 September 2013, pp. 04-05, 06.
- <sup>1276</sup> **Case File No. 004-D118/108**, Written Record of Witness Interview **LIM Tim**, 24 September 2013, pp. 04-05. **Case File No. 004-D219/649**, Written Record of Interview of Witness **LOEM Tim**, 12 January 2016, p. 08. **Case File No. 004-D219/88**, Written Record of Witness Interview **POL Sot**, 23 November 2014, pp. 06-07.
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- <sup>1280</sup> **Case File No. 004-D118/108**, Written Record of Witness Interview **LIM Tim**, 24 September 2013, pp. 08-09.
- <sup>1281</sup> **Case File No. 004-D118/108**, Written Record of Witness Interview **LIM Tim**, 24 September 2013, pp. 04-05.
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- <sup>1287</sup> **Case File No. 004-D219/649**, Written Record of Interview of Witness **LOEM Tim**, 12 January 2016, p. 14.

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- <sup>1290</sup> **Case File No. 004-D219/89**, Written Record of Interview of Civil Party **SAM Leng**, 25 November 2014, pp. 09-10.
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- <sup>1319</sup> **Case File No. 004-D118/285**, Written Record of Interview of Witness **NOP Ngim**, 12 August 2014, pp. 15-16.
- <sup>1320</sup> **Case File No. 004-D219/896**, Written Record of Interview of Witness **CHUONG Luom**, 07 May 2017, pp. 09-10.
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- <sup>1324</sup> **Case File No. 004-D118/285**, Written Record of Interview of Witness **NOP Ngim**, 12 August 2014, p. 17.
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- <sup>1520</sup> **Case File No. 004-D6.1.172**, Written Record of Interview of Witness **PHĒ Socu**, 19 June 2008, p. 03.
- <sup>1521</sup> **Case File No. 004-D219/535**, Written Record of Interview of Witness **PHOENG Dy**, 05 October 2015, pp. 06-07.
- <sup>1522</sup> **Case File No. 004-D219/535**, Written Record of Interview of Witness **PHOENG Dy**, 05 October 2015, pp. 07-08.
- <sup>1523</sup> **Case File No. 004-D219/535**, Written Record of Interview of Witness **PHOENG Dy**, 05 October 2015, pp. 07-08.
- <sup>1524</sup> **Case File No. 004-D219/535**, Written Record of Interview of Witness **PHOENG Dy**, 05 October 2015, pp. 07-08.
- <sup>1525</sup> **Case File No. 004-D219/535**, Written Record of Interview of Witness **PHOENG Dy**, 05 October 2015, pp. 07-08.
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- <sup>1527</sup> **Case File No. 004-D118/66**, Written Record of Interview of Witness **IM Ān**, 28 May 2013, pp. 05-06.
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- <sup>1529</sup> **Case File No. 004-D219/535**, Written Record of Interview of Witness **PHOENG Dy**, 05 October 2015, pp. 07-09.
- <sup>1530</sup> **Case File No. 004-D219/916**, Written Record of Interview of Witness **DOEP Y**, 04 February 2017, pp. 06-07. **Case File No. 004-D219/535**, Written Record of Interview of Witness **PHOENG Dy**, 05 October 2015, pp. 09-10. **Case File No. 004-D219/36**, Written Record of Interview of Witness **CHHUOM Savoeun**, 15 October 2014, pp. 12-13.



- <sup>1531</sup> **Case File No. 004-D219/697**, Written Record of Interview of Witness **NAUK Chheath**, 24 February 2016, pp. 03-04.
- <sup>1532</sup> **Case File No. 004-D219/697**, Written Record of Interview of Witness **NAUK Chheath**, 24 February 2016, pp. 03-04.
- <sup>1533</sup> **Case File No. 004-D118/66**, Written Record of Interview of Witness **IM Ăn**, 28 May 2013, pp. 05-06.
- <sup>1534</sup> **Case File No. 004-D219/666**, Written Record of Interview of Witness **YANG Sarieb**, 27 January 2016, pp. 09-10.
- <sup>1535</sup> **Case File No. 004-D219/666**, Written Record of Interview of Witness **YANG Sarieb**, 27 January 2016, pp. 10-11.
- <sup>1536</sup> **Case File No. 004-D219/666**, Written Record of Interview of Witness **YANG Sarieb**, 27 January 2016, pp. 10-11.
- <sup>1537</sup> **Case File No. 004-D219/666**, Written Record of Interview of Witness **YANG Sarieb**, 27 January 2016, pp. 09-10.
- <sup>1538</sup> **Case File No. 004-D219/666**, Written Record of Interview of Witness **YANG Sarieb**, 27 January 2016, pp. 10-11.
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- <sup>1540</sup> **Case File No. 004-D118/66**, Written Record of Interview of Witness **IM Ăn**, 28 May 2013, pp. 05-06.
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- <sup>1542</sup> **Case File No. 004-D6.1.186**, Written Record of Interview of Witness **NHĒM Sat**, 30 July 2008, pp. 03-04. **Case File No. 004-D6.1.362**, Written Record of Interview of Witness **POL Seun**, 08 April 2009, pp. 04-05. **Case File No. 004-D6.1.166**, Written Record of Interview of Witness **ĪN Chooun**, 17 June 2008, p. 05.
- <sup>1543</sup> **Case File No. 004-D6.1.132**, Written Record of Interview of Witness **HUN Sa**, 19 November 2008, p. 04. **Case File No. 004-D6.1.169**, Written Record of Interview of Witness **NHIM Hau**, 18 June 2008, pp. 03-04. **Case File No. 004-D6.1.362**, Written Record of Interview of Witness **POL Seun**, 08 April 2009, pp. 04-05.
- <sup>1544</sup> **Case File No. 004-D219/685**, Written Record of Interview of Witness **SORN Voourn**, 08 February 2016, pp. 03-04. **Case File No. 004-D219/720**, Written Record of Interview of Witness **VANN Voourt**, 28 February 2016, pp. 05-06.
- <sup>1545</sup> **Case File No. 004-D219/685**, Written Record of Interview of Witness **SORN Voourn**, 08 February 2016, pp. 03-04. **Case File No. 004-D219/720**, Written Record of Interview of Witness **VANN Voourt**, 28 February 2016, pp. 05-06.
- <sup>1546</sup> **Case File No. 004-D219/685**, Written Record of Interview of Witness **SORN Voourn**, 08 February 2016, pp. 03-04. **Case File No. 004-D219/720**, Written Record of Interview of Witness **VANN Voourt**, 28 February 2016, pp. 05-06.
- <sup>1547</sup> **Case File No. 004-D219/683**, Written Record of Interview of Witness **HĪN Non**, 04 February 2016, pp. 05-06.
- <sup>1548</sup> **Case File No. 004-D219/685**, Written Record of Interview of Witness **SORN Voourn**, 08 February 2016, pp. 03-04, 05. **Case File No. 004-D219/683**, Written Record of Interview of Witness **HĪN Non**, 04 February 2016, pp. 06-07, 09. **Case File No. 004-D219/718**, Written Record of Interview of Witness **HĒNG Leap**, 22 February 2016, p. 04.
- <sup>1549</sup> **Case File No. 004-D219/685**, Written Record of Interview of Witness **SORN Voourn**, 08 February 2016, p. 05. **Case File No. 004-D219/718**, Written Record of Interview of Witness **HĒNG Leap**, 22 February 2016, p. 04.
- <sup>1550</sup> **Case File No. 004-D219/718**, Written Record of Interview of Witness **HĒNG Leap**, 22 February 2016, p. 05.
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- <sup>1553</sup> **Case File No. 004-D219/718**, Written Record of Interview of Witness **HĒNG Leap**, 22 February 2016, pp. 05-07.
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- <sup>1555</sup> **Case File No. 004-D219/683**, Written Record of Interview of Witness **HĪN Non**, 04 February 2016, pp. 05-06.
- <sup>1556</sup> **Case File No. 004-D219/683**, Written Record of Interview of Witness **HĪN Non**, 04 February 2016, p. 06.
- <sup>1557</sup> **Case File No. 004-D219/720**, Written Record of Interview of Witness **VANN Voert**, 28 February 2016, pp. 03-04.
- <sup>1558</sup> **Case File No. 004-D219/720**, Written Record of Interview of Witness **VANN Voert**, 28 February 2016, pp. 03-04.
- <sup>1559</sup> **Case File No. 004-D219/718**, Written Record of Interview of Witness **HĒNG Leap**, 22 February 2016, p. 03.
- <sup>1560</sup> **Case File No. 004-D219/683**, Written Record of Interview of Witness **HĪN Non**, 04 February 2016, pp. 03, 08-09. **Case File No. 004-D219/718**, Written Record of Interview of Witness **HĒNG Leap**, 22 February 2016, p. 05.
- <sup>1561</sup> **Case File No. 004-D219/720**, Written Record of Interview of Witness **VANN Voert**, 28 February 2016, pp. 03-04. **Case File No. 004-D219/718**, Written Record of Interview of Witness **HĒNG Leap**, 22 February 2016, pp. 04-05.
- <sup>1562</sup> **Case File No. 004-D219/718**, Written Record of Interview of Witness **HĒNG Leap**, 22 February 2016, pp. 05-07.
- <sup>1563</sup> **Case File No. 004-D219/718**, Written Record of Interview of Witness **HĒNG Leap**, 22 February 2016, pp. 05-06.
- <sup>1564</sup> **Case File No. 004-D219/683**, Written Record of Interview of Witness **HĪN Non**, 04 February 2016, pp. 03, 08-09. **Case File No. 004-D219/718**, Written Record of Interview of Witness **HĒNG Leap**, 22 February 2016, p. 03. **Case File No. 004-D219/685**, Written Record of Interview of Witness **SORN Voern**, 08 February 2016, pp. 05-06.
- <sup>1565</sup> **Case File No. 004-D219/718**, Written Record of Interview of Witness **HĒNG Leap**, 22 February 2016, p. 05.
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- <sup>1567</sup> **Case File No. 004-D219/718**, Written Record of Interview of Witness **HĒNG Leap**, 22 February 2016, p. 05.
- <sup>1568</sup> **Case File No. 004-D219/685**, Written Record of Interview of Witness **SORN Voern**, 08 February 2016, pp. 03-04, 06.
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- <sup>1572</sup> **Case File No. 004-D219/683**, Written Record of Interview of Witness **HĪN Non**, 04 February 2016, p. 05.
- <sup>1573</sup> **Case File No. 004-D219/718**, Written Record of Interview of Witness **HĒNG Leap**, 22 February 2016, p. 03.
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- <sup>1576</sup> **Case File No. 004-D219/720**, Written Record of Interview of **VANN Voert**, 25 February 2016, p. 03.
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- <sup>1578</sup> **Case File No. 004-D219/720**, Written Record of Interview of Witness **VANN Voert**, 28 February 2016, p. 03.
- <sup>1579</sup> **Case File No. 004-D219/718**, Written Record of Interview of Witness **HĒNG Leap**, 22 February 2016, pp. 03, 05.
- <sup>1580</sup> **Case File No. 004-D219/720**, Written Record of Interview of Witness **VANN Voert**, 28 February 2016, p. 03.
- <sup>1581</sup> **Case File No. 004-D219/720**, Written Record of Interview of Witness **VANN Voert**, 28 February 2016, p. 03.
- <sup>1582</sup> **Case File No. 004-D219/720**, Written Record of Interview of Witness **VANN Voert**, 28 February 2016, pp. 06-07. **Case File No. 004-D219/718**, Written Record of Interview of Witness **HĒNG Leap**, 22 February 2016, p. 05.
- <sup>1583</sup> **Case File No. 004-D219/683**, Written Record of Interview of Witness **HĪN Non**, 04 February 2016, pp. 06-07.
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- <sup>1585</sup> **Case File No. 004-D219/718**, Written Record of Interview of Witness **HĒNG Leap**, 22 February 2016, pp. 05-07.
- <sup>1586</sup> **Case File No. 004-D219/683**, Written Record of Interview of Witness **HĪN Non**, 04 February 2016, pp. 06-07. **Case File No. 004-D219/718**, Written Record of Interview of Witness **HĒNG Leap**, 22 February 2016, p. 03.
- <sup>1587</sup> **Case File No. 004-D219/718**, Written Record of Interview of Witness **HĒNG Leap**, 22 February 2016, p. 06.
- <sup>1588</sup> **Case File No. 004-D219/718**, Written Record of Interview of Witness **HĒNG Leap**, 22 February 2016, p. 06.
- <sup>1589</sup> **Case File No. 004-D219/720**, Written Record of Interview of Witness **VANN Voert**, 28 February 2016, p. 04.
- <sup>1590</sup> **Case File No. 004-D219/718**, Written Record of Interview of Witness **HĒNG Leap**, 22 February 2016, pp. 05-07.
- <sup>1591</sup> **Case File No. 004-D219/718**, Written Record of Interview of Witness **HĒNG Leap**, 22 February 2016, p. 06.
- <sup>1592</sup> **Case File No. 004-D219/683**, Written Record of Interview of Witness **HĪN Non**, 04 February 2016, pp. 06-07, 09.
- <sup>1593</sup> **Case File No. 004-D219/125**, Written Record of Interview of Civil Party Applicant **SREY Soeum**, 16 December 2014, pp. 10-12. **Case File No. 004-D219/798**, Written Record of Interview of Witness **NGĪN Chheuy**, 20 July 2016, pp. 06-07. **Case File No. 004-D219/333**, Written Record of Interview of Civil Party Applicant **TIEV Vieng**, 21 May 2015, pp. 04-05.
- <sup>1594</sup> **Case File No. 004-D219/304**, Written Record of Interview of Witness **IM Bunchhoeun**, 06 May 2015, p. 04. **Case File No. 004-D219/333**, Written Record of Interview of Civil Party Applicant **TIEV Vieng**, 21 May 2015, pp. 04-05.
- <sup>1595</sup> **Case File No. 004-D219/125**, Written Record of Interview of Civil Party Applicant **SREY Soeum**, 16 December 2014, pp. 11-12, 22-23.
- <sup>1596</sup> **Case File No. 004-D1.3.10.15** DC-Cam Report on Mapping Project 1998, 17 August 1998, pp. 10-11. **Case File No. 004-D219/61**, Written Record of Interview of Witness **CHHAOM Soda**, 30 October 2014, pp. 03-05.
- <sup>1597</sup> **Case File No. 004-D1.3.10.15** DC-Cam Report on Mapping Project 1998, 17 August 1998, pp. 10-11. **Case File No. 004-D219/61**, Written Record of Interview of Witness **CHHAOM Soda**, 30 October 2014, pp. 03-05. **Case File No. 004-D219/125**, Written Record of Interview of Civil Party Applicant **SREY Soeum**, 16 December 2014, p. 15. **Case File No. 004-D219/337**, Written Record of Interview of Witness **RIEM DY**, 25 May 2015, pp. 05-06.
- <sup>1598</sup> **Case File No. 004-D219/337**, Written Record of Interview of Witness **RIEM DY**, 25 May 2015, pp. 05-06.
- <sup>1599</sup> **Case File No. 004-D219/939**, Written Record of Interview of Witness **SĒK Muntha**, 24 February 2017, pp. 14-16.
- <sup>1600</sup> **Case File No. 004-D1.3.10.15** DC-Cam Report, Mapping Project: Battambang province, August 1998 and December 1998, pp. 04, 09.

- <sup>1601</sup> **Case File No. 004-D219/895**, Written Record of Interview of Witness **KHIM Lumtaun**, 15 January 2017, pp. 07-08.
- <sup>1602</sup> **Case File No. 004-D219/125**, Written Record of Interview of Civil Party Applicant **SREY Soeum**, 16 December 2014, pp. 10-12.
- <sup>1603</sup> **Case File No. 004-D219/304**, Written Record of Interview of Witness **IM Bunchhoeun**, 06 May 2015, p. 03-04. **Case File No. 004-D219/333**, Written Record of Interview of Civil Party Applicant **TIEV Vieng**, 21 May 2015, pp. 04-05.
- <sup>1604</sup> **Case File No. 004-D219/304**, Written Record of Interview of Witness **IM Bunchhoeun**, 06 May 2015, p. 03. **Case File No. 004-D219/337**, Written Record of Interview of Witness **RIEM DY**, 25 May 2015, pp. 05-06. **Case File No. 004-D219/333**, Written Record of Interview of Civil Party Applicant **TIEV Vieng**, 21 May 2015, pp. 04-05.
- <sup>1605</sup> **Case File No. 004-D219/309**, Written Record of Interview of Civil Party Applicant **SAOY Yèn**, 08 May 2015, pp. 04-05.
- <sup>1606</sup> **Case File No. 004-D219/61**, Written Record of Interview of Witness **CHHAOM Soda**, 30 October 2014, pp. 03-05.
- <sup>1607</sup> **Case File No. 004-D219/798**, Written Record of Interview of Witness **NGĪN Chheuy**, 20 July 2016, pp. 07-08. **Case File No. 004-D219/61**, Written Record of Interview of Witness **CHHAOM Soda**, 30 October 2014, pp. 03-04. **Case File No. 004-D219/337**, Written Record of Interview of Witness **RIEM DY**, 25 May 2015, p. 05.
- <sup>1608</sup> **Case File No. 004-D1.3.10.15**, DC-Cam Report, Mapping Project: Battambang province, August 1998 and December 1998, p. 11 (the Office of the Co-Prosecutors' witness who was a mobile soldier during the Khmer Rouge Regime). **Case File No. 004-D118/240**, Written Record of Interview of Civil Party Applicant **HOEY San**, 19 May 2014, pp. 09-12. 08-09. **Case File No. 004-D219/125**, Written Record of Interview of Civil Party Applicant **SREY Soeum**, 16 December 2014, pp. 06-08. **Case File No. 004-D219/798**, Written Record of Interview of Witness **NGĪN Chheuy**, 20 July 2016, pp. 07-08. **Case File No. 004-D219/61**, Written Record of Interview of Witness **CHHAOM Soda**, 30 October 2014, pp. 03-08. 03-07. **Case File No. 004-D219/337**, Written Record of Interview of Witness **RIEM DY**, 25 May 2015, p. 05.
- <sup>1609</sup> **Case File No. 004-D219/337**, Written Record of Interview of Witness **RIEM DY**, 25 May 2015, p. 05. **Case File No. 004-D219/302**, Written Record of Interview of Civil Party Applicant **KHOEUN Choem**, 05 May 2015, p. 04.
- <sup>1610</sup> **Case File No. 004-D1.3.10.15** DC-Cam Report on Mapping Project 1998, 17 August 1998, p. 11. **Case File No. 004-D219/61**, Written Record of Interview of Witness **CHHAOM Soda**, 30 October 2014, pp. 03-05.
- <sup>1611</sup> **Case File No. 004-D219/125**, Written Record of Interview of Civil Party Applicant **SREY Soeum**, 16 December 2014, pp. 22-24, 25. **Case File No. 004-D219/304**, Written Record of Interview of Witness **IM Bunchhoeun**, 06 May 2015, p. 03.
- <sup>1612</sup> **Case File No. 004-D219/125**, Written Record of Interview of Civil Party Applicant **SREY Soeum**, 16 December 2014, pp. 23-24.
- <sup>1613</sup> **Case File No. 004-D219/333**, Written Record of Interview of Civil Party Applicant **TIEV Vieng**, 21 May 2015, pp. 04-05. **Case File No. 004-D219/125**, Written Record of Interview of Civil Party Applicant **SREY Soeum**, 16 December 2014, pp. 22-24.
- <sup>1614</sup> **Case File No. 004-D219/333**, Written Record of Interview of Civil Party Applicant **TIEV Vieng**, 21 May 2015, pp. 04-05.
- <sup>1615</sup> **Case File No. 004-D219/125**, Written Record of Interview of Civil Party Applicant **SREY Soeum**, 16 December 2014, pp. 28-29. **Case File No. 004-D219/61**, Written Record of Interview of Witness **CHHAOM Soda**, 30 October 2014, pp. 03-06.
- <sup>1616</sup> **Case File No. 004-D1.3.11.23**, Interview Notes of **KIM Heng** by the Office of the Co-Prosecutors-00034, 03 August 2012, pp. 07-08.
- <sup>1617</sup> **Case File No. 004-D219/939**, Written Record of Interview of Witness **SĒK Muntha**, 24 February 2017, pp. 19-20.
- <sup>1618</sup> **Case File No. 004-D219/61**, Written Record of Interview of Witness **CHHAOM Soda**, 30 October 2014, p. 07.
- <sup>1619</sup> **Case File No. 004-D219/895**, Written Record of Interview of Witness **KHIM Lumtaun**, 15 January 2017, pp. 07-08.

<sup>1620</sup> **Case File No. 004-D219/61**, Written Record of Interview of Witness **CHHAOM Soda**, 30 October 2014, p. 06. **Case File No. 004-D1.3.10.15**, DC-Cam document, Mapping Project: Battambang, August 1998 and December 1998, pp. 10-11 (Office of the Co-Prosecutors' witness-00305: shows the former prison guards/the people who killed two people in Pou Langka Pagoda. They are still alive. They are Comrade Sim and Comrade Mao).

<sup>1621</sup> **Case File No. 004-D118/298**, Written Record of Interview of Civil Party Applicant **KHIEM Bau**, 01 September 2014, pp. 08-09.

<sup>1622</sup> **Case File No. 004-D219/125**, Written Record of Interview of Civil Party Applicant **SREY Soeum**, 16 December 2014, pp. 25-26.

<sup>1623</sup> **Case File No. 004-D219/333**, Written Record of Interview of Civil Party Applicant **TIEV Vieng**, 21 May 2015, pp. 04-05.

<sup>1624</sup> **Case File No. 004-D219/404**, Written Record of Interview of Witness **HOEUNG Sambo**, 09 July 2015, pp. 14-15. **Case File No. 004-D1.3.10.15** DC-Cam Report, Mapping Project: Battambang province, August 1998 and December 1998, p. 11 (the Office of the Co-Prosecutors' witness-00304 who was a mobile soldier during the Khmer Rouge Regime). **Case File No. 004-D118/240**, Written Record of Interview of Civil Party Applicant **HOEY San**, 19 May 2014, pp. 09-12.

<sup>1625</sup> **Case File No. 004-D219/895**, Written Record of Interview of Witness **KHIM Lumtaun**, 15 January 2017, pp. 07-08.

<sup>1626</sup> **Case File No. 004-D219/333**, Written Record of Interview of Civil Party Applicant **TIEV Vieng**, 21 May 2015, pp. 04-05.

<sup>1627</sup> **Case File No. 004-D219/333**, Written Record of Interview of Civil Party Applicant **TIEV Vieng**, 21 May 2015, pp. 04-05.

<sup>1628</sup> **Case File No. 004-D219/333**, Written Record of Interview of Civil Party Applicant **TIEV Vieng**, 21 May 2015, pp. 05-06.

<sup>1629</sup> **Case File No. 004-D219/125**, Written Record of Interview of Civil Party Applicant **SREY Soeum**, 16 December 2014, pp. 27-28.

<sup>1630</sup> **Case File No. 004-D219/125**, Written Record of Interview of Civil Party Applicant **SREY Soeum**, 16 December 2014, pp. 25-26.

<sup>1631</sup> **Case File No. 004-D219/302**, Written Record of Interview of Civil Party Applicant **KHOEUN Choem**, 05 May 2015, p. 04. **Case File No. 004-D219/337**, Written Record of Interview of Witness **RIEM DY**, 25 May 2015, p. 07.

<sup>1632</sup> **Case File No. 004-D219/125**, Written Record of Interview of Civil Party Applicant **SREY Soeum**, 16 December 2014, pp. 27-28.

<sup>1633</sup> **Case File No. 004-D1.3.11.23**, Interview Notes of **KIM Heng** by the Office of the Co-Prosecutors-00034, 03 August 2012, p. 06.

<sup>1634</sup> **Case File No. 004-D219/333**, Written Record of Interview of Civil Party Applicant **TIEV Vieng**, 21 May 2015, pp. 05-06.

<sup>1635</sup> **Case File No. 004-D219/125**, Written Record of Interview of Civil Party Applicant **SREY Soeum**, 16 December 2014, pp. 27-28. **Case File No. 004-D219/302**, Written Record of Interview of Civil Party Applicant **KHOEUN Choem**, 05 May 2015, p. 04.

<sup>1636</sup> **Case File No. 004-D219/125**, Written Record of Interview of Civil Party Applicant **SREY Soeum**, 16 December 2014, pp. 27-28.

<sup>1637</sup> **Case File No. 004-D219/302**, Written Record of Interview of Civil Party Applicant **KHOEUN Choem**, 05 May 2015, p. 04. **Case File No. 004-D219/304**, Written Record of Interview of Witness **IM Bunchhoeun**, 06 May 2015, p. 03. **Case File No. 004-D219/61**, Written Record of Interview of Witness **CHHAOM Soda**, 30 October 2014, pp. 03-06.

<sup>1638</sup> **Case File No. 004-D219/125**, Written Record of Interview of Civil Party **SREY Soeum**, 16 December 2014, pp. 06-08.

<sup>1639</sup> **Case File No. 004-D219/341**, Written Record of Interview of Witness **NUK Sangav**, 27 May 2015, p. 06.

<sup>1640</sup> **Case File No. 004-D219/61**, Written Record of Interview of Witness **CHHAOM Soda**, 30 October 2014, pp. 03-04, 08.

<sup>1641</sup> **Case File No. 004-D219/404**, Written Record of Interview of Witness **HOEUNG Sambo**, 09 July 2015, pp. 07-08.

- <sup>1642</sup> **Case File No. 004-D5/95/1**, Victim Support Section's Report on Civil Party **TEAV Vieng**, 29 June 2011, p. 03.
- <sup>1643</sup> **Case File No. 004-D219/61**, Written Record of Interview of Witness **CHHAOM Soda**, 30 October 2014, pp. 10-11.
- <sup>1644</sup> **Case File No. 004-D5/94/1**, Victim Support Section on Civil Party **SOK Bunra (SOK Bunran)**, 29 June 2011, p. 03.
- <sup>1645</sup> **Case File No. 004-D219/307**, Written Record of Interview of Witness **PÀLL Yung**, 09 May 2015, pp. 05-06. **Case File No. 004-D219/125**, Written Record of Interview of Civil Party Applicant **SREY Soeum**, 16 December 2014, pp. 06-08. **Case File No. 004-D5/92/1**, Victim Support Section on Civil Party **SEY Sang**, 29 June 2011, p. 02.
- <sup>1646</sup> **Case File No. 004-D219/895**, Written Record of Interview of Witness **KHIM Lumtaun**, 15 January 2017, pp. 07-08.
- <sup>1647</sup> **Case File No. 004-D1.3.10.15**, DC-Cam Report, Mapping Project: Battambang province, August 1998 and December 1998, p. 11 (the Office of the Co-Prosecutors' witness-00304 saw one to four truck load of victims being transported from the West Zone along National Road No. 5. to be killed every day).
- <sup>1648</sup> **Case File No. 004-D5/95/1**, Victim Support Section's Report on Civil Party **TEAV Vieng**, 29 June 2011, p. 03.
- <sup>1649</sup> **Case File No. 004-D219/333**, Written Record of Interview of Civil Party Applicant **TIEV Vieng**, 21 May 2015, p. 07.
- <sup>1650</sup> **Case File No. 004-D5/1151/1**, Victim Support Section's Report on Civil Party **SOEUNG Mes** 30 August 2015, p. 02.
- <sup>1651</sup> **Case File No. 004-D1.3.11.23**, Interview Notes of **KIM Heng** by the Office of the Co-Prosecutors-00034, 03 August 2008, p. 07 (Survivor from Wat Po Langka Pagoda, who were detained there with 60 other prisoners, says that between 14 to 15 people were killed in half a month. He was detained in the prison and he has shown "many burial craves" in front of the pagoda where people were taken to be killed). The witness further elaborates that Wat Po Langka Pagoda may have been a prison for Sector 4 of the Northwest Zone because the prisoners were from various districts in Sector 4.
- <sup>1652</sup> **Case File No. 004-D219/333**, Written Record of Interview of Civil Party Applicant **TIEV Vieng**, 21 May 2015, pp. 03-04.
- <sup>1653</sup> **Case File No. 004-D219/333**, Written Record of Interview of Civil Party Applicant **TIEV Vieng**, 21 May 2015, p. 04.
- <sup>1654</sup> **Case File No. 004-D219/333**, Written Record of Interview of Civil Party Applicant **TIEV Vieng**, 21 May 2015, p. 04.
- <sup>1655</sup> **Case File No. 004-D219/25**, Written Record of Interview of Civil Party Applicant **SÂR Samay**, 09 October 2014, pp. 11-13. **Case File No. 004-D118/298**, Written Record of Interview of Civil Party Applicant **KHIEM Bau**, 01 September 2014, pp. 08-09.
- <sup>1656</sup> **Case File No. 004-D219/25**, Written Record of Interview of Civil Party Applicant **SÂR Samay**, 09 October 2014, pp. 12-13.
- <sup>1657</sup> **Case File No. 004-D219/61**, Written Record of Interview of Witness **CHHAOM Soda**, 30 October 2014, p. 06.
- <sup>1658</sup> **Case File No. 004-D5/1123/1**, Victim Support Section's Report on Civil Party **VÂN Chea**, 31 July 2014, p. 03.
- <sup>1659</sup> **Case File No. 004-D118/298**, Written Record of Interview of Civil Party Applicant **KHIEM Bau**, 01 September 2014, pp. 10-11.
- <sup>1660</sup> **Case File No. 004-D1.3.10.15** DC-Cam Report, Mapping Project: Battambang province, August 1998 and December 1998, p. 11 (the Office of the Co-Prosecutors' witness-00304 who was a mobile soldier during the Khmer Rouge Regime). **Case File No. 004-D118/240**, Written Record of Interview of Civil Party Applicant **HOEY San**, 19 May 2014, pp. 09-12.
- <sup>1661</sup> **Case File No. 004-D219/333**, Written Record of Interview of Civil Party Applicant **TIEV Vieng**, 21 May 2015, pp. 05-06.
- <sup>1662</sup> **Case File No. 004-D219/125**, Written Record of Interview of Civil Party Applicant **SREY Soeum**, 16 December 2014, pp. 28-29.
- <sup>1663</sup> **Case File No. 004-D219/125**, Written Record of Interview of Civil Party Applicant **SREY Soeum**, 16 December 2014, p. 15.

- <sup>1664</sup> **Case File No. 004-D219/125**, Written Record of Interview of Civil Party Applicant **SREY Soeum**, 16 December 2014, pp. 30-31.
- <sup>1665</sup> **Case File No. 004-D1.3.10.15**, DC-Cam Site Identification Report (Battambang province), 17 August 1998, pp. 11-12.
- <sup>1666</sup> **Case File No. 004-D1.3.10.15** DC-Cam Report, Mapping Project: Battambang province, August 1998 and December 1998, pp. 11-12 (Estimation by witness of the Office of the Co-Prosecutors-00305: Survivors from Wat Pou Langka Prison).
- <sup>1667</sup> **Case File No. 004-D219/63**, Written Record of Interview of Civil Party Applicant **SAO Sok**, 17 October 2014, pp. 17-19. (The witness was unclear about the full name of a person called Tith; he was a base person and was in charge of managing worksites and people). **Case File No. 004-D219/61**, Written Record of Interview of Witness **CHHAOM Soda**, 30 October 2014, pp. 11-12. **Case File No. 004-D118/240**, Written Record of Interview of Civil Party Applicant **HOEY San**, 19 May 2014, pp. 15-17. **Case File No. 004-D118/298**, Written Record of Interview of Civil Party Applicant **KHIEM Bau**, 01 September 2014, pp. 19-20.
- <sup>1668</sup> **Case File No. 004-D219/798**, Written Record of Interview of Witness **NGĪN Chheuy**, 20 July 2016, pp. 07-08.
- <sup>1669</sup> **Case File No. 004-D219/3**, Written Record of Interview of Civil Party Applicant **KEU Seung**, 10 September 2014, pp. 16-17. **Case File No. 004-D219/42**, Written Record of Interview of Civil Party Applicant **CHECH Sopha**, 13 October 2014, pp. 06-07. **Case File No. 004-D219/46**, Written Record of Interview of Civil Party Applicant **SORM Vănna**, 17 October 2014, pp. 04-05, 11-12.
- <sup>1670</sup> **Case File No. 004-D219/42**, Written Record of Interview of Civil Party Applicant **CHECH Sopha**, 13 October 2014, pp. 15-16. **Case File No. 004-D219/46**, Written Record of Interview of Civil Party Applicant **SORM Vănna**, 17 October 2014, pp. 04-05, 11-12.
- <sup>1671</sup> **Case File No. 004-D219/46**, Written Record of Interview of Civil Party Applicant **SORM Vănna**, 17 October 2014, pp. 04-05, 11-12.
- <sup>1672</sup> **Case File No. 004-D219/3**, Written Record of Interview of Civil Party Applicant **KEU Seung**, 10 September 2014, pp. 03-09.
- <sup>1673</sup> **Case File No. 004-D219/3**, Written Record of Interview of Civil Party Applicant **KEU Seung**, 10 September 2014, p. 10-11.
- <sup>1674</sup> **Case File No. 004-D219/3**, Written Record of Interview of Civil Party Applicant **KEU Seung**, 10 September 2014, pp. 03-05, 08-09. **Case File No. 004-D219/42**, Written Record of Interview of Civil Party Applicant **CHECH Sopha**, 13 October 2014, pp. 15-16.
- <sup>1675</sup> **Case File No. 004-D219/46**, Written Record of Interview of Civil Party Applicant **SORM Vănna**, 17 October 2014, pp. 05-06.
- <sup>1676</sup> **Case File No. 004-D219/42**, Written Record of Interview of Civil Party Applicant **CHECH Sopha**, 13 October 2014, pp. 18-19.
- <sup>1677</sup> **Case File No. 004-D219/3**, Written Record of Interview of Civil Party Applicant **KEU Seung**, 10 September 2014, pp. 08-09.
- <sup>1678</sup> **Case File No. 004-D219/42**, Written Record of Interview of Civil Party Applicant **CHECH Sopha**, 13 October 2014, pp. 07-09.
- <sup>1679</sup> **Case File No. 004-D219/3**, Written Record of Interview of Civil Party Applicant **KEU Seung**, 10 September 2014, pp. 11-13.
- <sup>1680</sup> **Case File No. 004-D219/3**, Written Record of Interview of Civil Party Applicant **KEU Seung**, 10 September 2014, pp. 11-13.
- <sup>1681</sup> **Case File No. 004-D219/3**, Written Record of Interview of Civil Party Applicant **KEU Seung**, 10 September 2014, pp. 12-13.
- <sup>1682</sup> **Case File No. 004-D219/42**, Written Record of Interview of Civil Party Applicant **CHECH Sopha**, 13 October 2014, pp. 15-18.
- <sup>1683</sup> **Case File No. 004-D219/3**, Written Record of Interview of Civil Party Applicant **KEU Seung**, 10 September 2014, pp. 17-21.
- <sup>1684</sup> **Case File No. 004-D219/3**, Written Record of Interview of Civil Party Applicant **KEU Seung**, 10 September 2014, pp. 17-21.
- <sup>1685</sup> **Case File No. 004-D219/46**, Written Record of Interview of Civil Party Applicant **SORM Vănna**, 17 October 2014, pp. 15-16.

- <sup>1686</sup> **Case File No. 004-D219/46**, Written Record of Interview of Civil Party Applicant **SORM Vanna**, 17 October 2014, pp. 15-16.
- <sup>1687</sup> **Case File No. 004-D219/42**, Written Record of Interview of Civil Party Applicant **CHECH Sopha**, 13 October 2014, pp. 18-19.
- <sup>1688</sup> **Case File No. 004-D219/42**, Written Record of Interview of Civil Party Applicant **CHECH Sopha**, 13 October 2014, pp. 18-22. **Case File No. 004-D219/46**, Written Record of Interview of Civil Party Applicant **SORM Vanna**, 17 October 2014, pp. 16-17.
- <sup>1689</sup> **Case File No. 004-D219/46**, Written Record of Interview of Civil Party Applicant **SORM Vanna**, 17 October 2014, pp. 11-13.
- <sup>1690</sup> **Case File No. 004-D219/42**, Written Record of Interview of Civil Party Applicant **CHECH Sopha**, 13 October 2014, pp. 15-18.
- <sup>1691</sup> **Case File No. 004-D219/3**, Written Record of Interview of Civil Party Applicant **KEU Seung**, 10 September 2014, p. 24-25. **Case File No. 004-D219/42**, Written Record of Interview of Civil Party Applicant **CHECH Sopha**, 13 October 2014, pp. 15-16.
- <sup>1692</sup> **Case File No. 004-D219/46**, Written Record of Interview of Civil Party Applicant **SORM Vanna**, 17 October 2014, pp. 08-09.
- <sup>1693</sup> **Case File No. 004-D219/182**, Written Record of Interview of Witness **UON Heav**, 10 February 2015, pp. 10-11. **Case File No. 004-D219/279**, Written Record of Interview of Witness **KOU Molly**, 24 April 2015, p. 04. **Case File No. 004-D219/58**, Written Record of Interview of Civil Party Applicant **YIM Sovann**, 03 November 2014, p. 03-04. **Case File No. 004-D219/340**, Written Record of Interview of Witness **KE Y**, 26 May 2015, pp. 06-07.
- <sup>1694</sup> **Case File No. 004-D219/555**, Written Record of Interview of Civil Party **KER Tin**, 22 October 2015, pp. 11-12.
- <sup>1695</sup> **Case File No. 004-D219/279**, Written Record of Interview of Witness **KOU Molly**, 24 April 2015, p. 07. **Case File No. 004-D219/265**, Written Record of Interview of Witness **KHOEM Sarun**, 06 April 2015, p. 04. **Case File No. 004-D219/340**, Written Record of Interview of Witness **KE Y**, 26 May 2015, pp. 09-10. **Case File No. 004-D219/553**, Written Record of Interview of Civil Party **KY Pengly**, 20 October 2015, pp. 16-17. **Case File No. 004-D2.1.84b**, Summary of Complaint of **EAR Roth**, 29 June 2009, p. 01.
- <sup>1696</sup> **Case File No. 004-D219/553**, Written Record of Interview of Civil Party **KY Pengly**, 20 October 2015, pp. 16-17. **Case File No. 004-D5/829/1**, Report on Civil Party Application of **KEO Horn**, 09 October 2012, pp. 01-02. **Case File No. 004-D2.1.84b**, Summary of Complaint of **EAR Roth**, 29 June 2009, p. 01.
- <sup>1697</sup> **Case File No. 004-D219/553**, Written Record of Interview of Civil Party **KY Pengly**, 20 October 2015, pp. 16-17. **Case File No. 004-D5/829/1**, Report on Civil Party Application of **KEO Horn**, 09 October 2012, pp. 01-02. **Case File No. 004-D2.1.84b**, Summary of Complaint of **EAR Roth**, 29 June 2009, p. 01.
- <sup>1698</sup> **Case File No. 004-D219/553**, Written Record of Interview of Civil Party **KY Pengly**, 20 October 2015, pp. 16-17. **Case File No. 004-D5/829/1**, Report on Civil Party Application of **KEO Horn**, 09 October 2012, pp. 01-02. **Case File No. 004-D2.1.84b**, Summary of Complaint of **EAR Roth**, 29 June 2009, p. 01.
- <sup>1699</sup> **Case File No. 004-D5/829/1**, Report on Civil Party Application of **KEO Horn**, 09 October 2012, p. 01-02.
- <sup>1700</sup> **Case File No. 004-D219/58**, Written Record of Interview of Civil Party Applicant **YIM Sovann**, 03 November 2014, pp. 05-06.
- <sup>1701</sup> **Case File No. 004-D219/266**, Written Record of Interview of Civil Party **PÈN Sith**, 07 April 2015, pp. 04-05.
- <sup>1702</sup> **Case File No. 004-D219/555**, Written Record of Interview of Civil Party **KER Tin**, 22 October 2015, pp. 17-18.
- <sup>1703</sup> **Case File No. 004-D219/279**, Written Record of Interview of Witness **KOU Molly**, 24 April 2015, p. 07.
- <sup>1704</sup> **Case File No. 004-D1.3.27.11**, Report from Henri Locard entitled "Northwest Zone", May 2007, p. 25 (information from former prisoners of Prison No. 8 who were detained there for 2 years and half).
- <sup>1705</sup> **Case File No. 004-D219/553**, Written Record of Interview of Civil Party **KY Pengly**, 20 October 2015, pp. 17-18.



- <sup>1706</sup> **Case File No. 004-D219/555**, Written Record of Interview of Civil Party **KER Tin**, 22 October 2015, pp. 11-12. **Case File No. 004-D219/279**, Written Record of Interview of Witness **KOU Molly**, 24 April 2015, p. 04. **Case File No. 004-D219/58**, Written Record of Interview of Civil Party Applicant **YIM Sovann**, 03 November 2014, pp. 04-06. **Case File No. 004-D219/553**, Written Record of Interview of Civil Party **KY Pengly**, 20 October 2015, pp. 18-19. **Case File No. 004-D6.1.761**, Written Record of Interview of Civil Party Applicant **YIM Sovann**, 27 August 2009, pp. 06-07. **Case File No. 004-D5/829/1**, Report on Civil Party Application of **KEO Horn**, 09 October 2012, p. 02. **Case File No. 004-D6.1.161**, Written Record of Interview of Witness **SUY Sēngghorn**, 11 June 2008, p. 03. **Case File No. 004-D2.1.84b**, Summary of Complaint of **EAR Roth**, 29 June 2009, p. 01.
- <sup>1707</sup> **Case File No. 004-D219/279**, Written Record of Interview of Witness **KOU Molly**, 24 April 2015, p. 07.
- <sup>1708</sup> **Case File No. 004-D219/279**, Written Record of Interview of Witness **KOU Molly**, 24 April 2015, p. 08.
- <sup>1709</sup> **Case File No. 004-D219/555**, Written Record of Interview of Civil Party **KER Tin**, 22 October 2015, pp. 12-13.
- <sup>1710</sup> **Case File No. 004-D219/526**, Written Record of Interview of Civil Party **TEP Hocun**, 22 September 2015, pp. 08-09.
- <sup>1711</sup> **Case File No. 004-D219/182**, Written Record of Interview of Witness **UON Heav**, 10 February 2015, pp. 10-11. **Case File No. 004-D219/58**, Written Record of Interview of Civil Party Applicant **YIM Sovann**, 03 November 2014, pp. 06-07. **Case File No. 004-D219/554**, Written Record of Interview of Civil Party **NGÈT Kuon**, 21 October 2015, pp. 12-13.
- <sup>1712</sup> **Case File No. 004-D219/554**, Written Record of Interview of Civil Party **NGÈT Kuon**, 21 October 2015, pp. 10-11.
- <sup>1713</sup> **Case File No. 004-D219/182**, Written Record of Interview of Witness **UON Heav**, 10 February 2015, p. 12.
- <sup>1714</sup> **Case File No. 004-D219/58**, Written Record of Interview of Civil Party Applicant **YIM Sovann**, 03 November 2014, pp. 04-06. **Case File No. 004-D219/553**, Written Record of Interview of Civil Party **KY Pengly**, 20 October 2015, pp. 18-19.
- <sup>1715</sup> **Case File No. 004-D219/58**, Written Record of Interview of Civil Party Applicant **YIM Sovann**, 03 November 2014, pp. 05-06.
- <sup>1716</sup> **Case File No. 004-D219/553**, Written Record of Interview of Civil Party **KY Pengly**, 20 October 2015, pp. 19-20.
- <sup>1717</sup> **Case File No. 004-D219/183**, Written Record of Interview of Witness **SOK Khân**, 11 February 2015, pp. 14-15.
- <sup>1718</sup> **Case File No. 004-D219/265**, Written Record of Interview of Witness **KHOEM Sarun**, 06 April 2015, p. 06.
- <sup>1719</sup> **Case File No. 004-D219/182**, Written Record of Interview of Witness **UON Heav**, 10 February 2015, p. 13.
- <sup>1720</sup> **Case File No. 004-D219/553**, Written Record of Interview of Civil Party **KY Pengly**, 20 October 2015, pp. 19-20. **Case File No. 004-D219/526**, Written Record of Interview of Civil Party **TEP Hocun**, 22 September 2015, pp. 08-09.
- <sup>1721</sup> **Case File No. 004-D219/526**, Written Record of Interview of Civil Party **TEP Hocun**, 22 September 2015, pp. 08-09.
- <sup>1722</sup> **Case File No. 004-D219/553**, Written Record of Interview of Civil Party **KY Pengly**, 20 October 2015, pp. 19-20.
- <sup>1723</sup> **Case File No. 004-D219/526**, Written Record of Interview of Civil Party **TEP Hocun**, 22 September 2015, pp. 14-15.
- <sup>1724</sup> **Case File No. 004-D1.3.27.11**, Report from Henri Locard entitled “Northwest Zone”, May 2007, p. 26.
- <sup>1725</sup> **Case File No. 004-D219/58**, Written Record of Interview of Civil Party Applicant **YIM Sovann**, 03 November 2014, pp. 04-05.
- <sup>1726</sup> **Case File No. 004-D219/58**, Written Record of Interview of Civil Party Applicant **YIM Sovann**, 03 November 2014, pp. 04-05.
- <sup>1727</sup> **Case File No. 004-D219/182**, Written Record of Interview of Witness **UON Heav**, 10 February 2015, pp. 10-11.

<sup>1728</sup> **Case File No. 004-D219/58**, Written Record of Interview of Civil Party Applicant **YIM Sovann**, 03 November 2014, pp. 07-08.

<sup>1729</sup> **Case File No. 004-D219/526**, Written Record of Interview of Civil Party **TEP Hoeun**, 22 September 2015, pp. 09-10.

<sup>1730</sup> **Case File No. 004-D219/182**, Written Record of Interview of Witness **UON Heav**, 10 February 2015, p. 16.

<sup>1731</sup> **Case File No. 004-D219/340**, Written Record of Interview of Witness **KE Y**, 26 May 2015, pp. 06-08-09. **Case File No. 004-D219/279**, Written Record of Interview of Witness **KOU Molly**, 24 April 2015, p. 07. **Case File No. 004-D219/553**, Written Record of Interview of Civil Party **KY Pengly**, 20 October 2015, pp. 19-20. **Case File No. 004-D219/554**, Written Record of Interview of Civil Party **NGÈT Kuon**, 21 October 2015, pp. 13-14.

<sup>1732</sup> **Case File No. 004-D1.3.27.11**, Report from Henri Locard entitled “Northwest Zone”, May 2007, p. 26.

<sup>1733</sup> **Case File No. 004-D219/279**, Written Record of Interview of Witness **KOU Molly**, 24 April 2015, p. 06.

<sup>1734</sup> **Case File No. 004-D219/340**, Written Record of Interview of Witness **KE Y**, 26 May 2015, pp. 06-07.

<sup>1735</sup> **Case File No. 004-D219/266**, Written Record of Interview of Civil Party **PÈN Sith**, 07 April 2015, p. 06.

<sup>1736</sup> **Case File No. 004-D219/340**, Written Record of Interview of Witness **KE Y**, 26 May 2015, pp. 07-08. **Case File No. 004-D219/553**, Written Record of Interview of Civil Party **KY Pengly**, 20 October 2015, pp. 23-24.

<sup>1737</sup> **Case File No. 004-D219/526**, Written Record of Interview of Civil Party **TEP Hoeun**, 22 September 2015, pp. 08-09.

<sup>1738</sup> **Case File No. 004-D219/553**, Written Record of Interview of Civil Party **KY Pengly**, 20 October 2015, pp. 23-24.

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**Case File No. 004-D219/340**, Written Record of Interview of Witness **KE Y**, 26 May 2015, pp. 07-08.

<sup>1740</sup> **Case File No. 004-D219/554**, Written Record of Interview of Civil Party **NGÈT Kuon**, 21 October 2015, pp. 12-13.

<sup>1741</sup> **Case File No. 004-D219/340**, Written Record of Interview of Witness **KE Y**, 26 May 2015, pp. 08-09.

<sup>1742</sup> **Case File No. 004-D219/58**, Written Record of Interview of Civil Party Applicant **YIM Sovann**, 03 November 2014, pp. 11-2.

<sup>1743</sup> **Case File No. 004-D219/526**, Written Record of Interview of Civil Party **TEP Hoeun**, 22 September 2015, pp. 09-10. **Case File No. 004-D219/265**, Written Record of Interview of Witness **KHOEM Sarun**, 06 April 2015, p. 06. **Case File No. 004-D219/58**, Written Record of Interview of Civil Party Applicant **YIM Sovann**, 03 November 2014, pp. 05-06, 11-12.

<sup>1744</sup> **Case File No. 004-D219/553**, Written Record of Interview of Civil Party **KY Pengly**, 20 October 2015, pp. 22-23.

<sup>1745</sup> **Case File No. 004-D219/279**, Written Record of Interview of Witness **KOU Molly**, 24 April 2015, p. 04.

<sup>1746</sup> **Case File No. 004-D219/265**, Written Record of Interview of Witness **KHOEM Sarun**, 06 April 2015, p. 06.

<sup>1747</sup> **Case File No. 004-D219/526**, Written Record of Interview of Civil Party **TEP Hoeun**, 22 September 2015, pp. 09-10, 12-13.

<sup>1748</sup> **Case File No. 004-D6.1.761**, Written Record of Interview of Civil Party Applicant **YIM Sovann**, 27 August 2009, pp. 06-07. **Case File No. 004-D5/829/1**, Report on Civil Party Application of **KEO Horn**, 09 October 2012, p. 02. **Case File No. 004-D6.1.161**, Written Record of Interview of Witness **SUY Sēngchhorn**, 11 June 2008, p. 3. **Case File No. 004-D2.1.84b**, Summary of Complaint of **EAR Roth**, 29 June 2009, p. 01.

<sup>1749</sup> **Case File No. 004-D219/58**, Written Record of Interview of Civil Party Applicant **YIM Sovann**, 03 November 2014, pp. 08-09.

<sup>1750</sup> **Case File No. 004-D219/279**, Written Record of Interview of Witness **KOU Molly**, 24 April 2015, p. 08.

- <sup>1751</sup> **Case File No. 004-D219/182**, Written Record of Interview of Witness **UON Heav**, 10 February 2015, p. 12.
- <sup>1752</sup> **Case File No. 004-D1.3.27.11**, Report from Henri Locard entitled “Northwest Zone”, May 2007, pp. 26-27 (the witness describes how “65 people were killed. First, they were beaten from behind across the neck by axle of a cart, or axe, or hoe head. The victims then were unconscious. As for children and old people, they were killed in the morning. The witness were “held at gunpoint” to bury the dead bodies).
- <sup>1753</sup> **Case File No. 004-D219/553**, Written Record of Interview of Civil Party **KY Pengly**, 20 October 2015, pp. 18-19.
- <sup>1754</sup> **Case File No. 004-D219/526**, Written Record of Interview of Civil Party **TEP Hoeun**, 22 September 2015, pp. 12-13.
- <sup>1755</sup> **Case File No. 004-D219/526**, Written Record of Interview of Civil Party **TEP Hoeun**, 22 September 2015, pp. 12-13.
- <sup>1756</sup> **Case File No. 004-D219/555**, Written Record of Interview of Civil Party **KER Tin**, 22 October 2015, p. 18.
- <sup>1757</sup> **Case File No. 004-D219/526**, Written Record of Interview of Civil Party **TEP Hoeun**, 22 September 2015, pp. 09-10.
- <sup>1758</sup> **Case File No. 004-D6.1.161**, Written Record of Interview of Witness **SUY Sēngghorn**, 11 June 2008, p. 03.
- <sup>1759</sup> **Case File No. 004-D1.3.27.11**, Report from Henri Locard entitled “Northwest Zone”, May 2007, p. 26.
- <sup>1760</sup> **Case File No. 004-D134/6**, Site Identification Report, 17 September 2013, p. 01. **Case File No. 004-D134/1**, Written Record of Interview of Witness **UNG Chhät**, 03 September 2013, p. 03.
- <sup>1761</sup> **Case File No. 004-D134/6**, Site Identification Report, 17 September 2013, p. 01.
- <sup>1762</sup> **Case File No. 004-D134/6**, Site Identification Report, 17 September 2013, p. 01.
- <sup>1763</sup> **Case File No. 004-D134/6**, Site Identification Report, 17 September 2013, p. 02.
- <sup>1764</sup> **Case File No. 004-D65**, Co-Prosecutors' Supplementary Submission regarding Sector 1 Crime Sites and Persecution of Khmer Krom, para. 19, p. 10. **Case File No. 004-D6.1.145**, Written Record of Interview of Witness **UNG Chhät**, 31 January 2009, pp. 09-10.
- <sup>1765</sup> **Case File No. 004-D219/183**, Written Record of Interview of Witness **SOK Khân**, 11 February 2015, pp. 17-18.
- <sup>1766</sup> **Case File No. 004-D134/1**, Written Record of Interview of Witness **UNG Chhät**, 03 September 2013, p. 03.
- <sup>1767</sup> **Case File No. 004-D134/1**, Written Record of Interview of Witness **UNG Chhät**, 03 September 2013, p. 03.
- <sup>1768</sup> **Case File No. 004-D219/182**, Written Record of Interview of Witness **UON Heav**, 10 February 2015, p. 13.
- <sup>1769</sup> **Case File No. 004-D6.1.145**, Written Record of Interview of Witness **UNG Chhät**, 31 January 2009, p. 09. **Case File No. 004-D134/3**, Written Record of Interview of Witness **SAT Chhang**, 05 September 2013, pp. 11-12. **Case File No. 004-D134/5**, Written Record of Interview of Witness **HUOT Moeng**, 06 September 2013, pp. 07-08.
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<sup>1838</sup> **Case File No. 004-D118/35**, Site Identification Report, Anglong Vil Preng worksite and Chhnal Moan Execution Site, located in Ruessei Preah village, Chhnal Moan commune, Koas Krala district, Battambang province, Sector 1, Northwest Zone, 04 March 2013, pp. 14-15.

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<sup>1842</sup> **Case File No. 004-D118/35**, Site Identification Report, Anglong Vil Preng worksite and Chhnal Moan Execution Site, located in Ruessei Preah village, Chhnal Moan commune, Koas Krala district, Battambang province, Sector 1, Northwest Zone, 04 March 2013, p. 05.

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<sup>1852</sup> DC-Cam Report, Mapping Project: Battambang province, August 1998 and December 1998, p. 18.

<sup>1853</sup> DC-Cam Report, Mapping Project: Battambang province, August 1998 and December 1998.

<sup>1854</sup> DC-Cam Report, Mapping Project: Battambang province, August 1998 and December 1998.

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<sup>1881</sup> **Case File No. 004-D118/17**, Written Record of Interview of Witness **KREP Ron**, 12 February 2013, pp. 05-06.

<sup>1882</sup> **Case File No. 004-D118/17**, Written Record of Interview of Witness **KREP Ron**, 12 February 2013, pp. 04-05.

<sup>1883</sup> **Case File No. 004-D118/17**, Written Record of Interview of Witness **KREP Ron**, 12 February 2013, pp. 04-05.

<sup>1884</sup> **Case File No. 004-D118/221**, Written Record of Interview of Witness **PHĂN Yim**, 10 April 2014, pp. 14-16. **Case File No. 004-D118/17**, Written Record of Interview of Witness **KREP Ron**, 12 February 2013, pp. 04-05. **Case File No. 004-D118/7**, Written Record of Interview of Civil Party Applicant **CHEA Chanty** alias **Ty**, 15 January 2013, pp. 04-05. **Case File No. 004-D219/63**, Written Record of Interview of Civil Party Applicant **SĂO Sok**, 13 November 2014, pp. 06-07, 19-21. **Case File No. 004-D219/143**, Written Record of Interview of Witness **AUN Phălly**, 14 January 2015, pp. 04-05. **Case File No. 004-D219/417**, Written Record of Interview of Witness **MEAS Proeung**, 14 July 2015, pp. 13-14. **Case File No. 004-D219/414**, Written Record of Interview of Witness **MĂO Heang**, 10 July 2018, p. 12.

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<sup>1890</sup> **Case File No. 004-D118/17**, Written Record of Interview of Witness **KREP Ron**, 12 February 2013, pp. 05-06.

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<sup>1892</sup> **Case File No. 004-D118/17**, Written Record of Interview of Witness **KREP Ron**, 12 February 2013, pp. 05-06.

<sup>1893</sup> **Case File No. 004-D118/17**, Written Record of Interview of Witness **KREP Ron**, 12 February 2013, pp. 05-06.

<sup>1894</sup> **Case File No. 004-D219/417**, Written Record of Interview of Witness **MEAS Proeung**, 14 July 2015, pp. 15-17.

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<sup>1896</sup> **Case File No. 004-D219/310**, Written Record of Interview of Witness **VOAN Samut**, 09 May 2015, pp. 06-07.

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<sup>1898</sup> **Case File No. 004-D1.3.10.15**, DC-Cam Report on districts in Battambang province, p. 16. **Case File No. 004-D118/69**, Written Record of Interview of Witness **NUON Muon**, 30 May 2013, p. 05-07.

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<sup>1900</sup> **Case File No. 004-D118/69**, Written Record of Interview of Witness **NUON Muon**, 30 May 2013, p. 08.

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<sup>1918</sup> **Case File No. 004-D118/5**, Written Record of Interview of Witness **TUM Pheuy**, 12 January 2013, pp. 07-08. **Case File No. 004-D118/69**, Written Record of Interview of Witness **NUON Muon**, 30 May 2013, p. 04. **Case File No. 004-D118/295**, Written Record of Interview of Witness **SUM Voeut**, 23 August 2014, pp. 08-09. **Case File No. 004-D219/117**, Written Record of Interview of Witness **TOP Seung**, 08 December 2014, pp. 18-19. **Case File No. 004-D219/68**, Written Record of Interview of Witness **YOEUN Chanthou**, 17 November 2014, p. 13. **Case File No. 004-D219/172**, Written Record of Interview of Witness **TOCH Bunthy**, 12 February 2015, pp. 12-13.

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<sup>1944</sup> **Case File No. 004-D118/18**, Written Record of Interview of Witness **NUON Muon**, 13 February 2013, pp. 02-03.

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<sup>1948</sup> **Case File No. 004-D118/295**, Written Record of Interview of Witness **SUM Voeut**, 23 August 2014, pp. 08-09.

<sup>1949</sup> **Case File No. 004-D219/310**, Written Record of Interview of Witness **VOAN Samut**, 09 May 2015, p. 04.

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- <sup>1958</sup> **Case File No. 004-D219/453**, Written Record of Interview of Witness **YAT Yoeun**, 10 August 2015, p. 08.
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<sup>2052</sup> **Case File No. 004-D118/262**, Written Record of Interview of Witness **TEP Phon**, 24 June 2014, pp. 10-11.

<sup>2053</sup> **Case File No. 004-D118/198**, Written Record of Interview of Civil Party Applicant **CHHIM Srorn**, 11 March 2014, pp. 09-10 (The witness drove an ox cart with two militias, Soeun and Trou. He heard them saying that they had raped and killed a woman from the East Zone).

<sup>2054</sup> **Case File No. 004-D219/338**, Written Record of Interview of Civil Party Applicant **HÈNG My**, 25 May 2015, pp. 11-12.

<sup>2055</sup> **Case File No. 004-D118/246**, Written Record of Interview of Witness **MEAS Voern**, 24 May 2014, pp. 17-18.

<sup>2056</sup> **Case File No. 004-D118/248**, Written Record of Interview of Civil Party Applicant **LY Lon**, 30 May 2014, p. 18.

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<sup>2067</sup> **Case File No. 004-D34.1.10**, Interviewer by Steven HEDER with Interviewee **HÈNG Teav**, no date, p. 01.

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<sup>2079</sup> **Case File No. 004-D118/108**, Written Record of Witness Interview **LIM Tim**, 24 September 2013, pp. 03-05.

<sup>2080</sup> **Case File No. 004-D287/4/1.2**, Report from Henri Locard entitled “Sisophon and Battambang”, 25 July 1991, p. 02. **Case File No. 004-D1.3.3.2**, Book by **VANN Nath** entitled “A Cambodian Prison Portrait: One Year in the Khmer Rouge’s S-21”, 1998, pp. 01-33.

<sup>2081</sup> **Case File No. 004-D1.3.3.2**, Book by **VANN Nath** entitled “A Cambodian Prison Portrait: One Year in the Khmer Rouge’s S-21”, 1998, pp. 01-03.

<sup>2082</sup> **Case File No. 004-D287/4/1.2**, Report from Henri Locard entitled “Sisophon and Battambang”, 25 July 1991, p. 02. **Case File No. 004-D1.3.3.2**, Book by **VANN Nath** entitled “A Cambodian Prison Portrait: One Year in the Khmer Rouge’s S-21”, 1998, pp. 01-03.

<sup>2083</sup> **Case File No. 004-D1.3.3.2**, Book by **VANN Nath** entitled “A Cambodian Prison Portrait: One Year in the Khmer Rouge’s S-21”, 1998, p. 02.

<sup>2084</sup> **Case File No. 004-D1.3.35.1**, Written Record of Interview of Witness **VANN Nath**, 18 January 2008, pp. 02-03.

<sup>2085</sup> **Case File No. 004-D1.3.3.2**, Book by **VANN Nath** entitled “A Cambodian Prison Portrait: One Year in the Khmer Rouge’s S-21”, 1998, p. 02.

- <sup>2086</sup> **Case File No. 004-D1.3.3.2**, Book by **VANN Nath** entitled “A Cambodian Prison Portrait: One Year in the Khmer Rouge's S-21”, 1998, p. 02. **Case File No. 004-D1.3.35.4**, Written Record of Interview of Witness **VANN Nath**, 14 August 2006, p. 01.
- <sup>2087</sup> **Case File No. 004-D1.3.3.2**, Book by **VANN Nath** entitled “A Cambodian Prison Portrait: One Year in the Khmer Rouge's S-21”, 1998, p. 03.
- <sup>2088</sup> **Case File No. 004-D1.3.3.2**, Book by **VANN Nath** entitled “A Cambodian Prison Portrait: One Year in the Khmer Rouge's S-21”, 1998, p. 02.
- <sup>2089</sup> **Case File No. 004-D1.3.3.2**, Book by **VANN Nath** entitled “A Cambodian Prison Portrait: One Year in the Khmer Rouge's S-21”, 1998, pp. 01-03.
- <sup>2090</sup> **Case File No. 004-D1.3.3.2**, Book by **VANN Nath** entitled “A Cambodian Prison Portrait: One Year in the Khmer Rouge's S-21”, 1998, p. 02.
- <sup>2091</sup> **Case File No. 004-D1.3.3.2**, Book by **VANN Nath** entitled “A Cambodian Prison Portrait: One Year in the Khmer Rouge's S-21”, 1998, p. 02. **Case File No. 004-D1.3.35.1**, Written Record of Interview of Witness **VANN Nath**, 18 January 2008, p. 03.
- <sup>2092</sup> **Case File No. 004-D1.3.3.2**, Book by **VANN Nath** entitled “A Cambodian Prison Portrait: One Year in the Khmer Rouge's S-21”, 1998, pp. 01-03.
- <sup>2093</sup> **Case File No. 004-D1.3.11.28**, Interview Notes of **LIM Kimsunn**, by the Office of the Co-Prosecutors, 03 August 2008, p. 04.
- <sup>2094</sup> **Case File No. 004-D287/4/1.2**, Report from Henri Locard entitled “Sisophon and Battambang”, 25 July 1991, p. 03. **Case File No. 004-D1.3.3.2**, Book by **VANN Nath** entitled “A Cambodian Prison Portrait: One Year in the Khmer Rouge's S-21”, 1998, pp. 01-33 (A portrait shows how a deceased prisoner was carried away at S-21).
- <sup>2095</sup> **Case File No. 004-D287/4/1.2**, Report from Henri Locard entitled “Sisophon and Battambang”, 25 July 1991, p. 03. **Case File No. 004-D1.3.3.2**, Book by **VANN Nath** entitled “A Cambodian Prison Portrait: One Year in the Khmer Rouge's S-21”, 1998, pp. 01-33 (A portrait shows how a deceased prisoner was carried away at S-21).
- <sup>2096</sup> **Case File No. 004-D1.3.10.10**, DC-Cam Report entitled “Map of Killing Filed in Cambodia, 1997: Banteay Meanchey province”, 29 April 1997, p. 01. **Case File No. 004-D1.3.27.11**, Research about various prisons during the Democratic Kampuchea Regime, Northwest Zone, pp. 15-17. **Case File No. 004-D118/36**, Site Identification Report, 08 March 2013, pp. 01-02. **Case File No. 004-D219/147**, Written Record of Interview of Witness **MANN Chuon**, 15 January 2015, pp. 10-11. **Case File No. 004-D118/250**, Written Record of Interview of Witness **MUTH Voeuk**, 04 June 2014, p. 22. **Case File No. 004-D118/26**, Written Record of Interview of Witness **TANN Say**, 13 February 2013, p. 03.
- <sup>2097</sup> **Case File No. 004-D118/29**, Written Record of Interview of Witness **SÂM Sokhân**, 06 February 2013, p. 04. **Case File No. 004-D118/31**, Written Record of Interview of Witness **SÂM Sokhân**, 08 February 2013, p. 03.
- <sup>2098</sup> **Case File No. 004-D219/161**, Written Record of Interview of Witness **KHÁT Pho**, 25 January 2015, pp. 12-13. **Case File No. 004-D118/26**, Written Record of Interview of Witness **TANN Say**, 13 February 2013, p. 04.
- <sup>2099</sup> **Case File No. 004-D118/250**, Written Record of Interview of Witness **MUTH Voeuk**, 04 June 2014, 04 June 2014, p. 23. **Case File No. 004-D118/26**, Written Record of Interview of Witness **TANN Say**, 13 February 2013, p. 04. **Case File No. 004-D219/147**, Written Record of Interview of Witness **MANN Chuon**, 15 January 2015, pp. 10-11. **Case File No. 004-D1.3.10.10**, DC-Cam Report entitled “Map of Killing Filed in Cambodia, 1997: Banteay Meanchey province”, 29 April 1997, p. 05. **Case File No. 004-D1.3.27.11**, Report from **Henri Locard** entitled “Research about various prisons during the Democratic Kampuchea Regime, Northwest Zone”, May 2007, p. 16. **Case File No. 004-D118/29**, Written Record of Interview of Witness **SÂM Sokhân**, 06 February 2013, p. 04.
- <sup>2100</sup> **Case File No. 004-D118/26**, Written Record of Interview of Witness **TANN Say**, 13 February 2013, p. 04. **Case File No. 004-D118/28**, Written Record of Interview of Witness **CHHANN Chhoeun**, 11 February 2013, pp. 06-07. **Case File No. 004-D118/29**, Written Record of Interview of Witness **SÂM Sokhân**, 06 February 2013, pp. 04-05.
- <sup>2101</sup> **Case File No. 004-D118/28**, Written Record of Interview of Witness **CHHANN Chhoeun**, 11 February 2013, pp. 04-05.
- <sup>2102</sup> **Case File No. 004-D118/26**, Written Record of Interview of Witness **TANN Say**, 13 February 2013, p. 04. **Case File No. 004-D118/27**, Written Record of Interview of Witness **SREB Thlang**, 09 February

2013, pp. 03-05. **Case File No. 004-D118/28**, Written Record of Interview of Witness **CHHANN Chhoeun**, 11 February 2013, pp. 04-05. **Case File No. 004-D118/29**, Written Record of Interview of Witness **SÂM Sokhân**, 06 February 2013, p. 05. **Case File No. 004-D118/250**, Written Record of Interview of Witness **MUTH Voek**, 04 June 2014, p. 23.

<sup>2103</sup> **Case File No. 004-D118/29**, Written Record of Interview of Witness **SÂM Sokhân**, 06 February 2013, pp. 05-06. **Case File No. 004-D118/26**, Written Record of Interview of Witness **TANN Say**, 13 February 2013, p. 03. **Case File No. 004-D118/28**, Written Record of Interview of Witness **CHHANN Chhoeun**, 11 February 2013, p. 04. **Case File No. 004-D219/161**, Written Record of Interview of Witness **KHÁT Pho**, 25 January 2015, pp. 12-14. **Case File No. 004-D118/27**, Written Record of Interview of Witness **SREB Thlang**, 09 February 2013, p. 03.

<sup>2104</sup> **Case File No. 004-D118/26**, Written Record of Interview of Witness **TANN Say**, 13 February 2013, p. 04. **Case File No. 004-D118/31**, Written Record of Interview of Witness **SÂM Sokhân**, 08 February 2013, p. 06.

<sup>2105</sup> **Case File No. 004-D118/29**, Written Record of Interview of Witness **SÂM Sokhân**, 06 February 2013, p. 04. **Case File No. 004-D118/250**, Written Record of Interview of Witness **MUTH Voek**, 04 June 2014, p. 23. **Case File No. 004-D219/147**, Written Record of Interview of Witness **MANN Chuon**, 15 January 2015, pp. 09-10. **Case File No. 004-D118/36**, Site Identification Report, 08 March 2013, pp. 03-04.

<sup>2106</sup> **Case File No. 004-D118/29**, Written Record of Interview of Witness **SÂM Sokhân**, 06 February 2013, p. 06. **Case File No. 004-D118/28**, Written Record of Interview of Witness **CHHANN Chhoeun**, 11 February 2013, pp. 04-05. **Case File No. 004-D118/31**, Written Record of Interview of Witness **SÂM Sokhân**, 08 February 2013, pp. 05-06. **Case File No. 004-D219/161**, Written Record of Interview of Witness **KHÁT Pho**, 25 January 2015, pp. 20-21. **Case File No. 004-D118/36**, Site Identification Report, 08 March 2013, pp. 03-04.

<sup>2107</sup> **Case File No. 004-D118/30**, Written Record of Interview of Witness **SÂM Sokhân**, 07 February 2013, pp. 04-05. **Case File No. 004-D118/31**, Written Record of Interview of Witness **SÂM Sokhân**, 08 February 2013, pp. 05-06.

<sup>2108</sup> **Case File No. 004-D219/147**, Written Record of Interview of Witness **MANN Chuon**, 15 January 2015, pp. 11-12.

<sup>2109</sup> **Case File No. 004-D219/147**, Written Record of Interview of Witness **MANN Chuon**, 15 January 2015, pp. 11-12.

<sup>2110</sup> **Case File No. 004-D118/26**, Written Record of Interview of Witness **TANN Say**, 13 February 2013, p. 04. **Case File No. 004-D118/31**, Written Record of Interview of Witness **SÂM Sokhân**, 08 February 2013, p. 03. **Case File No. 004-D118/36**, Site Identification Report, 08 March 2013, pp. 03-04.

<sup>2111</sup> **Case File No. 004-D118/30**, Written Record of Interview of Witness **SÂM Sokhân**, 07 February 2013, p. 05. **Case File No. 004-D118/36**, Site Identification Report, 08 March 2013, pp. 03-04.

<sup>2112</sup> **Case File No. 004-D118/30**, Written Record of Interview of Witness **SÂM Sokhân**, 07 February 2013, pp. 03-04. **Case File No. 004-D118/27**, Written Record of Interview of Witness **SREB Thlang**, 09 February 2013, p. 04.

<sup>2113</sup> **Case File No. 004-D118/30**, Written Record of Interview of Witness **SÂM Sokhân**, 07 February 2013, pp. 03-04. **Case File No. 004-D118/27**, Written Record of Interview of Witness **SREBB Thlang**, 09 February 2013, p. 04. **Case File No. 004-D118/28**, Written Record of Interview of Witness **CHHANN Chhoeun**, 11 February 2013, pp. 05-06.

<sup>2114</sup> **Case File No. 004-D118/30**, Written Record of Interview of Witness **SÂM Sokhân**, 07 February 2013, pp. 03-04.

<sup>2115</sup> **Case File No. 004-D118/27**, Written Record of Interview of Witness **SREB Thlang**, 09 February 2013, p. 04. **Case File No. 004-D118/26**, Written Record of Interview of Witness **TANN Say**, 13 February 2013, p. 05.

<sup>2116</sup> **Case File No. 004-D118/27**, Written Record of Interview of Witness **SREB Thlang**, 09 February 2013, p. 05. **Case File No. 004-D118/30**, Written Record of Interview of Witness **SÂM Sokhân**, 07 February 2013, pp. 04-05.

<sup>2117</sup> **Case File No. 004-D219/147**, Written Record of Interview of Witness **MANN Chuon**, 15 January 2015, pp. 09-10. **Case File No. 004-D118/250**, Written Record of Interview of Witness **MUTH Voek**, 04 June 2014, p. 23.

- <sup>2118</sup> **Case File No. 004-D219/147**, Written Record of Interview of Witness **MANN Chuon**, 15 January 2015, pp. 12-14. **Case File No. 004-D118/26**, Written Record of Interview of Witness **TANN Say**, 13 February 2013, p. 06. **Case File No. 004-D118/250**, Written Record of Interview of Witness **MUTH Voek**, 04 June 2014, p. 24.
- <sup>2119</sup> **Case File No. 004-D219/147**, Written Record of Interview of Witness **MANN Chuon**, 15 January 2015, pp. 14-15. **Case File No. 004-D118/30**, Written Record of Interview of Witness **SÂM Sokhân**, 07 February 2013, p. 05.
- <sup>2120</sup> **Case File No. 004-D118/27**, Written Record of Interview of Witness **SREB Thlang**, 09 February 2013, p. 04. **Case File No. 004-D118/250**, Written Record of Interview of Witness **MUTH Voek**, 04 June 2014, p. 22.
- <sup>2121</sup> **Case File No. 004-D118/250**, Written Record of Interview of Witness **MUTH Voek**, 04 June 2014, p. 19.
- <sup>2122</sup> **Case File No. 004-D219/147**, Written Record of Interview of Witness **MANN Chuon**, 15 January 2015, pp. 08-09.
- <sup>2123</sup> **Case File No. 004-D118/26**, Written Record of Interview of Witness **TANN Say**, 13 February 2013, p. 05.
- <sup>2124</sup> **Case File No. 004-D219/147**, Written Record of Interview of Witness **MANN Chuon**, 15 January 2015, pp. 12-14.
- <sup>2125</sup> **Case File No. 004-D1.3.27.11**, Report from **Henri Locard** entitled “Research about various prisons during the Democratic Kampuchea Regime, Northwest Zone”, May 2007, p. 16.
- <sup>2126</sup> **Case File No. 004-D219/147**, Written Record of Interview of Witness **MANN Chuon**, 15 January 2015, pp. 12-14.
- <sup>2127</sup> **Case File No. 004-D118/31**, Written Record of Interview of Witness **SÂM Sokhân**, 08 February 2013, p. 04. **Case File No. 004-D118/26**, Written Record of Interview of Witness **TANN Say**, 13 February 2013, p. 04. **Case File No. 004-D219/161**, Written Record of Interview of Witness **KHÁT Pho**, 25 January 2015, pp. 12-13.
- <sup>2128</sup> **Case File No. 004-D1.3.27.11**, Research about various prisons during the Democratic Kampuchea Regime, Northwest Zone, pp. 16.
- <sup>2129</sup> **Case File No. 004-D118/250**, Written Record of Interview of Witness **MUTH Voek**, 04 June 2014, p. 23.
- <sup>2130</sup> **Case File No. 004-D118/26**, Written Record of Interview of Witness **TANN Say**, 13 February 2013, p. 05.
- <sup>2131</sup> **Case File No. 004-D118/29**, Written Record of Interview of Witness **SÂM Sokhân**, 06 February 2013, p. 05. **Case File No. 004-D118/31**, Written Record of Interview of Witness **SÂM Sokhân**, 08 February 2013, p. 05-06.
- <sup>2132</sup> **Case File No. 004-D118/29**, Written Record of Interview of Witness **SÂM Sokhân**, 06 February 2013, p. 05. **Case File No. 004-D118/31**, Written Record of Interview of Witness **SÂM Sokhân**, 08 February 2013, pp. 03, 04-05.
- <sup>2133</sup> **Case File No. 004-D118/27**, Written Record of Interview of Witness **SREB Thlang**, 09 February 2013, p. 03. **Case File No. 004-D118/31**, Written Record of Interview of Witness **SÂM Sokhân**, 08 February 2013, pp. 04-05.
- <sup>2134</sup> **Case File No. 004-D219/161**, Written Record of Interview of Witness **KHÁT Pho**, 25 January 2015, pp. 14-15. **Case File No. 004-D118/26**, Written Record of Interview of Witness **TANN Say**, 13 February 2013, p. 04. **Case File No. 004-D1.3.27.11**, Report from **Henri Locard** entitled “Research about various prisons during the Democratic Kampuchea Regime, Northwest Zone”, May 2007, p. 16. **Case File No. 004-D1.3.10.10**, DC-Cam Report entitled “*Map of Killing Filed in Cambodia, 1997: Banteay Meanchey province*”, 29 April 1997, p. 05.
- <sup>2135</sup> **Case File No. 004-D1.3.10.10**, DC-Cam Report entitled “*Map of Killing Filed in Cambodia, 1997: Banteay Meanchey province*”, 29 April 1997, p. 06. **Case File No. 004-D1.3.27.11**, Report from **Henri Locard** entitled “Research about various prisons during the Democratic Kampuchea Regime, Northwest Zone”, May 2007, p. 16.
- <sup>2136</sup> **Case File No. 004-D118/28**, Written Record of Interview of Witness **CHHANN Chhoeun**, 11 February 2013, pp. 07-08.
- <sup>2137</sup> **Case File No. 004-D118/28**, Written Record of Interview of Witness **CHHANN Chhoeun**, 11 February 2013, pp. 06-08.

- <sup>2138</sup> **Case File No. 004-D1.3.27.7**, DC-Cam Mapping the killing field of Cambodia, 1997: Battambang province, May 1997, pp. 01-02, 04.
- <sup>2139</sup> **Case File No. 004-D1.3.27.11**, Report from Henri Locard entitled “Research about various prisons during the Democratic Kampuchea Regime, Northwest Zone”, May 2007, p. 13.
- <sup>2140</sup> **Case File No. 004-D219/192**, Written Record of Interview of Civil Party Applicant **YOAB Sinit**, 19 February 2015, pp. 17-18.
- <sup>2141</sup> **Case File No. 004-D219/192**, Written Record of Interview of Civil Party Applicant **YOAB Sinit**, 19 February 2015, pp. 18-19.
- <sup>2142</sup> **Case File No. 004-D219/192**, Written Record of Interview of Civil Party Applicant **YOAB Sinit**, 19 February 2015, pp. 18-19. **Case File No. 004-D118/241**, Written Record of Interview of Witness **THĀCH Sok**, 19 May 2014, pp. 06-07. **Case File No. 004-D219/503**, Written Record of Interview of Civil Party Applicant **CHHOM Hun**, 14 September 2015, pp. 09-10. **Case File No. 004-D219/836**, Written Record of Interview of Witness **TOUCH Mary**, 21 September 2016, pp. 13-14.
- <sup>2143</sup> **Case File No. 004-D118/75**, Written Record of Interview of Witness **HUY Krim**, 20 June 2013, pp. 03-04.
- <sup>2144</sup> **Case File No. 004-D118/75**, Written Record of Interview of Witness **HUY Krim**, 20 June 2013, pp. 09-10.
- <sup>2145</sup> **Case File No. 004-D219/192**, Written Record of Interview of Civil Party Applicant **YOAB Sinit**, 19 February 2015, pp. 17-18.
- <sup>2146</sup> **Case File No. 004-D118/75**, Written Record of Interview of Witness **HUY Krim**, 20 June 2013, pp. 07-08.
- <sup>2147</sup> **Case File No. 004-D219/836**, Written Record of Interview of Witness **TOUCH Mary**, 21 September 2016, pp. 13-14.
- <sup>2148</sup> **Case File No. 004-D1.3.27.11**, Report from Henri Locard entitled “Research about various prisons during the Democratic Kampuchea Regime, Northwest Zone”, May 2007, p. 13.
- <sup>2149</sup> **Case File No. 004-D118/75**, Written Record of Interview of Witness **HUY Krim**, 20 June 2013, pp. 09-10.
- <sup>2150</sup> **Case File No. 004-D118/75**, Written Record of Interview of Witness **HUY Krim**, 20 June 2013, pp. 09-10.
- <sup>2151</sup> **Case File No. 004-D1.3.27.11**, Report from Henri Locard entitled “Research about various prisons during the Democratic Kampuchea Regime, Northwest Zone”, May 2007, p. 13.
- <sup>2152</sup> **Case File No. 004-D219/312**, Written Record of Interview of Witness **PĀNG Thai**, 13 May 2015, pp. 05-06.
- <sup>2153</sup> **Case File No. 004-D219/192**, Written Record of Interview of Civil Party Applicant **YOAB Sinit**, 19 February 2015, pp. 12-13, 18-19.
- <sup>2154</sup> **Case File No. 004-D1.3.27.11**, Report from Henri Locard entitled “Research about various prisons during the Democratic Kampuchea Regime, Northwest Zone”, May 2007, p. 13.
- <sup>2155</sup> **Case File No. 004-D1.3.27.11**, Report from Henri Locard entitled “Research about various prisons during the Democratic Kampuchea Regime, Northwest Zone”, May 2007, p. 13. **Case File No. 004-D118/75**, Written Record of Interview of Witness **HUY Krim**, 20 June 2013, pp. 03-05.
- <sup>2156</sup> **Case File No. 004-D118/75**, Written Record of Interview of Witness **HUY Krim**, 20 June 2013, pp. 06-07.
- <sup>2157</sup> **Case File No. 004-D1.3.27.7**, DC-Cam Mapping the killing field of Cambodia, 1997: Battambang province, May 1997, pp. 04-05. **Case File No. 004-D1.3.27.11**, Report from Henri Locard entitled “Research about various prisons during the Democratic Kampuchea Regime, Northwest Zone”, May 2007, pp. 11-12. **Case File No. 004-D118/75**, Written Record of Interview of Witness **HUY Krim**, 20 June 2013, pp. 09-10.
- <sup>2158</sup> **Case File No. 004-D119/22**, Written Record of Interview of Witness **PHAUK Kuy**, 16 March 2013, p. 03. **Case File No. 004-D119/20**, Written Record of Interview of Witness **LI Sinh**, 13 March 2013, p. 05.
- <sup>2159</sup> **Case File No. 004-D119/65**, Written Record of Interview of Witness **TUM Soeun**, 16 October 2013, pp. 28-29.
- <sup>2160</sup> **Case File No. 004-D119/33**, Written Record of Interview of Witness **CHHĪT Yoek**, 26 April 2013, p. 07. **Case File No. 004-D119/20**, Written Record of Interview of Witness **LI Sinh**, 13 March 2013, p.

04. **Case File No. 004-D119/49**, Written Record of Interview of Witness **THĪM Sâmphăt**, 08 June 2013, pp. 09-10.
- <sup>2161</sup> **Case File No. 004-D119/33**, Written Record of Interview of Witness **CHĪT Yoek**, 26 April 2013, p. 07. **Case File No. 004-D61**, Written Record of Interview of Witness **PAN Chhuong**, 19 August 2011, pp. 03-04. **Case File No. 004-D101/1.2**, Written Record of Interview of Witness **TOR Pĭnhâng**, 19 August 2011, p. 03. **Case File No. 004-D119/49**, Written Record of Interview of Witness **THĪM Sâmphăt**, 08 June 2013, p. 09-10.
- <sup>2162</sup> **Case File No. 004-D61**, Written Record of Interview of Witness **PAN Chhuong**, 19 August 2011, p. 04.
- <sup>2163</sup> **Case File No. 004-D119/33**, Written Record of Interview of Witness **CHĪT Yoek**, 26 April 2013, p. 07. **Case File No. 004-D119/37**, Written Record of Interview of Witness **SONG Pharăth**, 17 May 2013, p. 06. **Case File No. 004-D101/1.2**, Written Record of Interview of Witness **TOR Pĭnhâng**, 19 August 2011, pp. 02-03. **Case File No. 004-D119/65**, Written Record of Interview of Witness **TUM Soeun**, 16 October 2013, pp. 28-29, 30-31.
- <sup>2164</sup> **Case File No. 004-D119/65**, Written Record of Interview of Witness **TUM Soeun**, 16 October 2013, pp. 30-31.
- <sup>2165</sup> **Case File No. 004-D119/33**, Written Record of Interview of Witness **CHĪT Yoek**, 26 April 2013, p. 07.
- <sup>2166</sup> **Case File No. 004-D119/65**, Written Record of Interview of Witness **TUM Soeun**, 16 October 2013, pp. 30-31.
- <sup>2167</sup> **Case File No. 004-D119/33**, Written Record of Interview of Witness **CHĪT Yoek**, 26 April 2013, p. 07. **Case File No. 004-D101/1.2**, Written Record of Interview of Witness **TOR Pĭnhâng**, 19 August 2011, p. 03. **Case File No. 004-D119/49**, Written Record of Interview of Witness **THĪM Sâmphăt**, 08 June 2013, pp. 10. **Case File No. 004-D119/65**, Written Record of Interview of Witness **TUM Soeun**, 16 October 2013, pp. 30-31.
- <sup>2168</sup> **Case File No. 004-D119/23**, Written Record of Interview of Witness **BUTH Svoeuy**, 19 March 2013, pp. 04-05. **Case File No. 004-D119/14**, Written Record of Interview of Witness **CHUM Kăn** alias **Nhon**, 27 February 2013, p. 06.
- <sup>2169</sup> **Case File No. 004-D119/37**, Written Record of Interview of Witness **SONG Pharăth**, 17 May 2013, p. 06. **Case File No. 004-D119/20**, Written Record of Interview of Witness **LI Sinh**, 13 March 2013, p. 04. **Case File No. 004-D101/1.2**, Written Record of Interview of Witness **TOR Pĭnhâng**, 19 August 2011, p. 03. **Case File No. 004-D101/1.2**, Written Record of Interview of Witness **TOR Pĭnhâng**, 19 August 2011, p. 03. **Case File No. 004-D63**, Written Record of Interview of Witness **PĂNN Thy**, 19 August 2011, p. 02.
- <sup>2170</sup> **Case File No. 004-D101/1.2**, Written Record of Interview of Witness **TOR Pĭnhâng**, 19 August 2011, p. 03.
- <sup>2171</sup> **Case File No. 004-D119/65**, Written Record of Interview of Witness **TUM Soeun**, 16 October 2013, pp. 31-32.
- <sup>2172</sup> **Case File No. 004-D101/1.2**, Written Record of Interview of Witness **TOR Pĭnhâng**, 19 August 2011, p. 03. **Case File No. 004-D119/65**, Written Record of Interview of Witness **TUM Soeun**, 16 October 2013, pp. 29-30.
- <sup>2173</sup> **Case File No. 004-D119/49**, Written Record of Interview of Witness **THĪM Sâmphăt**, 08 June 2013, pp. 10, 11-12. **Case File No. 004-D119/65**, Written Record of Interview of Witness **TUM Soeun**, 16 October 2013, pp. 31-32.
- <sup>2174</sup> **Case File No. 004-D119/49**, Written Record of Interview of Witness **THĪM Sâmphăt**, 08 June 2013, p. 11.
- <sup>2175</sup> **Case File No. 004-D119/23**, Written Record of Interview of Witness **BUTH Svoeuy**, 19 March 2013, pp. 04-05. **Case File No. 004-D119/49**, Written Record of Interview of Witness **THĪM Sâmphăt**, 08 June 2013, p. 10.
- <sup>2176</sup> **Case File No. 004-D119/49**, Written Record of Interview of Witness **THĪM Sâmphăt**, 08 June 2013, pp. 11, 11-12.
- <sup>2177</sup> **Case File No. 004-D119/49**, Written Record of Interview of Witness **THĪM Sâmphăt**, 08 June 2013.
- <sup>2178</sup> **Case File No. 004-D119/49**, Written Record of Interview of Witness **THĪM Sâmphăt**, 08 June 2013, pp. 11-12.



- <sup>2179</sup> **Case File No. 004-D119/22**, Written Record of Interview of Witness **PHAUK Kuy**, 16 March 2013, p. 03.
- <sup>2180</sup> **Case File No. 004-D119/22**, Written Record of Interview of Witness **PHAUK Kuy**, 16 March 2013, p. 04.
- <sup>2181</sup> **Case File No. 004-D119/65**, Written Record of Interview of Witness **TUM Soeun**, 16 October 2013, pp. 31-32.
- <sup>2182</sup> **Case File No. 004-D119/22**, Written Record of Interview of Witness **PHAUK Kuy**, 16 March 2013, p. 04.
- <sup>2183</sup> **Case File No. 004-D119/49**, Written Record of Interview of Witness **THĪM Sâmphăt**, 08 June 2013, p. 10.
- <sup>2184</sup> **Case File No. 004-D119/22**, Written Record of Interview of Witness **PHAUK Kuy**, 16 March 2013, p. 05. **Case File No. 004-D119/49**, Written Record of Interview of Witness **THĪM Sâmphăt**, 08 June 2013, p. 10.
- <sup>2185</sup> **Case File No. 004-D281**, Written Record of Initial Appearance of **YIM Tith**, 09 December 2015. **Case File No. 004-D1**, Co-Prosecutor's Third Introductory Submission, 20 November 2008, Case File No. 004/20-11-2008/ECCC/OCIJ, submitted by the Office of the Co-Prosecutors, para. 79, p. 25, with reference to DC-Cam on 04 March 2007. **Case File No. 004-D1.3.28.4**, DC-Cam's interview with IM Chem, 04 March 2007, pp. 05-06.
- <sup>2186</sup> **Case File No. 004-D281**, Written Record of Initial Appearance of **YIM Tith**, 09 December 2015. **Case File No. 004-D1**, Co-Prosecutor's Third Introductory Submission, 20 November 2008, p. 24-25. **Case File No. 004-D1.3.28.4**, DC-Cam Document: Interview with IM Chem, 04 March 2007, pp. 05-06.
- <sup>2187</sup> **Case File No. 004-D119/33**, Written Record of Interview of Witness **CHHĪT Yoek**, 26 April 2013, p. 03-04.
- <sup>2188</sup> **Case File No. 004-D119/33**, Written Record of Interview of Witness **CHHĪT Yoek**, 26 April 2013, p. 07-08.
- <sup>2189</sup> **Case File No. 004-D119/65**, Written Record of Interview of Witness **TUM Soeun**, 16 October 2013, pp. 10-11.
- <sup>2190</sup> **Case File No. 004-D119/65**, Written Record of Interview of Witness **TUM Soeun**, 16 October 2013, pp. 19-20.
- <sup>2191</sup> **Case File No. 004-D119/94**, Written Record of Interview of Witness **BOU Măo**, 21 February 2014, p. 04.
- <sup>2192</sup> **Case File No. 004-D119/94**, Written Record of Interview of Witness **BOU Măo**, 21 February 2014, p. 06.
- <sup>2193</sup> **Case File No. 004-D119/133**, Written Record of Interview of Witness **NITH Sorth**, 03 July 2014, pp. 21-22.
- <sup>2194</sup> **Case File No. 004-D123/1/2.52**, DC-Cam Document: Interview with **PHEACH Ruos**, 17 June 2011, pp. 11-12.
- <sup>2195</sup> **Case File No. 004-D123/1/2.52**, DC-Cam Document: Interview with **PHEACH Ruos**, 17 June 2011, pp. 17-18.
- <sup>2196</sup> **Case File No. 004-D123/1/2.52**, DC-Cam Document: Interview with **PHEACH Ruos**, 17 June 2011, pp. 11-14.
- <sup>2197</sup> **Case File No. 004-D123/1/2.52**, DC-Cam Document: Interview with **PHEACH Ruos**, 17 June 2011, pp. 11-14.
- <sup>2198</sup> **Case File No. 004-D123/1/2.52**, DC-Cam Document: Interview with **PHEACH Ruos**, 17 June 2011, pp. 11-12.
- <sup>2199</sup> **Case File No. 004-D123/1/2.52**, DC-Cam Document: Interview with **PHEACH Ruos**, 17 June 2011, pp. 11-12, 17-18.
- <sup>2200</sup> **Case File No. 004-D123/1/2.52**, DC-Cam Document: Interview with **PHEACH Ruos**, 17 June 2011, pp. 11-12.
- <sup>2201</sup> **Case File No. 004-D191**, Co-Prosecutor's Supplementary Submission regarding Forced Marriage and Sexual or Gender-Based Violence, 24 April 2014, para. 9, p. 8.
- <sup>2202</sup> **Case File No. 004-D191.1.48**, Victim Support Section's Report on Civil Party **LIN Nhăk**, 30 April 2010, p. 02. **Case File No. 004-D191.1.47**, Civil Party Application of **LIN Nhăk**, 06 November 2009, p. 07. **Case File No. 004-D219/71**, Written Record of Interview of Witness **LIN Nhăk**, 19 November 2014, pp. 14-16.

- <sup>2203</sup> **Case File No. 004-D119/37**, Written Record of Interview of Witness **SONG Pharăth**, 17 May 2013, pp. 05-06. **Case File No. 004-D119/24**, Written Record of Investigation Action, 13 March 2013, pp. 01-02. **Case File No. 004-D119/27**, Written Record of Investigation Action, 19 March 2013, p. 04. **Case File No. 004-D119/52**, Written Record of Interview of Witness **MOM Chhouk**, 17 June 2013, pp. 07-08.
- <sup>2204</sup> **Case File No. 004-D119/52**, Written Record of Interview of Witness **MOM Chhouk**, 17 June 2013, p. 09.
- <sup>2205</sup> **Case File No. 004-D119/46**, Report of the Execution of Rogatory Letter, 09 May 2013, p. 02.
- <sup>2206</sup> **Case File No. 004-D119/46**, Report of the Execution of Rogatory Letter, 09 May 2013, p. 02. **Case File No. 004-D119/27**, Written Record of Investigation Action, 19 March 2013, p. 04.
- <sup>2207</sup> **Case File No. 004-D119/34**, Written Record of Interview of Witness **SĒM Laihieng**, 29 April 2013, p. 05. **Case File No. 004-D119/37**, Written Record of Interview of Witness **SONG Pharăth**, 17 May 2013, pp. 05-06. **Case File No. 004-D119/76**, Written Record of Interview of Witness **LIEM Sarĕm**, 22 January 2014, pp. 06-07.
- <sup>2208</sup> **Case File No. 004-D119/34**, Written Record of Interview of Witness **SĒM Laihieng**, 29 April 2013, p. 05.
- <sup>2209</sup> **Case File No. 004-D119/42**, Written Record of Interview of Witness **KRET Ret**, 20 May 2013, p. 04.
- <sup>2210</sup> **Case File No. 004-D119/37**, Written Record of Interview of Witness **SONG Pharăth**, 17 May 2013, pp. 03-05. **Case File No. 004-D119/42**, Written Record of Interview of Witness **KRET Ret**, 20 May 2013, p. 04. **Case File No. 004-D119/32**, Written Record of Interview of Witness **CHHIM Phān**, 24 April 2013, pp. 05-06. **Case File No. 004-D119/38**, Written Record of Interview of Witness **SOS Narĭn**, 17 May 2013, pp. 03-04.
- <sup>2211</sup> **Case File No. 004-D1.3.10.10**, DC-Cam Report: Killing Sites Mapping Project 1997, Banteay Meanchey province, 29 April 1997, p. 04.
- <sup>2212</sup> **Case File No. 004-D119/37**, Written Record of Interview of Witness **SONG Pharăth**, 17 May 2013, p. 03.
- <sup>2213</sup> **Case File No. 004-D119/37**, Written Record of Interview of Witness **SONG Pharăth**, 17 May 2013, pp. 05-06.
- <sup>2214</sup> **Case File No. 004-D119/37**, Written Record of Interview of Witness **SONG Pharăth**, 17 May 2013, pp. 05-06. **Case File No. 004-D119/24**, Written Record of Investigation Action, 13 March 2013, pp. 01-02. **Case File No. 004-D119/145**, Written Record of Interview of Civil Party Applicant **THIP Kimlun**, 21 August 2014, pp. 18-19.
- <sup>2215</sup> **Case File No. 004-D119/37**, Written Record of Interview of Witness **SONG Pharăth**, 17 May 2013, pp. 03-05. **Case File No. 004-D119/38**, Written Record of Interview of Witness **SOS Narĭn**, 17 May 2013, pp. 03-04.
- <sup>2216</sup> **Case File No. 004-D119/37**, Written Record of Interview of Witness **SONG Pharăth**, 17 May 2013, pp. 04-06.
- <sup>2217</sup> **Case File No. 004-D1.3.10.10**, DC-Cam Report: Killing Sites Mapping Project 1997, Banteay Meanchey province, 29 April 1997, p. 07.
- <sup>2218</sup> **Case File No. 004-D1.3.10.10**, DC-Cam Report: Killing Sites Mapping Project 1997, Banteay Meanchey province, 29 April 1997, p. 07.
- <sup>2219</sup> **Case File No. 004-D1.3.11.12**, Office of the Co-Prosecutors' Written Record of Interview of **CHRACH Kith**, 06 August 2008, p. 05.
- <sup>2220</sup> **Case File No. 004-D219/1**, Written Record of Interview of Civil Party Applicant **YOU Mut**, 08 September 2014, pp. 10-11. **Case File No. 004-D219/212**, Written Record of Interview of Witness **KHOP Sok**, 05 March 2015, pp. 04-05.
- <sup>2221</sup> **Case File No. 004-D219/212**, Written Record of Interview of Witness **KHOP Sok**, 05 March 2015, pp. 03-04, 04-06.
- <sup>2222</sup> **Case File No. 004-D219/387**, Written Record of Investigation Action, 26 June 2015, p. 02. **Case File No. 004-D119/133**, Written Record of Interview of Witness **NITH Sorth**, 03 July 2014, pp. 18-19.
- <sup>2223</sup> **Case File No. 004-D119/38**, Written Record of Interview of Witness **SOS Narĭn**, 17 May 2013, pp. 03-04.
- <sup>2224</sup> Other translated words for Chup include "Choup" "Chub" and "Chup". **Case File No. 004-D219/387**, Written Record of Investigation Action, 26 June 2015, pp. 01-02. **Case File No. 004-**

**D1.3.10.10**, DC-Cam Report: Killing Sites Mapping Project 1997, Banteay Meanchey province, 29 April 1997, p. 08. **Case File No. 004-D219/384**, Written Record of Interview of Witness **DIK Kuy**, 26 June 2015, pp. 04-05.

<sup>2225</sup> **Case File No. 004-D219/387**, Written Record of Investigation Action, 26 June 2015, pp. 01-02.

<sup>2226</sup> **Case File No. 004-D119/92**, Written Record of Interview of Witness **SUM Tao**, 20 February 2014, pp. 06-08. **Case File No. 004-D119/93**, Written Record of Interview of Witness **CHĂN Phon**, 20 February 2014, pp. 09-10. **Case File No. 004-D119/125**, Written Record of Interview of Witness **MÀK Vanny**, 09 May 2014, pp. 06-08.

<sup>2227</sup> **Case File No. 004-D119/92**, Written Record of Interview of Witness **SUM Tao**, 20 February 2014, pp. 07-08.

<sup>2228</sup> **Case File No. 004-D219/385**, Written Record of Interview of Witness **NUON Hoeuk**, 26 June 2015, pp. 04-06. **Case File No. 004-D119/125**, Written Record of Interview of Witness **MÀK Vanny**, 09 May 2014, pp. 06-08.

<sup>2229</sup> **Case File No. 004-D119/92**, Written Record of Interview of Witness **SUM Tao**, 20 February 2014, pp. 06-07. **Case File No. 004-D119/93**, Written Record of Interview of Witness **CHĂN Phon**, 20 February 2014, pp. 09-10. **Case File No. 004-D119/125**, Written Record of Interview of Witness **MÀK Vanny**, 09 May 2014, pp. 06-07. **Case File No. 004-D219/385**, Written Record of Interview of Witness **NUON Hoeuk**, 26 June 2015, pp. 04-05. **Case File No. 004-D219/173**, Written Record of Interview of **LIES Sdeung**, 09 February 2015, pp. 09-11.

<sup>2230</sup> Comparison of three lorries within two months at the beginning of 1978 (**Case File No. 004-D119/125**, Written Record of Interview of Witness **MÀK Vanny**, 09 May 2014, pp. 06-08); the lorries came every day or one day after another, from June or July 1978 until the end of the Democratic Kampuchea Regime (**Case File No. 004-D119/92**, Written Record of Interview of Witness **SUM Tao**, 20 February 2014, pp. 06-07.). **Case File No. 004-D219/173**, Written Record of Interview of **LIES Sdeung**, 09 February 2015, pp. 09-11. One or two lorries arrived there three days consecutively.

<sup>2231</sup> **Case File No. 004-D119/92**, Written Record of Interview of Witness **SUM Tao**, 20 February 2014, pp. 06-07. **Case File No. 004-D119/93**, Written Record of Interview of Witness **CHĂN Phon**, 20 February 2014, pp. 09-10. **Case File No. 004-D119/125**, Written Record of Interview of Witness **MÀK Vanny**, 09 May 2014, pp. 07-08. **Case File No. 004-D219/173**, Written Record of Interview of **LIES Sdeung**, 09 February 2015, pp. 09-11. **Case File No. 004-D219/385**, Written Record of Interview of Witness **NUON Hoeuk**, 26 June 2015, pp. 04-06. **Case File No. 004-D219/384**, Written Record of Interview of Witness **DIK Kuy**, 26 June 2015, pp. 04-05.

<sup>2232</sup> **Case File No. 004-D119/92**, Written Record of Interview of Witness **SUM Tao**, 20 February 2014, pp. 06-07. **Case File No. 004-D219/173**, Written Record of Interview of **LIES Sdeung**, 09 February 2015, pp. 09-11.

<sup>2233</sup> **Case File No. 004-D119/93**, Written Record of Interview of Witness **CHĂN Phon**, 20 February 2014, pp. 09-10.

<sup>2234</sup> **Case File No. 004-D119/92**, Written Record of Interview of Witness **SUM Tao**, 20 February 2014, pp. 07-08. **Case File No. 004-D119/93**, Written Record of Interview of Witness **CHĂN Phon**, 20 February 2014, pp. 09-10.

<sup>2235</sup> **Case File No. 004-D120/1**, Site Identification Report, Phnum Thum Security Centre and worksite, 05 March 2013, pp. 03-05.

<sup>2236</sup> **Case File No. 004-D120/1**, Site Identification Report, Phnum Thum Security Centre and worksite, 05 March 2013, pp. 02, 07-08.

<sup>2237</sup> **Case File No. 004-D120/1**, Site Identification Report, Phnum Thum Security Centre and worksite, 05 March 2013, p. 02.

<sup>2238</sup> **Case File No. 004-D118/8**, Written Record of Interview of Witness **SREY Vuth**, 16 January 2013, pp. 03-04.

<sup>2239</sup> **Case File No. 004-D118/8**, Written Record of Interview of Witness **SREY Vuth**, 16 January 2013, pp. 04-05. **Case File No. 004-D118/9**, Written Record of Interview of Witness **SREY Vuth**, 17 January 2013, p. 05.

<sup>2240</sup> **Case File No. 004-D118/8**, Written Record of Interview of Witness **SREY Vuth**, 16 January 2013, pp. 04-05. **Case File No. 004-D118/9**, Written Record of Interview of Witness **SREY Vuth**, 17 January 2013, pp. 03-04.

- <sup>2241</sup> **Case File No. 004-D118/9**, Written Record of Interview of Witness **SREY Vuth**, 17 January 2013, p. 07.
- <sup>2242</sup> **Case File No. 004-D118/9**, Written Record of Interview of Witness **SREY Vuth**, 17 January 2013, pp. 06-07. **Case File No. 004-D120/1**, Site Identification Report, Phnum Thum Security Centre and worksite, 05 March 2013, pp. 26-27.
- <sup>2243</sup> **Case File No. 004-D118/9**, Written Record of Interview of Witness **SREY Vuth**, 17 January 2013, p. 03-04. **Case File No. 004-D118/8**, Written Record of Interview of Witness **SREY Vuth**, 16 January 2013, pp. 04-05. **Case File No. 004-D120/1**, Site Identification Report, Phnum Thum Security Centre and worksite, 05 March 2013, pp. 26-27.
- <sup>2244</sup> **Case File No. 004-D119/108**, Written Record of Interview of Witness **SOK Rum**, 19 March 2014, pp. 26-27. **Case File No. 004-D119/115**, Written Record of Interview of Witness **TIL Hev**, 03 April 2014, pp. 08-09. **Case File No. 004-D119/118**, Written Record of Investigation Action, 03 April 2014, pp. 01-02.
- <sup>2245</sup> **Case File No. 004-D219/130**, Written Record of Interview of Civil Party Applicant **CHHÃO Chăt**, 18 December 2014, pp. 23-24.
- <sup>2246</sup> **Case File No. 004-D119/113**, Written Record of Interview of Witness **TOEM Ratanāk**, 02 April 2014, pp. 03-05. **Case File No. 004-D119/111.1**, Magazine of Documentation Center of Cambodia, Finding the Truth, Issue 9, September 2000, pp. 02-03.
- <sup>2247</sup> **Case File No. 004-D119/111**, Written Record of Interview of Witness **SAOM Lang**, 31 March 2014, p. 04. **Case File No. 004-D119/118.3**, Investigation Notes, 03 April 2014, p. 03.
- <sup>2248</sup> **Case File No. 004-D119/118**, Written Record of Investigation Action, 03 April 2014, p. 01. **Case File No. 004-D119/111**, Written Record of Interview of Witness **SAOM Lang**, 31 March 2014, pp. 05-06. **Case File No. 004-D119/115**, Written Record of Interview of Witness **TIL Hev**, 03 April 2014, pp. 08-09.
- <sup>2249</sup> **Case File No. 004-D118/25**, Written Record of Interview of Witness **TANN Say**, 12 February 2013, p. 05.
- <sup>2250</sup> **Case File No. 004-D119/118**, Written Record of Investigation Action, 03 April 2014, pp. 01-02.
- <sup>2251</sup> **Case File No. 004-D119/113**, Written Record of Interview of Witness **TOEM Ratanāk**, 02 April 2014, pp. 06-08.
- <sup>2252</sup> **Case File No. 004-D119/111**, Written Record of Interview of Witness **SAOM Lang**, 31 March 2014, pp. 06-07. **Case File No. 004-D118/25**, Written Record of Interview of Witness **TANN Say**, 12 February 2013, p. 06. **Case File No. 004-D1.3.27.11**, Report from Henri Locard entitled “Research about various prisons during the Democratic Kampuchea Regime, Northwest Zone”, May 2007, p. 15.
- <sup>2253</sup> **Case File No. 004-D119/113**, Written Record of Interview of Witness **TOEM Ratanāk**, 02 April 2014, pp. 06-08.
- <sup>2254</sup> **Case File No. 004-D119/113**, Written Record of Interview of Witness **TOEM Ratanāk**, 02 April 2014, pp. 06-08.
- <sup>2255</sup> **Case File No. 004-D119/113**, Written Record of Interview of Witness **TOEM Ratanāk**, 02 April 2014, pp. 07-08.
- <sup>2256</sup> **Case File No. 004-D118/38**, Report of the Execution of Rogatory Letter, 25 March 2013, pp. 07-09. **Case File No. 004-D1.3.10.10**, DC-Cam Report: Killing Sites Mapping Project 1997, Banteay Meanchey province, 29 April 1997, pp. 03-04. **Case File No. 004-D119/111**, Written Record of Interview of Witness **SAOM Lang**, 31 March 2014, pp. 06-07. **Case File No. 004-D119/114**, Written Record of Interview of Witness **HONG Srey**, 02 April 2014, pp. 03-04. **Case File No. 004-D119/112**, Written Record of Interview of Witness **TİL Sēngly**, 01 April 2014, pp. 07-08.
- <sup>2257</sup> **Case File No. 004-D118/38**, Report of the Execution of Rogatory Letter, 25 March 2013, pp. 07-11.
- <sup>2258</sup> **Case File No. 004-D118/38**, Report of the Execution of Rogatory Letter, 25 March 2013, pp. 07-08. **Case File No. 004-D119/114**, Written Record of Interview of Witness **HONG Srey**, 02 April 2014, p. 03.
- <sup>2259</sup> **Case File No. 004-D119/114**, Written Record of Interview of Witness **HONG Srey**, 02 April 2014, p. 03.
- <sup>2260</sup> **Case File No. 004-D119/114**, Written Record of Interview of Witness **HONG Srey**, 02 April 2014, p. 04.
- <sup>2261</sup> **Case File No. 004-D119/112**, Written Record of Interview of Witness **TİL Sēngly**, 01 April 2014, pp. 07-08.

<sup>2262</sup> **Case File No. 004-D119/111**, Written Record of Interview of Witness **SAOM Lang**, 31 March 2014, pp. 05-06.

<sup>2263</sup> **Case File No. 004-D6.1.425**, Written Record of Interview of Witness **TÀNN Than**, 18 December 2008, p. 03. **Case File No. 004-D6.1.426**, Written Record of Interview of Witness **LIV Saleang**, 18 December 2008, p. 02. **Case File No. 004-D6.1.429**, Written Record of Interview of Witness **DÀN Thēvv**, 19 December 2008, p. 03. **Case File No. 004-D6.1.430**, Written Record of Interview of Witness **KAN Thol**, 20 December 2008, p. 03. **Case File No. 004-D6.1.431**, Written Record of Interview of Witness **CHIEP Chhean**, 20 December 2008, p. 03.

<sup>2264</sup> **Case File No. 004-D119/22**, Written Record of Interview of Witness **PHAUK Kuy**, 16 March 2013, p. 03. **Case File No. 004-D119/29**, Written Record of Interview of Witness **PAN Chhuong**, 14 March 2013, p. 06. **Case File No. 004-D55**, Written Record of Interview of Witness **YANN Chănrom**, 18 August 2011, p. 02. **Case File No. 004-D119/14**, Written Record of Interview of Witness **CHUM Kăn** alias **Nhon**, 27 February 2013, p. 05. **Case File No. 004-D119/47**, Written Record of Interview of Witness **LIM Hong** alias **MEAN Sâmbâth** or **Aun**, 13 June 2013, pp. 04-06.

<sup>2265</sup> **Case File No. 004-D6.1.342**, Written Record of Interview of Witness **CHHUM Ruom**, 01 February 2009, p. 03. **Case File No. 004-D6.1.425**, Written Record of Interview of Witness **TÀNN Than**, 18 December 2008, p. 03. **Case File No. 004-D6.1.428**, Written Record of Interview of Witness **CHHIT Ĩn**, 19 December 2008, p. 03. **Case File No. 004-D6.1.431**, Written Record of Interview of Witness **CHIEP Chhean**, 20 December 2008, p. 02.

<sup>2266</sup> **Case File No. 004-D119/32**, Written Record of Interview of Witness **CHHIM Phân**, 24 April 2013, p. 03.

<sup>2267</sup> **Case File No. 004-D6.1.425**, Written Record of Interview of Witness **TÀNN Than**, 18 December 2008, p. 02. **Case File No. 004-D119/29**, Written Record of Interview of Witness **PAN Chhuong**, 14 March 2013, p. 04. **Case File No. 004-D119/33**, Written Record of Interview of Witness **CHHIT Yoeuk**, 26 April 2013, p. 04-05. **Case File No. 004-D63**, Written Record of Interview of Witness **PĂNN Thy**, 19 August 2011, p. 02. **Case File No. 004-D55**, Written Record of Interview of Witness **YANN Chănrom**, 18 August 2011, p. 02. **Case File No. 004-D59**, Written Record of Interview of Witness **LACH Kea**, 18 August 2011, p. 02. **Case File No. 004-D119/40**, Written Record of Interview of Witness **CHHAY Phan**, 19 May 2013, pp. 03-04. **Case File No. 004-D6.1.342**, Written Record of Interview of Witness **CHHUM Ruom**, 01 February 2009, p. 04.

<sup>2268</sup> **Case File No. 004-D57**, Written Record of Interview of Witness **YÈM Kimruos**, 18 August 2011, pp. 02-03. **Case File No. 004-D6.1.425**, Written Record of Interview of Witness **TÀNN Than**, 18 December 2008, p. 02. **Case File No. 004-D6.1.430**, Written Record of Interview of Witness **KAN Thol**, 20 December 2008, p. 05. **Case File No. 004-D6.1.431**, Written Record of Interview of Witness **CHIEP Chhean**, 20 December 2008, p. 02.

<sup>2269</sup> **Case File No. 004-D57**, Written Record of Interview of Witness **YÈM Kimruos**, 18 August 2011, p. 02.

<sup>2270</sup> **Case File No. 004-D6.1.426**, Written Record of Interview of Witness **LIV Saleang**, 18 December 2008, p. 02. **Case File No. 004-D61**, Written Record of Interview of Witness **PAN Chhuong**, 19 August 2011, p. 02. **Case File No. 004-D6.1.4**, Written Record of Interview of Witness **OEUN Tan**, 09 October 2008, p. 03. **Case File No. 004-D6.1.431**, Written Record of Interview of Witness **CHIEP Chhean**, 20 December 2008, p. 03.

<sup>2271</sup> **Case File No. 004-D119/22**, Written Record of Interview of Witness **PHAUK Kuy**, 16 March 2013, p. 03. **Case File No. 004-D119/41**, Written Record of Interview of Witness **TOUCH Phean**, 20 May 2013, p. 03. **Case File No. 004-D61**, Written Record of Interview of Witness **PAN Chhuong**, 19 August 2011, p. 02. **Case File No. 004-D57**, Written Record of Interview of Witness **YÈM Kimruos**, 18 August 2011, p. 02. **Case File No. 004-D59**, Written Record of Interview of Witness **LACH Kea**, 18 August 2011, p. 03. **Case File No. 004-D6.1.425**, Written Record of Interview of Witness **TÀNN Than**, 18 December 2008, p. 03. **Case File No. 004-D6.1.426**, Written Record of Interview of Witness **LIV Saleang**, 18 December 2008, p. 02. **Case File No. 004-D6.1.429**, Written Record of Interview of Witness **DÀN Thēvv**, 19 December 2008, p. 03. **Case File No. 004-D6.1.430**, Written Record of Interview of Witness **KAN Thol**, 20 December 2008, p. 03. **Case File No. 004-D6.1.433**, Written Record of Interview of Witness **NHIM Loh**, 23 December 2008, p. 03.

<sup>2272</sup> **Case File No. 004-D6.1.430**, Written Record of Interview of Witness **KAN Thol**, 20 December 2008, p. 03.

<sup>2273</sup> **Case File No. 004-D6.1.792**, Telegram 61, 1174 Characters, Telegram by Kan to respected and beloved brother”, 15 March 1978, p. 01.

<sup>2274</sup> **Case File No. 004-D6.1.425**, Written Record of Interview of Witness **TÂNN Than**, 18 December 2008, p. 03. **Case File No. 004-D6.1.426**, Written Record of Interview of Witness **LIV Saleang**, 18 December 2008, p. 03. **Case File No. 004-D6.1.430**, Written Record of Interview of Witness **KAN Thol**, 20 December 2008, p. 03.

<sup>2275</sup> **Case File No. 004-D6.1.425**, Written Record of Interview of Witness **TÂNN Than**, 18 December 2008, p. 03. **Case File No. 004-D6.1.428**, Written Record of Interview of Witness **CHHIT Ĩn**, 19 December 2008, pp. 03. **Case File No. 004-D6.1.429**, Written Record of Interview of Witness **DĂN Thēvv**, 19 December 2008, p. 03. **Case File No. 004-D6.1.431**, Written Record of Interview of Witness **CHIEP Chhean**, 20 December 2008, p. 03. **Case File No. 004-D6.1.433**, Written Record of Interview of Witness **NHIM Loh**, 23 December 2008, p. 03.

<sup>2276</sup> **Case File No. 004-D119/49**, Written Record of Interview of Witness **THĪM Sâmphăt**, 08 June 2013, pp. 03-04. **Case File No. 004-D6.1.426**, Written Record of Interview of Witness **LIV Saleang**, 18 December 2008, p. 02. **Case File No. 004-D6.1.428**, Written Record of Interview of Witness **CHHIT Ĩn**, 19 December 2008, pp. 03. **Case File No. 004-D6.1.429**, Written Record of Interview of Witness **DĂN Thēvv**, 19 December 2008, p. 03. **Case File No. 004-D6.1.430**, Written Record of Interview of Witness **KAN Thol**, 20 December 2008, pp. 02-03. **Case File No. 004-D6.1.431**, Written Record of Interview of Witness **CHIEP Chhean**, 20 December 2008, p. 02. **Case File No. 004-D6.1.433**, Written Record of Interview of Witness **NHIM Loh**, 23 December 2008, p. 03.

<sup>2277</sup> **Case File No. 004-D6.1.428**, Written Record of Interview of Witness **CHHIT Ĩn**, 19 December 2008, pp. 03. **Case File No. 004-D119/40**, Written Record of Interview of Witness **CHHAY Phan**, 19 May 2013, pp. 04-05. **Case File No. 004-D119/41**, Written Record of Interview of Witness **TOUCH Phean**, 20 May 2013, p. 03. **Case File No. 004-D55**, Written Record of Interview of Witness **YANN Chănrom**, 18 August 2011, p. 02. **Case File No. 004-D6.1.425**, Written Record of Interview of Witness **TÂNN Than**, 18 December 2008, p. 04. **Case File No. 004-D6.1.430**, Written Record of Interview of Witness **KAN Thol**, 20 December 2008, p. 03. **Case File No. 004-D6.1.431**, Written Record of Interview of Witness **CHIEP Chhean**, 20 December 2008, p. 03.

<sup>2278</sup> **Case File No. 004-D6.1.428**, Written Record of Interview of Witness **CHHIT Ĩn**, 19 December 2008, pp. 03.

<sup>2279</sup> **Case File No. 004-D6.1.433**, Written Record of Interview of Witness **NHIM Loh**, 23 December 2008, p. 03.

<sup>2280</sup> **Case File No. 004-D119/42**, Written Record of Interview of Witness **KRET Ret**, 20 May 2013, pp. 06-07. **Case File No. 004-D6.1.425**, Written Record of Interview of Witness **TÂNN Than**, 18 December 2008, p. 04. **Case File No. 004-D6.1.426**, Written Record of Interview of Witness **LIV Saleang**, 18 December 2008, p. 03. **Case File No. 004-D6.1.428**, Written Record of Interview of Witness **CHHIT Ĩn**, 19 December 2008, pp. 03. **Case File No. 004-D6.1.429**, Written Record of Interview of Witness **DĂN Thēvv**, 19 December 2008, p. 03. **Case File No. 004-D6.1.430**, Written Record of Interview of Witness **KAN Thol**, 20 December 2008, p. 04. **Case File No. 004-D6.1.431**, Written Record of Interview of Witness **CHIEP Chhean**, 20 December 2008, p. 03. **Case File No. 004-D6.1.433**, Written Record of Interview of Witness **NHIM Loh**, 23 December 2008, p. 03.

<sup>2281</sup> **Case File No. 004-D6.1.425**, Written Record of Interview of Witness **TÂNN Than**, 18 December 2008, p. 04. **Case File No. 004-D6.1.428**, Written Record of Interview of Witness **CHHIT Ĩn**, 19 December 2008, pp. 03-04.

<sup>2282</sup> **Case File No. 004-D6.1.428**, Written Record of Interview of Witness **CHHIT Ĩn**, 19 December 2008, pp. 03-04. **Case File No. 004-D6.1.430**, Written Record of Interview of Witness **KAN Thol**, 20 December 2008, p. 04.

<sup>2283</sup> **Case File No. 004-D6.1.425**, Written Record of Interview of Witness **TÂNN Than**, 18 December 2008, p. 05. **Case File No. 004-D6.1.428**, Written Record of Interview of Witness **CHHIT Ĩn**, 19 December 2008, pp. 03-04.

<sup>2284</sup> **Case File No. 004-D119/40**, Written Record of Interview of Witness **CHHAY Phan**, 19 May 2013, pp. 03-04.

<sup>2285</sup> **Case File No. 004-D119/40**, Written Record of Interview of Witness **CHHAY Phan**, 19 May 2013, pp. 03-04.

- <sup>2286</sup> **Case File No. 004-D6.1.425**, Written Record of Interview of Witness **TÂNN Than**, 18 December 2008, p. 04.
- <sup>2287</sup> **Case File No. 004-D119/33**, Written Record of Interview of Witness **CHHĪT Yoeuk**, 26 April 2013, p. 05-06.
- <sup>2288</sup> **Case File No. 004-D6.1.425**, Written Record of Interview of Witness **TÂNN Than**, 18 December 2008, p. 03. **Case File No. 004-D6.1.430**, Written Record of Interview of Witness **KAN Thol**, 20 December 2008, p. 05.
- <sup>2289</sup> **Case File No. 004-D6.1.425**, Written Record of Interview of Witness **TÂNN Than**, 18 December 2008, pp. 03-04.
- <sup>2290</sup> **Case File No. 004-D6.1.425**, Written Record of Interview of Witness **TÂNN Than**, 18 December 2008, p. 04. **Case File No. 004-D6.1.428**, Written Record of Interview of Witness **CHHIT Īn**, 19 December 2008, pp. 03-04. **Case File No. 004-D6.1.429**, Written Record of Interview of Witness **DĂN Thēv**, 19 December 2008, p. 04. **Case File No. 004-D6.1.430**, Written Record of Interview of Witness **KAN Thol**, 20 December 2008, p. 04. **Case File No. 004-D6.1.433**, Written Record of Interview of Witness **NHIM Loh**, 23 December 2008, p. 04.
- <sup>2291</sup> **Case File No. 004-D6.1.428**, Written Record of Interview of Witness **CHHIT Īn**, 19 December 2008, pp. 03-04. **Case File No. 004-D6.1.429**, Written Record of Interview of Witness **DĂN Thēv**, 19 December 2008, p. 04.
- <sup>2292</sup> **Case File No. 004-D6.1.430**, Written Record of Interview of Witness **KAN Thol**, 20 December 2008, p. 04.
- <sup>2293</sup> **Case File No. 004-D6.1.425**, Written Record of Interview of Witness **TÂNN Than**, 18 December 2008, p. 04. **Case File No. 004-D6.1.426**, Written Record of Interview of Witness **LIV Saleang**, 18 December 2008, p. 03. **Case File No. 004-D6.1.428**, Written Record of Interview of Witness **CHHIT Īn**, 19 December 2008, pp. 03-04. **Case File No. 004-D6.1.429**, Written Record of Interview of Witness **DĂN Thēv**, 19 December 2008, p. 04. **Case File No. 004-D6.1.430**, Written Record of Interview of Witness **KAN Thol**, 20 December 2008, p. 04. **Case File No. 004-D6.1.431**, Written Record of Interview of Witness **CHIEP Chhean**, 20 December 2008, p. 04.
- <sup>2294</sup> **Case File No. 004-D6.1.426**, Written Record of Interview of Witness **LIV Saleang**, 18 December 2008, p. 03. **Case File No. 004-D6.1.430**, Written Record of Interview of Witness **KAN Thol**, 20 December 2008, p. 03.
- <sup>2295</sup> **Case File No. 004-D6.1.425**, Written Record of Interview of Witness **TÂNN Than**, 18 December 2008, p. 03. **Case File No. 004-D6.1.426**, Written Record of Interview of Witness **LIV Saleang**, 18 December 2008, p. 04.
- <sup>2296</sup> **Case File No. 004-D6.1.426**, Written Record of Interview of Witness **LIV Saleang**, 18 December 2008, p. 04.
- <sup>2297</sup> **Case File No. 004-D119/23**, Written Record of Interview of Witness **BUTH Svoeuy**, 19 March 2013, pp. 03-04. **Case File No. 004-D6.1.425**, Written Record of Interview of Witness **TÂNN Than**, 18 December 2008, p. 05. **Case File No. 004-D6.1.430**, Written Record of Interview of Witness **KAN Thol**, 20 December 2008, p. 05. **Case File No. 004-D6.1.431**, Written Record of Interview of Witness **CHIEP Chhean**, 20 December 2008, p. 05.
- <sup>2298</sup> **Case File No. 004-D119/29**, Written Record of Interview of Witness **PAN Chhuong**, 14 March 2013, p. 06.
- <sup>2299</sup> **Case File No. 004-D118/65**, Written Record of Interview of Witness **CHIM Chănthoecun** alias Sim, 27 May 2013, p. 03.
- <sup>2300</sup> **Case File No. 004-D119/33**, Written Record of Interview of Witness **CHHĪT Yoeuk**, 26 April 2013, pp. 03-04, 07-08. **Case File No. 004-D118/61**, Written Record of Interview of Witness **CHIEP Chhean**, 23 May 2013, p. 05.
- <sup>2301</sup> **Case File No. 004-D6.1.161**, Written Record of Interview of Witness **SUY Sēngchhorn**, 11 June 2008, p. 05. **Case File No. 004-D6.1.148**, Site Identification Report, 17 March 2009, pp. 01, 05-06. **Case File No. 004-D6.1.143**, Written Record of Interview of Witness **CHĀK Muli**, 13 January 2009, p. 10.
- <sup>2302</sup> **Case File No. 004-D6.1.161**, Written Record of Interview of Witness **SUY Sēngchhorn**, 11 June 2008, p. 05. **Case File No. 004-D6.1.148**, Site Identification Report, 17 March 2009, pp. 01, 07. **Case File No. 004-D6.1.143**, Written Record of Interview of Witness **CHĀK Muli**, 13 January 2009, p. 10.
- <sup>2303</sup> **Case File No. 004-D6.1.148**, Site Identification Report, 17 March 2009, pp. 08-09. **Case File No. 004-D6.1.161**, Written Record of Interview of Witness **SUY Sēngchhorn**, 11 June 2008, pp. 04-05.

- <sup>2304</sup> **Case File No. 004-D6.1.148**, Site Identification Report, 17 March 2009, p. 05.
- <sup>2305</sup> **Case File No. 004-D6.1.148**, Site Identification Report, 17 March 2009, pp. 03-04.
- <sup>2306</sup> **Case File No. 004-D6.1.643**, Written Record of Interview of Witness **UNG Chhät**, 21 August 2009, p. 04.
- <sup>2307</sup> **Case File No. 004-D6.1.148**, Site Identification Report, 17 March 2009, p. 01.
- <sup>2308</sup> **Case File No. 004-D6.1.148**, Site Identification Report, 17 March 2009, p. 03.
- <sup>2309</sup> **Case File No. 004-D6.1.161**, Written Record of Interview of Witness **SUY Sēngchhorn**, 11 June 2008, p. 04. **Case File No. 004-D6.1.145**, Written Record of Interview of Witness **UNG Chhät**, 31 January 2009, pp. 04-05.
- <sup>2310</sup> **Case File No. 004-D6.1.148**, Site Identification Report, 17 March 2009, p. 02.
- <sup>2311</sup> **Case File No. 004-D6.1.137**, Written Record of Interview of Witness **LIM Sat**, 23 November 2008, pp. 02-03. **Case File No. 004-D6.1.161**, Written Record of Interview of Witness **SUY Sēngchhorn**, 11 June 2008, p. 02. **Case File No. 004-D6.1.145**, Written Record of Interview of Witness **UNG Chhät**, 31 January 2009, pp. 02-04, 05-06. **Case File No. 004-D6.1.991**, Written Record of Interview of Witness **UK Soeum** alias **SÂN Soeum**, 03 March 2010, p. 09.
- <sup>2312</sup> **Case File No. 004-D6.1.161**, Written Record of Interview of Witness **SUY Sēngchhorn**, 11 June 2008, p. 02.
- <sup>2313</sup> **Case File No. 004-D6.1.137**, Written Record of Interview of Witness **LIM Sat**, 23 November 2008, p. 02.
- <sup>2314</sup> **Case File No. 004-D6.1.161**, Written Record of Interview of Witness **SUY Sēngchhorn**, 11 June 2008, pp. 02, 04.
- <sup>2315</sup> **Case File No. 004-D219/723**, Written Record of Interview of Witness **LIM Saloeun**, 28 February 2016, pp. 03-04. **Case File No. 004-D219/895**, Written Record of Interview of Witness **KHIM Lumtaun**, 15 January 2017, p. 06.
- <sup>2316</sup> **Case File No. 004-D219/650**, Written Record of Interview of Witness **TEN Loeng**, 15 January 2016, pp. 05, 06-07, 08-09.
- <sup>2317</sup> **Case File No. 004-D219/723**, Written Record of Interview of Witness **LIM Saloeun**, 28 February 2016, p. 04. **Case File No. 004-D219/895**, Written Record of Interview of Witness **KHIM Lumtaun**, 15 January 2017, p. 04.
- <sup>2318</sup> **Case File No. 004-D219/723**, Written Record of Interview of Witness **LIM Saloeun**, 28 February 2016, pp. 04-05.
- <sup>2319</sup> **Case File No. 004-D219/723**, Written Record of Interview of Witness **LIM Saloeun**, 28 February 2016, pp. 04-05. **Case File No. 004-D219/895**, Written Record of Interview of Witness **KHIM Lumtaun**, 15 January 2017, pp. 04-05. **Case File No. 004-D219/681**, Written Record of Interview of Witness **SUON Hēng**, 02 February 2016, pp. 07-08. **Case File No. 004-D219/683**, Written Record of Interview of Witness **HĪN Non**, 04 February 2016, pp. 04-05, 09-10.
- <sup>2320</sup> **Case File No. 004-D219/895**, Written Record of Interview of Witness **KHIM Lumtaun**, 15 January 2017, p. 06.
- <sup>2321</sup> **Case File No. 004-D219/720**, Written Record of Interview of Witness **VANN Voert**, 28 February 2016, pp. 06-07.
- <sup>2322</sup> **Case File No. 004-D219/723**, Written Record of Interview of Witness **LIM Saloeun**, 28 February 2016, pp. 03-04.
- <sup>2323</sup> **Case File No. 004-D219/723**, Written Record of Interview of Witness **LIM Saloeun**, 28 February 2016, pp. 03-04, 05-06.
- <sup>2324</sup> **Case File No. 004-D219/683**, Written Record of Interview of Witness **HĪN Non**, 04 February 2016, p. 04. **Case File No. 004-D219/650**, Written Record of Interview of Witness **TEN Loeng**, 15 January 2016, p. 05.
- <sup>2325</sup> **Case File No. 004-D219/723**, Written Record of Interview of Witness **LIM Saloeun**, 28 February 2016, pp. 05-06.
- <sup>2326</sup> **Case File No. 004-D219/723**, Written Record of Interview of Witness **LIM Saloeun**, 28 February 2016, pp. 04-05.
- <sup>2327</sup> **Case File No. 004-D219/650**, Written Record of Interview of Witness **TEN Loeng**, 15 January 2016, pp. 05-06.
- <sup>2328</sup> **Case File No. 004-D219/895**, Written Record of Interview of Witness **KHIM Lumtaun**, 15 January 2017, p. 03.



- <sup>2329</sup> **Case File No. 004-D219/723**, Written Record of Interview of Witness **LIM Saloeun**, 28 February 2016, p. 05.
- <sup>2330</sup> **Case File No. 004-D219/723**, Written Record of Interview of Witness **LIM Saloeun**, 28 February 2016, pp. 05-06. **Case File No. 004-D219/895**, Written Record of Interview of Witness **KHIM Lumtaun**, 15 January 2017, p. 04-05. **Case File No. 004-D219/681**, Written Record of Interview of Witness **SUON Hēng**, 02 February 2016, p. 07. **Case File No. 004-D219/683**, Written Record of Interview of Witness **HĪN Non**, 04 February 2016, pp. 09-10. **Case File No. 004-D219/720**, Written Record of Interview of Witness **VANN Voert**, 28 February 2016, pp. 06-07.
- <sup>2331</sup> **Case File No. 004-D219/895**, Written Record of Interview of Witness **KHIM Lumtaun**, 15 January 2017, pp. 04-05.
- <sup>2332</sup> **Case File No. 004-D219/895**, Written Record of Interview of Witness **KHIM Lumtaun**, 15 January 2017, p. 05.
- <sup>2333</sup> **Case File No. 004-D219/895**, Written Record of Interview of Witness **KHIM Lumtaun**, 15 January 2017, pp. 04-05. **Case File No. 004-D219/167**, Written Record of Interview of Civil Party Applicant **KHIEM Koeuy**, 05 February 2015, pp. 09-10.
- <sup>2334</sup> **Case File No. 004-D219/650**, Written Record of Interview of Witness **TEN Loeng**, 15 January 2016, pp. 05-06.
- <sup>2335</sup> **Case File No. 004-D219/167**, Written Record of Interview of Civil Party Applicant **KHIEM Koeuy**, 05 February 2015, pp. 09-10.
- <sup>2336</sup> **Case File No. 004-D219/895**, Written Record of Interview of Witness **KHIM Lumtaun**, 15 January 2017, pp. 04-05. **Case File No. 004-D219/683**, Written Record of Interview of Witness **HĪN Non**, 04 February 2016, pp. 09-10. **Case File No. 004-D219/650**, Written Record of Interview of Witness **TEN Loeng**, 15 January 2016, pp. 05-06. **Case File No. 004-D219/167**, Written Record of Interview of Civil Party Applicant **KHIEM Koeuy**, 05 February 2015, pp. 09-10.
- <sup>2337</sup> **Case File No. 004-D219/895**, Written Record of Interview of Witness **KHIM Lumtaun**, 15 January 2017, p. 06. **Case File No. 004-D219/650**, Written Record of Interview of Witness **TEN Loeng**, 15 January 2016, pp. 06-07.
- <sup>2338</sup> **Case File No. 004-D219/895**, Written Record of Interview of Witness **KHIM Lumtaun**, 15 January 2017, p. 06.
- <sup>2339</sup> **Case File No. 004-D219/681**, Written Record of Interview of Witness **SUON Hēng**, 02 February 2016, p. 07. **Case File No. 004-D219/683**, Written Record of Interview of Witness **HĪN Non**, 04 February 2016, p. 10.
- <sup>2340</sup> **Case File No. 004-D219/167**, Written Record of Interview of Civil Party Applicant **KHIEM Koeuy**, 05 February 2015, pp. 09-10.
- <sup>2341</sup> **Case File No. 002-E96/7**, Case File No. 002/19-09-2007/ECCC/TC, Decision on Co-Prosecutors' Rule 92 Submission Regarding the Admission of Witness Statements and Other Documents before the Trial Chamber, 20 June 2012, Classification: Public, paras. 26-27, 29, reference number 48, pp. 12-14. **Case File No. 002-E162**, Trial Chamber's Response to Portions of **E114**, **E114/1**, **E131/1/9**, **E131/6**, **E136** and **E158**, 31 January 2012, Classification: Public, para. 3. **Case File No. 002-E185**, Case File No. 002/19-09-2007/ECCC/TC, Decision on Objections to Documents Proposed to be Put Before the Chamber in the Co-Prosecutors' Annexes A1-A5 and to Documents Cited in Paragraphs of the Closing Order Relevant to the First Two Trial Segments of Case 002/01, 09 April 2012, Classification: Public, para. 20.
- <sup>2342</sup> **Case File No. 002-E96/7**, Case File No. 002/19-09-2007/ECCC/TC, Decision on Co-Prosecutors' Rule 92 Submission Regarding the Admission of Witness Statements and Other Documents before the Trial Chamber, 20 June 2012, Classification: Public, paras. 22-23.
- <sup>2343</sup> **Case File No. 00-E185**, Case File No. 002/19-09-2007/ECCC/TC, Decision on Objections to Documents Proposed to be Put Before the Chamber in the Co-Prosecutors' Annexes A1-A5 and to Documents Cited in Paragraphs of the Closing Order Relevant to the First Two Trial Segments of Case 002/01, 09 April 2012, Classification: Public, para. 28.
- <sup>2344</sup> **Case File No. 002- F36**, Appeal Judgement of Supreme Court Chamber of the Extraordinary Chambers in the Courts of Cambodia, Case File No. 002/19-09-2007/ECCC/SC, 23 November 2016, Classification: Public, para. 296, pp. 136-138.

<sup>2345</sup> **Case File No. 002- F36**, Appeal Judgement of Supreme Court Chamber of the Extraordinary Chambers in the Courts of Cambodia, Case File No. 002/19-09-2007/ECCC/SC, 23 November 2016, Classification: Public, para. 296, pp. 136-138.

<sup>2346</sup> **Case File No. 002- F36**, Appeal Judgement of Supreme Court Chamber of the Extraordinary Chambers in the Courts of Cambodia, Case File No. 002/19-09-2007/ECCC/SC, 23 November 2016, Classification: Public, para. 457, pp. 209-210.

<sup>2347</sup> **Case File No. 002- F36**, Appeal Judgement of Supreme Court Chamber of the Extraordinary Chambers in the Courts of Cambodia, Case File No. 002/19-09-2007/ECCC/SC, 23 November 2016, Classification: Public, para. 550, pp. 249-250.

<sup>2348</sup> **Case File No. 002-D130/9/21**, Criminal Case File No. 002/19-09-2007/ECCC/OCIJ (PTC 26), Decision on Admissibility of the Appeal against the Co-Investigating Judges' Order on Use of Statements Which Were or May Have been Obtained by Torture, 18 December 2009, Classification: public, para. 30. **Case File No. 001-E1/27.1**, Transcript of trial proceedings of Charged Person KAING Guek Eav alias Duch, 28 May 2009, pp. 04-07. **Case File No. 001-E176**, Case File No. 002/18-07-2007/ECCC/TC, Decision on Parties Request to Put Certain Materials Before the Chamber Pursuant to Internal Rule 87(2), Classification: public, 28 October 2009, para. 8. **Case File No. 002-E1/129.1**, Case File No. 002/19-09-2007/ECCC/TC, Transcript of trial proceedings at preliminary stage, 03 October 2012, para. 74.

<sup>2349</sup> **Case File No. 002-F26/12**, Case File No. 002/19-09-2007/ECCC/TC, Decision on Objections to Document - Lists Full Reasons, Classification status: Public, 31 December 2015, para. 47. **Case File No. 002-E1/129.1**, Case File No. 002/19-09-2007/ECCC/TC, Transcript of trial proceedings at preliminary stage, 03 October 2012, para. 74.

<sup>2350</sup> **Case File No. 002-F26/12**, Case File No. 002/19-09-2007/ECCC/SC, Supreme Court Chamber's Decision on Objections to Document Lists - Full Reasons, Classification status: Public, 31 December 2015, para. 57-58.

<sup>2351</sup> **Case File No. 004-F26/12**, Case File No. 002/19-09-2007/ECCC/SC, Supreme Court Chamber's Decision on Objections to Document Lists Full Reasons, Classification status: Public, 31 December 2015, paras. 66-68.

<sup>2352</sup> One of the political reasons stated in Article 15 of the Convention against Torture is to discourage States from engaging in torture. To avoid causing problems to this policy and to ensure legality in the use of torture-tainted evidence, it is important to separate the following scenarios: 1) the situation that the information obtained through torture is used by the authority engaged in torture to find witnesses, victims, escapees, or to continue current investigations. 2) the situation that the court which investigates the tortures attempts to use information obtained through tortures to identify types of evidence against them. The permission to use information obtained through torture as a clue of investigation in the first scenario may encourage the use of torture. For example, if an investigative body receives answers through torture and uses names implicated and obtained from the torture to find documents or people related to the investigation, such documents and testimonies shall not be used as evidence in any legal proceedings. However, in the second scenario, the court has no involvement, directly or indirectly, with the authority conducting the torture, and uses the information as a clue to seek evidence against the torture. It is our view that evidence obtained from witnesses located based on torture-related answers can be used in the second scenario only.

<sup>2353</sup> **Case File No. 002-E350/8**, Case File No. 002/19-09-2007/ECCC/TC, Trial Chamber's Decision on Evidence Obtained through Torture, Classification status: Public, 05 February 2016, paras. 63, 70.

<sup>2354</sup> Article 2 of ECCC Agreement.

<sup>2355</sup> **Case File No. 001-F28**, Appeal Judgement in Case 001, 3 February 2012, para. 57.

<sup>2356</sup> **Case File No. 001-F28**, Appeal Judgement in Case 001, 03 February 2012, para. 61.

<sup>2357</sup> **Case File No. 001-F28**, Appeal Judgement in Case 001, 03 February 2012, paras. 79-81. However, we note that the Judgement in Case 001 and Judgement in Case 002/01 are not referred to Internal Rule 98(7).

<sup>2358</sup> **Case File No. 001-F28**, Appeal Judgement in Case 001, 03 February 2012, para. 62, *"First, there is no objective method for the Trial Chamber to decide on, compare, and then rank the criminal responsibility of all Khmer Rouge officials. Second, the notion of comparative criminal responsibility is inconsistent with Article 29 of the ECCC Law, which states, "[t]he position or rank of any Suspect shall*

*not relieve such person of criminal responsibility or mitigate punishment.*” We also questioned the validity of the reference to Article 19 in this context.

<sup>2359</sup> Case File No. 003-D181, Consolidated Decision on MEAS Muth's Request on Personal Jurisdiction, 01 February 2016, para. 30.

<sup>2360</sup> **Case File No. 001-F28**, Appeal Judgement in Case 001, 03 February 2012, para. 71.

<sup>2361</sup> **Case File No. 002-D427/2/15**, Decision on Appeal by NUON Chea and IENG Thirith Against the Closing Order, 15 February 2011, para 103.

<sup>2362</sup> David Scheffer, the Extraordinary Chambers in the Courts of Cambodia, in M. Cherif Bassiouni, *International Criminal Law, Part 3: International Application*, 2008, 3rd ed., pp. 224-225, 240.

<sup>2363</sup> Rupert Skilbeck, Defence of Khmer Rouge, *International Criminal Law magazine*, Part 8(3), 2008, pp. 433-434.

<sup>2364</sup> Article 9 and Article 10 of the Statute of the ICTY. Article 8 and 9 of the Statute of the ICTR. Article 8 and Article 9 of the Statute of the SCSL. Article 4 and Article 5 of the Statute of the STL.

<sup>2365</sup> David Scheffer, the Extraordinary Chambers in the Courts of Cambodia, in M. Cherif Bassiouni, *International Criminal Law, Part 3: International Application*, 2008, 3rd ed., pp. 224-225, 219.

<sup>2366</sup> David Scheffer, the Extraordinary Chambers in the Courts of Cambodia, in M. Cherif Bassiouni, *International Criminal Law, Part 3: International Application*, 2008, 3rd ed., pp. 224-225, 240.

<sup>2367</sup> Prosecutor v. Milan Lukić & Sredoje Lukić, Decision on Milan Lukić's Appeal regarding Referral to ICTY Appeals Chamber (IT-98-32/1-AR11bis. 1), 11 July 2007, para. 25.

<sup>2368</sup> **Case File No. 001-F28**, Appeal Judgement in Case 001, 03 February 2012, paras. 46-56.

<sup>2369</sup> Case File No. 003-D191/18, Notice on the Interpretation of “Attack Against the Civilian Population” in the context of crimes against humanity with regard to state’s or regime’s own armed forces, 07 February 2017, para. 61.

<sup>2370</sup> Case File No. 003-D191/18, Notice on the Interpretation of “Attack Against the Civilian Population” in the context of crimes against humanity with regard to state’s or regime’s own armed forces, 07 February 2017, para. 21.

<sup>2371</sup> *see* Article 5 of Criminal Code 2009.

<sup>2372</sup> Article 22(2) of the ICC Statute: The definition of a crime shall be strictly construed and shall not be extended by analogy. In case of ambiguity, the definition shall be interpreted in favour of the person being investigated, prosecuted or convicted.

<sup>2373</sup> *See Case File No. 001-F28*, Appeal Judgement in Case 001, 03 February 2012, para. 69.

<sup>2374</sup> As an example at ECCC, the Pre-Trial Chamber once decided that the Customary Internal Law from 1975-1979 requires proof of a nexus between the underlying criminal acts against humanity and an armed conflict. *See Case File No. 002-D427/2/12*, Decision on IENG Thirith’s and NUON Chea’s Appeal against the Closing Order, 13 January 2011, p. 06. *See* corrected version of Closing Order in **Case File No. 002-D427/4/14**, Decision on KHIEU Samphan’s Appeal against the Closing Order, 13 January 2011, pp. 03-04. and **Case File No. 002-D427/1/26**, Decision on IENG Sary’s Appeal against the Closing Order, 13 January 2011, pp. 04-05. However, the Trial Chamber denied that the nexus requirement is not part of the definition of crimes against humanity from 1975-1979. *See, Case File No. 002-E95/8*, Decision on Co-Prosecutors’ Request to exclude armed conflict nexus requirement from the definition of crimes against humanity, 26 October 2011, para. 33. Similarly, even though the Trial Chamber considers rape is acknowledged as an offence under the law of ECCC, the Supreme Court Chamber decided that rape is not a crime against humanity under the unique judicial jurisdiction of the ECCC. *See Case File No. 001-E188*, Judgement, 26 July 2010, para. 366. and **Case File No. 001-F28**, Appeal Judgement in Case 001, 03 February 2012, paras. 207-213. Since then, the Pre-Trial Chamber has implemented in accordance with the decision of the Supreme Court Chamber. and **Case File No. 002-D427/1/30**, Decision on IENG Sary’s Appeal against the Closing Order, 11 April 2011, paras. 371-372. Once again, the Co-Prosecutor was seeking to define the conduct of rape as a distinct crime against humanity and expecting that the Trial Chamber would solve the problem in the Judgement in Case 002/02. *See Case File No. 002-E99*, Co-Prosecutors’ request for the Trial Chamber to recharacterize the facts establishing the conduct of rape as a crime against humanity rather than a crime against humanity of other inhumane acts, 16 June 2011. and **Case File No. 002-E124**, Severance order pursuant to internal rule 89ter, 22 September 2011, p. 04.

<sup>2375</sup> Extract from Christoph Safferling, “Nürnberg und die Zukunft des Völkerstrafrechts”, *Juristenzeitung*, Vol. 70(22), 2015, p. 1063, footnote 34.

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<sup>2376</sup> *Notissimum est, quod in delictis atrocissimis propter criminis enormitatem jura transgredi liceat.* Benedict Carpzov, *Practica nova imperialis Saxonica rerum criminalium*, 1652, Pars III, Quaestio C II.

<sup>2377</sup> Statement of the Acting International Co-Prosecutor, Submission of two new Introductory Submissions, 08 September 2009, available at [https://www.eccc.gov.kh/sites/default/files/media/ECCC\\_Act\\_Int\\_Co\\_Prosecutor\\_8\\_Sep\\_2009\\_\(Eng\).pdf](https://www.eccc.gov.kh/sites/default/files/media/ECCC_Act_Int_Co_Prosecutor_8_Sep_2009_(Eng).pdf) (last accessed on 22 March 2017)

<sup>2378</sup> “Statement by the international Co-Prosecutor regarding ECCC caseload”, 26 November 2014, available at <https://www.eccc.gov.kh/en/articles/statement-international-co-prosecutor-regarding-eccc-caseload> (last accessed on 22 March 2017).

<sup>2379</sup> see Robert Cryer, *Prosecuting International Crimes-Selectivity and the International Criminal Law Regime*, 2005, Cambridge University Press.

<sup>2380</sup> **Case File No. 004-D219/80**, Written Record of Interview of Witness **THOU Leang**, 18 November 2014, pp. 09-10.

<sup>2381</sup> **Case File No. 004-D119/30**, Written Record of Interview of Witness **PHOUN Sunty**, 20 March 2013, pp. 08-09. *See also*, **Case File No. 004-D219/153**, Written Record of Interview of Witness **IM Soeun**, 23 January 2015, pp. 10-11.

<sup>2382</sup> **Case File No. 004-D118/240**, Written Record of Interview of Civil Party Applicant **HOEY San**, 19 May 2014, pp. 13-14. **Case File No. 004-D118/155**, Written Record of Interview of Witness HAO Yân, 06 December 2013, pp. 05-08. *See also* **Case File No. 004-D219/269**, Written Record of Interview of Witness **YUN Saroeun**, 10 April 2015, pp. 05-06. **Case File No. 004-D219/125**, Written Record of Interview of Witness **MÀK Vanni**, 09 May 2014, pp. 03-04.

<sup>2383</sup> Military Court, Writ of Detention No. 15/2002 -, 22 February 2002, and Military Court, Writ of Detention No. 10/03 -, 22 February 2003.

<sup>2384</sup> Finding the Truth, draft of the Law on the Establishment of the Extraordinary Chambers, No. 13, February 2001, p. 86.

<sup>2385</sup> **Case File No. 004/1-D308/3**, Closing Order (Reasons) concerning IM Chaem in Case File No. 004/1/07-09-2009-ECCC.OCIJ, 10 July 2017, Classification: Public, at para. 35 of the Closing Order, pp. 16-17.

<sup>2386</sup> **Case File No. 004-D117/36.1.21**, Third Anniversary of the Organization of Peasant cooperatives, 20 May 1973-20 May 1976, pp. 01, 07-08. **Case File No. 004-D6.1.772**, Phnom Penh Domestic Service Broadcast entitled “NUON Chea’s Speech at Army Anniversary Meeting”, Dated 17 January 1977, Excerpts from broadcast extracts from speech by NUON Chea, Chairman of the the People's Representative Assembly Standing Committee and Acting Premier, at the 16th January 1977 Meeting marking the Cambodian Revolutionary Army Anniversary, pp. 01-02. **Case File No. 004-D6.1.475**, Written Record of Interview of Civil Party Applicant **AFFONCO Denise**, 03 June 2009, pp. 02-03. **Case File No. 004-D6.1.196**, **Francois Ponchaud**, “Liberated Cambodia” Echange France-Asie, Special Report No. 13, January 1976, p.03. **Case File No. 004-D6.1.815**, Foreign Broadcast Information Service (FBIS) Collection of Reports, Democratic Kampuchea Information Report on 29 September 1977, “27 Sep (1977) Mass Meeting, Pol Pot Speech Mark KCP Anniversary”, p. 53. **Case File No. 004-D6.1.522**, Written Record of Interview of Witness **HON Sang**, 19 July 2009, p. 03. **Case File No. 004-D6.1.698**, Written Record of Interview of Witness **SOM Chhom**, 10 December 2009, p. 02. **Case File No. 004-D6.1.702**, Written Record of Interview of Witness **MÂN Heang**, 10 December 2009, p. 02-03. **Case File No. 004-D6.1.706**, Written Record of Interview of Witness **HIM Horn**, 18 December 2009, p. 03. **Case File No. 004-D6.1.1261**, Speech by IENG Sary alias Van, Democratic Kampuchea Deputy Prime Minister for Foreign Affairs, in the Summit of Non-Aligned Nations occurred in Lima, Peru on 08 September 1975, p. 01. **Case File No. 004-D6.1.1258**, Magazine of DC-Cam: “Searching for the Truth”, first quarter of 2004, entitled “Second Open Letter of KHIEU Samphan”, 29 December 2003, p. 02-03. **Case File No. 004-D6.1.1257**, Speech by IENG Sary alias Van entitled “Thirty-Second Session of the UN General Assembly, 28th Plenary Meeting”, ERN EN 00079811.

<sup>2387</sup> **Case File No. 004-D1.3.20.2**, Democratic Kampuchea Government Legal Documents entitled “Constitution of Democratic Kampuchea”, 6 January 1976, p. 02. **Case File No. 004-D1.3.20.1**, Communist Party of Kampuchea Legal Documents entitled “Communist Party of Kampuchea Statute”, January 1976, pp. 03-04. **Case File No. 004-D6.1.772**, Phnom Penh Domestic Service Broadcast entitled “NUON Chea’s Speech at Army Anniversary Meeting”, Dated 17 January 1977, Excerpts from broadcast extracts from speech by NUON Chea, Chairman of the the People's Representative Assembly

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<sup>2388</sup> **Case File No. 004-D6.1.675**, Written Record of Witness Interview **IENG Chham** alias Chhi, 08 November 2009, pp. 06-06. **Case File No. 004-D6.1.899**, Note Takings of Meng-Try Ea and Sopheak Loeung's Interview with KHIEU Samphan and NUON Chea in Pailin province, Cambodia, 09-11 June 2006, ERN EN 00000928-0000929.

<sup>2389</sup> **Case File No. 004-D117/36.1.21**, Third Anniversary of the Organization of Peasant cooperatives, 20 May 1973-20 May 1976, p. 09. **Case File No. 004-D6.1.196**, **Francois Ponchaud**, "Liberated Cambodia" Exchange France-Asie, Special Report No. 13, January 1976, p. 04. **Case File No. 004-D6.1.813**, Foreign Broadcast Information Service (FBIS) Collection of Reports, Democratic Kampuchea Information Report entitled "Revolutionary Organization Gives Awards to Tree districts", 23 July 1977, pp. 31-32. **Case File No. 004-D1.3.15.1**, Report of Expert **Craig C. Etcheson**, 18 July 2007, pp. 07-08. **Case File No. 004-D6.1.1262**, Speech by **IENG Sary** alias Van, Democratic Kampuchea Deputy Prime Minister for Foreign Affairs, to the UN General Assembly on 25 October 1977, p. 05.

<sup>2390</sup> **Case File No. 004-D6.1.837**, Document Number 3, Examination of Contral and Implementation of the Policy Line on Restoring the Economy and Preparations to Buil the Country in Every Sector. This Document Concerns Economy, Finance, Culture and Social Action, pp. 01 **Case File No. 004-D6.1.899**, Note Takings of Meng-Try Ea and Sopheak Loeung's Interview with KHIEU Samphan and NUON Chea in Pailin province, Cambodia, 09-11 June 2006, ERN EN 00000926-00000927. **Case File No. 004-D6.1.118**, Written Record of Interview of Witness **DUCH Phleu**, 28 August 2008, p. 03. **Case File No. 004-D6.1.127**, Written Record of Interview of Witness **SUN Năt** alias Năt, 18 November 2008, p. 04. **Case File No. 004-D6.1.811**, Foreign Broadcast Information Service (FBIS) Collection of Reports, Democratic Kampuchea Information Report, 23 May 1977, p. 26.

<sup>2391</sup> **Case File No. 004-D6.1.811**, Foreign Broadcast Information Service (FBIS) Collection of Report, Democratic Kampuchea Information Report entitled "Interview with Deputy Prime Minister for Foreign Affairs **IENG Sary** by Italian Journalist **TISIANO TERZANY**, 04 May 1977, pp. 07. **Case File No. 004-D6.1.196**, **Francois Ponchaud** "Liberated Cambodia" Exchange France-Asie, Special Report No. 13, January 1976, pp. 03-04. **Case File No. 004-D322/8.1.6**, "Brief Study of the History of the Kampuchean Revolutionary Movement under the Leadership of the Communist Party of Kampuchea", pp. 06, 07, 11. **Case File No. 004-D6.1.813**, Foreign Broadcast Information Service (FBIS) Collection of Reports, Democratic Kampuchea Information Report entitled "Revolutionary Organization Gives Awards to Tree districts", 23 July 1977, pp. 31-32. **Case File No. 004-D6.1.1257**, Speech by **IENG Sary** alias Van entitled "Thirty-Second Session of the UN General Assembly, 28th Plenary Meeting", . ERN EN

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<sup>2392</sup> **Case File No. 004-D6.1.1073**, The Submission of **KAING Guek Eav** alias **Duch**, former Chairman of S-21 Security Centre, Response to the Co-Investigating Judges' Written Question, 21 October 2008, pp. 02. **Case File No. 004-D322/8.1.6**, "Brief Study of the History of the Kampuchean Revolutionary Movement under the Leadership of the Communist Party of Kampuchea", pp. 03, 04, 09. **Case File No. 004-D132.1.97**, Revolutionary Army adopts Resolutions on SRV (Social Republic of Vietnam) dispute, Phnom Penh Domestic Service Broadcast, Cambodia, 04 January 1978, p. 01-02. **Case File No. 004-D6.1.774**, Presentation by the Comrade Party Secretary During the Session of the First Meeting of the Council of Ministers, 22 April 1976, p. 01.

<sup>2393</sup> **Case File No. 004-D1.3.36.1**, Written Record of Interview of Charged Person **KHIEU Samphan** alias Hem (former Head of State of Democratic Kampuchea), 13 December 2007, p. 10. **Case File No. 004-D1.3.20.1**, Communist Party of Kampuchea Legal Documents entitled "Communist Party of Kampuchea Statute", January 1976, Article 21 to Article 25, pp. 23-24. **Case File No. 004-D6.1.985**, Written Record of Interview of Witness **SĂO Phên**, 05 April 2010, pp. 03-04.

<sup>2394</sup> **Case File No. 004-D1.3.36.1**, Written Record of Interview of Charged Person **KHIEU Samphan** alias Hem (former Head of State of Democratic Kampuchea), 13 December 2007, p. 10. **Case File No. 004-D6.1.512**, Written Record of Interview of Witness **KIM Vun** alias Chhaom, 25 July 2009, pp. 05-06, 07-08. **Case File No. 004-D6.1.728**, Written Record of Interview of Witness **MEAS Vooun** alias **SVAY Vooun**, 16 December 2009, p. 05-06. **Case File No. 004-D6.1.732**, Written Record of Interview of Witness **NAM Chè**, 24 July 2009, pp. 07-08. **Case File No. 004-D6.1.734**, Written Record of Interview of Witness **SOK Chhien**, 19 August 2009, p. 08. **Case File No. 004-D6.1.987**, Written Record of Interview of Witness **LOT Nitya** alias Salot alias SO Hong, 07 April 2010, p. 05. **Case File No. 004-D6.1.1036**, Written Record of Interview of Charged Person **KHIEU Samphan** alias Hem (former Head of State of Democratic Kampuchea), 13 December 2007, pp. 04-05. **Case File No. 004-D6.1.152**, Written Record of Interview of Witness **KOY Mon**, 29 May 2008, pp. 03-04. **Case File No. 004-D6.1.198**, Written Record of Interview of Witness **SUONG Sikoeun** alias Kung or Thorn, 17 March 2009, pp. 03-04. **Case File No. 004-D6.1.811**, Foreign Broadcast Information Service (FBIS) Collection of Reports, Democratic Kampuchea Information Report entitled "The Leaders wish Vietnam during Victory Day", 03 May 1977, p. 01. **Case File No. 004-D6.1.975**, Geography text book of DK's Ministry of Education entitled "Political Geography of Democratic Kampuchea", First Edition, 1977, p. 10-11. **Case File No. 004-D6.1.817**, Foreign Broadcast Information Service (FBIS) Collection of Reports for November 1977, Democratic Kampuchea Information Report entitled "Arrival Ceremony for H.E. U Ne Win, President and Chairman of the Council of State of the Socialist Republic of the Union of Burma", 26 November 1977, p. 01. **Case File No. 004-D6.1.719**, Written Record of Interview of Witness **NAM Chè**, 20 October 2009, p. 05. **Case File No. 004-D6.1.1258**, Magazine of DC-Cam: "Searching for the Truth", first quarter of 2004, entitled "Second Open Letter of KHIEU Samphan", 29 December 2003, p. 02-03. **Case File No. 004-D6.1.477**, Written Record of Interview of Witness **THIOUNN Prasith**, 08 June 2009, p. 03, 07-08. **Case File No. 004-D6.1.520**, Written Record of Interview of Witness **LÈNG Chhoeung**, 17 July 2009, p. 06.

<sup>2395</sup> **Case File No. 004-D1.3.36.1**, Written Record of Interview of Charged Person **KHIEU Samphan** alias Hem (former Head of State of Democratic Kampuchea), 13 December 2007, p. 10. **Case File No. 004-D6.1.795**, Written Record of Interview of Charged Person **KAING Guek Eav** alias **Duch**, 02 December 2009, p. 03. **Case File No. 004-D6.1.899**, Note Takings of Meng-Try Ea and Sopheak Loeung's Interview with KHIEU Samphan and NUON Chea in Pailin province, Cambodia, 09-11 June 2006, ERN EN 00000929. **Case File No. 004-D6.1.1056**, Written Record of Interview of Charged Person **KAING Guek Eav** alias **Duch**, 27 March 2008, pp. 07-08. **Case File No. 004-D6.1.662**, Written Record of Interview of Witness **UNG Rèn**, 23 October 2009, pp. 03-04.

<sup>2396</sup> **Case File No. 004-D219/731**, Written Record of Interview of Witness **NHEM Chen**, 18 March 2016, p. 09. **Case File No. 004-D6.1.1071**, Written Record of Interview of Charged Person **KAING Guek Eav** alias **Duch**, 03 June 2008, pp. 03-04, 07-08. **Case File No. 004-D219/672**, Written Record of Interview of Witness **KAING Guek Eav** alias **Duch**, 01 February 2016, p. 10. **Case File No. 004-D1.3.15.1**, Report of Expert **Craig C. Etcheson**, 18 July 2007, p. 05. **Case File No. 004-D219/673**, Written Record of Interview of Witness **KAING Guek Eav** alias **Duch**, 02 February 2016, pp. 02-03. **Case File No. 004-D6.1.91**, Written Record of Interview of Charged Person **KAING Guek Eav** alias

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<sup>2397</sup> **Case File No. 004-D322/8.1.6**, "Brief Study of the History of the Kampuchean Revolutionary Movement under the Leadership of the Communist Party of Kampuchea", p. 08. **Case File No. 004-D117/36.1.21**, Third Anniversary of the Organization of Peasant cooperatives, 20 May 1973-20 May 1976, p. 03. **Case File No. 004-D117/71**, Written Record of Interview of Witness **PRĀK Yut** alias *Yeay Yut*, 19 June 2013, pp. 09.

<sup>2398</sup> **Case File No. 004-D322/8.1.6**, "Brief Study of the History of the Kampuchean Revolutionary Movement under the Leadership of the Communist Party of Kampuchea", p. 10.

<sup>2399</sup> **Case File No. 004-D6.1.503**, Written Record of Interview of Witness **NORNG Siphàng** alias **NORNG Sēngchim**, 28 March 2009, p. 07. **Case File No. 004-D6.1.786**, Written Record of Interview of Witness **IEP Duch**, 01 November 2007, p. 02-03. **Case File No. 004-D117/36.1.22**, CPK Central Committee Policy Directive, 11 July 1977, p. 01. **Case File No. 004-D6.1.473**, Guidance of the Central Committee of the Communist Party of Kampuchea, 20 June 1978, p. 03-04

<sup>2400</sup> **Case File No. 004-D6.1.141**, Written Record of Interview of Witness **SAO Sarun**, 17 December 2008, pp. 02-03. **Case File No. 004-D6.1.458**, DC-Cam document: "Interview with **MATH Ly**", by Mr. SIM Sorya and Mr. YSA Osman, 27 March 2000, ERN EN 00441577, 00441582. **Case File No. 004-D6.1.730**, Written Record of Interview of Witness **PRĀK Yut** alias *Yeay Yut*, 21 July 2009, p. 07. **Case File No. 004-D6.1.152**, Written Record of Interview of Witness **KOY Mon**, 29 May 2008, p. 07.

<sup>2401</sup> **Case File No. 004-D6.1.141**, Written Record of Interview of Witness **SAO Sarun**, 17 December 2008, pp. 02-03. **Case File No. 004-D6.1.730**, Written Record of Interview of Witness **PRĀK Yut** alias *Yeay Yut*, 21 July 2009, p. 07.

<sup>2402</sup> **Case File No. 004-D6.1.141**, Written Record of Interview of Witness **SAO Sarun**, 17 December 2008, pp. 02-03. **Case File No. 004-D6.1.477**, Written Record of Interview of Witness **THIOUNN Prasith**, 08 June 2009, p. 07. **Case File No. 004-D1.3.16.1**, Biography of **KÉ Pauk** (Secret), former Central Zone Secretary, From 1957 Until the present, p. 05.

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<sup>2498</sup> **Case File No. 004-D6.1.727**, Written Record of Interview of Witness **SOUTR Toeung**, 02 December 2009, pp. 10-11. **Case File No. 004-D6.1.728**, Written Record of Interview of Witness **MEAS Vooun alias SVAY Vooun**, 16 December 2009, pp. 04-05. **Case File No. 004-D6.1.734**, Written Record of Interview of Witness **SOKH Chhien**, 19 August 2009, p. 07. **Case File No. 004-D6.1.784**, Written Record of Interview of Witness **MEAS Sokha alias Thlang**, 31 October 2007, p. 02. **Case File No. 004-D6.1.715**, Written Record of Interview of Witness **SALOT Ban alias LOT Nitya alias SAU Hong**, 22 July 2009, p. 03. **Case File No. 004-D6.1.716**, Written Record of Interview of Witness **YUNG Yem alias YUNG Mooun**, 31 August 2009, p. 03. **Case File No. 004-D6.1.79**, Written Record of Interview of Witness **UCH Sorn**, 28 March 2008, p. 03. **Case File No. 004-D6.1.80**, Written Record of Interview of Witness **CHĂN Khân**, 31 March 2008, p. 04. **Case File No. 004-D6.1.108**, Written Record of Interview of Witness **SOS Ponyamin alias SOS Min**, 16 August 2008, p. 03. **Case File No. 004-D6.1.115**, Written Record of Interview of Witness **CHUCH alias Punlork**, 26 August 2008, p. 06-07. **Case File No. 004-D6.1.116**, Written Record of Interview of Witness **TES Heanh**, 27 August 2008, p. 04. **Case File No. 004-D6.1.142**, Written Record of Interview of Witness **CHEA Lêng alias ING Taing Chhêng**, 18 December 2008, pp. 05-06. **Case File No. 004-D6.1.143**, Written Record of Interview of Witness **CHĂK Muli**, 13 January 2009, pp. 09-10. **Case File No. 004-D6.1.119**, Written Record of Interview of Witness **SĂY Sèn**, 01 September 2008, p. 11. **Case File No. 004-D6.1.125**, Written Record of Interview of Witness **THING Leap alias TING Lanh**, 28 October 2008, p. 05. **Case File No. 004-D6.1.133**, Written Record of Interview of Witness **ÈK Sokh**, 19 November 2008, p. 02. **Case File No. 004-D6.1.134**, Written Record of Interview of Witness **DUONG Sau**, 20 November 2008, p. 02. **Case File No. 004-D6.1.153**, Written Record of Interview of Witness **YIM Sophat alias Phat**, 29 May 2008, p. 07. **Case File No. 004-D6.1.160**, Written Record of Interview of Witness **SUM Alăt alias CHHONG Lat**, 10 June 2008, pp. 03-04. **Case File No. 004-D6.1.161**, Written Record of Interview of Witness **SUY Sêngchhorn**, 11 June 2008, p. 04. **Case File No. 004-D6.1.347**, Written Record of Interview of Witness **KIV Mao**, 05 February 2009, p. 03. **Case File No. 004-D6.1.350**, Written Record of Interview of Witness **SUM Sokhân alias Sreang**, 13 February 2009, p. 05. **Case File No. 004-D6.1.357**, Written Record of Interview of Witness **PÈNG Bunthara**, 27 March 2009, p. 06. **Case File No. 004-D6.1.359**, Written Record of Interview of Witness **CHHOEUNG Uo**, 29 March 2009, pp. 04-05. **Case File No. 004-D6.1.369**, Written Record of Interview of Witness **MÈN Lē**, 20 April 2009, p. 05. **Case File No. 004-D6.1.428**, Written Record of Interview of Witness **CHHIT Ĩn**, 19 December 2008, pp. 03-04. **Case File No. 004-D6.1.441**, Written Record of Interview of Witness **KOL Lim**, 17 September 2008, p. 03. **Case File No. 004-D6.1.396**, Written Record of Interview of Witness **VĂNN Thêng**, 08 October 2008, pp. 03-04. **Case File No. 004-D6.1.721**, Written Record of Interview of Witness **PRAK Yut alias Yeay Yut**, 18 November 2009, p. 05. **Case File No. 004-D6.1.475**, Written Record of Interview of Civil Party Applicant **AFFONCO Denise**, 03 June 2009, p. 07. **Case File No. 004-D6.1.2**, Interview No. 19 with Interviewee *Ta* Tham by **Craig Etcheson**, 28 March 2002, p. 06. **Case File No. 004-D6.1.53**, BEN Kiernan, “Khmer Bodies with Vietnamese Minds – Kampuchea’s Eastern Zone 1975-1978”, Centre of Southeast Asian Studies, Monash University, pp. 04, 09, 14. **Case File No. 004-D6.1.410**, Written Record of Interview of Witness **MEAS Laihuo**, 20 November 2008, p. 03-04. **Case File No. 004-D6.1.425**, Written Record of Interview of Witness **TĂNN Than**, 18 December 2008, p. 04. **Case File No. 004-D6.1.427**, Written Record of Interview of Witness **LĪV Peou**, 19 December 2008, p. 04. **Case File No. 004-D6.1.698**, Written Record of Interview of Witness **SOM Chhom**, 10 December 2009, p. 04. **Case File No. 004-D6.1.1260**, The True fact about POL Pot’s Dictatorial regime 1975-1978, Research Centre and Democratic National United Movement (DNUM), 08 September 1996, p. 06-07. **Case File No. 004-D219/472**, Written Record of Interview of Civil Party Applicant **SUM Chanthol**, 24 August 2015, pp. 04-05. **Case File No. 004-D6.1.648**, Written Record of Interview of Witness **UK Phorn**, 22 August 2009, pp. 03-05.

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<sup>2501</sup> **Case File No. 004-D6.1.598**, Ian Harris, “Buddhism under POL Pot”, p. 150. **Case File No. 004-D6.1.943**, Alexander Laban Hinton, “Why Did They Kill?”, pp. 128. **Case File No. 004-D6.1.477**, Written Record of Interview of Witness **THIOUNN Prasith**, 08 June 2009, p. 03.

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<sup>2502</sup> International Criminal Tribunal for Rwanda, <http://unictr.irmct.org/en/tribunal>; Genocide, <http://unictr.unmict.org/en/genocide>.

<sup>2503</sup> Bosnia Genocide, <https://infogram.com/bosnian-genocide-1grv02gr0yojp1x>

<sup>2504</sup> **Case File No. 003-D266**, Order Dismissing the Case Against MEAS Muth, 28 November 2018 (Classification: Public), para. 169.

<sup>2505</sup> **Case File No. 004-D6.1.688**, Written Record of Interview of Witness **BUN Thien**, 17 August 2009, pp. 10-11. **Case File No. 004-D6.1.650**, Written Record of Interview of Witness **PECH Chim**, 25 August 2009, p. 04. **Case File No. 004-D219/261**, Written Record of Interview of Witness **KHOEUN Sngoeun** alias PHAN Sngoeun, 06 April 2015, pp. 04-05. **Case File No. 004-D219/277**, Written Record of Interview of Witness **SOEM Chhean**, 22 April 2015, pp. 05-06.

<sup>2506</sup> **Case File No. 004/2-D359**, Order Dismissing the Case Against AO An, 16 August 2018 (Classification: Public), para. 508.

<sup>2507</sup> **Case File No. 004/2-D359**, Order Dismissing the Case Against AO An, 16 August 2018 (Classification: Public), para. 517.

<sup>2508</sup> **Case-003- D266**, Order Dismissing the Case Against MEAS Muth, 28 November 2018 (Classification: Public), para. 423.

<sup>2509</sup> **Case File No. 004/2- D359**, Order Dismissing the Case Against AO An, 16 August 2018 (Classification: Public), paras. 547-548.

<sup>2510</sup> The National Co-Investigating Judge wishes to recall that he does not recognize or accept as valid any documents created and/or filed by former Reserve International Co-Investigating Judge **Laurent Kasper-Ansermet**. Therefore, the Case File documents numbering should continue from the last document number placed on the case file by former International Co-Investigating Judge **Siegfried BLUNK** and not count any documents filed by Reserve International Co-Investigating Judge **Laurent Kasper-Ansermet**. The National Co-Investigating Judge further notes that in the framework of practices in Cambodia, facts that are not mentioned or disclosed during the investigation are inadmissible for legal consideration in this Closing Order. However, given that this Closing Order dismisses all the charges and due to the gravity of the alleged crimes, it is necessary to give some legal considerations to those facts at the very least to determine whether they fall under the ECCC jurisdiction and which may result in considering the gravity of the alleged crimes under personal jurisdiction.