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Chambres extraordinaires au sein des Tribunaux cambodgiens

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ORDER DISMISSING THE CASE AGAINST AO AN

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We, 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** Rules 55, 66 and 67 of the ECCC Internal Rules (Revision 9, dated 16 January 2015) (“Internal Rules”);
- **Noting** the International Co-Prosecutor (“ICP”)’s Third Introductory Submission dated 20 November 2008;¹
- **Noting** the preliminary investigation into the following allegations against **AO An**:²
 - a. Homicide, torture and religious persecution of the Cham. These constitute violations of the 1956 Penal Code (Articles 501, 503, 504, 505, 506, 507 and 508), Articles 500, 209 and 210, punishable under Articles 3 (new), 29 (new) and 39 (new) of the ECCC Law.
 - b. Genocide of the Cham (paragraphs 37 to 48). This constitutes a violation of the Convention on the Prevention and Punishment of the Crime of Genocide of 1948, punishable under Articles 4, 29 (new) and 39 (new) of the ECCC Law.
 - c. Murder; extermination; enslavement; imprisonment; torture; rape; persecutions on political, racial and religious grounds of former officials of the Khmer Republic, feudalists, capitalists and bourgeoisie, “new people,” suspected “bad elements,” the Cham, and persons of Vietnamese ethnicity; and other inhuman acts. These constitute crimes against humanity, punishable under Articles 5, 29 (new) and 39 (new) of the ECCC Law.
- **Noting** the Excerpt of the Considerations of the Pre-Trial Chamber (“PTC”) regarding the Disagreement between the Co-Prosecutors (CPs) dated 18 August 2009, in which the PTC stated that the chamber was unable to reach a decision on the disagreement and the action of the ICP shall therefore be executed;³

- **Noting** the Third Introductory Submission filed by the ICP on 07 September 2009 requesting the Co-Investigating Judges (“CIJs”) to open a judicial investigation;⁴
- **Noting** the ICP’s Request for Investigative Action regarding Case 004 Crime Sites in Central Zone and Responsibility of Suspect **Ta An** dated 16 June 2011;⁵
- **Noting** the Supplementary Submission regarding Sector 1 Crime Sites and Persecution of Khmer Krom dated 18 July 2011;⁶
- **Noting** the ICP’s Supplementary Submission regarding Forced Marriage and Sexual or Gender-based Violence dated 24 April 2014;⁷
- **Noting** the Notice of Conclusion of Judicial Investigation against **AO An** pursuant to Internal Rule 66(1) dated 16 December 2016, in which the CIJs notified the parties and their lawyers that the judicial investigation against **AO An** had been concluded;⁸
- **Noting** the Order for Severance of **AO An** from Case 004 dated 16 December 2016, instructing that a new “**Case File 004/2**” be created;⁹
- **Noting** the Request for Extension of Time Limit for Requesting Further Investigative Action following Rule 66 Notice, proposing that the time limit be extended by an additional 30 (thirty) calendar days;¹⁰
- **Noting** the Decision on **AO An**’s Request for Extension of Time Limit for Requesting Further Investigative Action issued by the International Co-Investigating Judge (ICIJ), granting an additional 15 days and setting a new deadline of 16 January 2017;¹¹
- **Noting** the Second Notice of Conclusion of Judicial Investigation against **AO An** dated 29 March 2017 issued by the CIJs, concluding [the investigation]; therefore, extension of time limit was not granted;¹²

- **Noting** the Forwarding Order dated 19 May 2017, in which the CPs were granted 3 (three) months from the notification of the Order to issue final submissions;¹³
- **Noting** the National Co-Prosecutor (“NCP”)’s Final Submission dated 18 August 2017;¹⁴
- **Noting** the ICP’s Final Submission dated 21 August 2017;¹⁵
- **Noting** AO An’s Response to the CPs’ Final Submissions dated 24 October 2017;¹⁶
- **Considering** that the judicial investigation into personal jurisdiction has concluded as follows:

I. Introduction

A. Note on the Closing Order

1. As can be seen below, after the Pre-Trial Chamber (PTC) issued a decision, the National Co-Investigating Judge (NCIJ) opened an investigation into the documents on the case file in addition to the documents transferred from Cases 001 and 002. After reviewing the documents, the NCIJ was not satisfied that **AO An** was a senior leader or one of those who were most responsible; accordingly, he declined to charge **AO An**.
2. This Closing Order centres on whether **AO An** falls under the personal jurisdiction of the ECCC. The specificity of the ECCC Agreement and Law highlights selective jurisdiction. Facts forwarded by the International Co-Prosecutor (ICP) are indeed objective; however, this Closing Order should be based on evidence derived from a legitimate investigation by the Office of the Co-Investigating Judges (OCIJ) on all facts. In particular, the NCIJ considers the participation and other criteria by the Charged Person in relation to those facts as a critical factor in determining whether the “Charged Person” was a senior leader or among those who were most responsible. Accordingly, the Closing Order will neither characterise the crimes nor classify the modes of liability.
3. The documents used in this Closing Order consist of the materials on Case 004/2 gathered through the judicial investigation and also transferred from other cases including Cases 001, 002, and 003. The documents produced under International Reserve Co-Investigating Judge Laurent Kasper-Ansermet were excluded. However, after the departure of Judge Laurent Kasper-Ansermet, a number of those documents were incorporated as part of Rogatory Letters issued by him. Therefore, the NCIJ considers that the present Closing Order may **ultimately** have used a number of documents **erroneously**.
4. This Closing Order refers to 1,301 (one thousand three hundred and one) documents divided into 21 (twenty-one) categories including minutes of meetings of the Standing Committee of the Central Committee of the CPK under the Democratic Kampuchea (DK) regime, telegrams, S-21 confessions, DC-Cam documents, and 566 (five hundred and sixty-six) written records of interview of witnesses, which constitute the vast majority of the documents

- (Annex B). In the last category, there are 183 (one hundred and eighty-three) statements of insider witnesses such as DK regime cadres and written records of interview of witnesses which were made under the framework of Case 004/2.
5. We want to show that, in theory, the persons named in the Co-Prosecutors' Introductory Submission are already considered the "charged persons". We registered our disagreement regarding the charges and did not submit them to the PTC. Therefore, it would not be erroneous to use documents obtained after the charges or to refer to a charged person in this Closing Order. The status of a charged person is considered from the time the Co-Prosecutors issued their Introductory Submission and charges are only a procedure whereby the charged person is entitled to legal representation to defend himself/herself against the facts alleged by the Co-Prosecutors and notified by the Co-Investigating Judges.
 6. On 16 December 2016, the Co-Investigating Judges announced the conclusion of the investigation in order to *expedite the proceedings* and on the same day they decided to sever **AO An** from the case and placed him in a new "Case 004/2". Due to the complexity of the case, the Co-Investigating Judges further extended the time to file requests for investigative actions for another 45 (forty-five) days until the second announcement of the conclusion of the investigation on 29 March 2017. On 19 May 2017, the Co-Investigating Judges forwarded the case file to the Co-Prosecutors for consideration so they could issue a final submission within 3 (three) months from the date they received the case file from the Co-Investigating Judges. The National and International Co-Prosecutors separately submitted their Final Submissions on 18 August 2017 and 21 August 2017, respectively. To ensure equality of arms, due to the complexity of the case file and translation time, the Co-Investigating Judges allowed suitable time for **AO An** to respond to the Co-Prosecutors' Final Submissions and subsequently on 24 October 2017 **AO An** submitted his response.
 7. The time period between the conclusion of the investigation and the issuance of the Closing Order is longer than that in Cases 001, 002 and 004/1. However, it is inappropriate to consider that **AO An**'s right to a fair trial has been violated solely based on this time period. The National Co-Investigating

Judge has only one staff member in charge of **AO An**'s case while in Case 001 against KAINING Guek Eav *alias* Duch almost the entire office staff worked on the case. Compared to Case 004/1, Case 004/2 is a big case in which numerous crime sites were alleged. In addition, during the course of the proceedings, the parties filed many submissions and motions before the Pre-Trial Chamber which makes its decisions in compliance with the deadlines imposed upon parties to submit their responses and to ensure equality and transparency of the proceedings. The deadlines provided for in the Internal Rules and the time it takes to receive responses from relevant Sections including the Interpretation and Translation Unit have an impact on the ensuing step or procedure taken by the Office of the Co-Investigating Judges. In response, the Co-Investigating Judges *motu proprio* continued their work without waiting for responses and would review and amend their documents at a later stage. For example, while awaiting the Pre-Trial Chamber's decision on the request for annulment of torture-tainted evidence, the Co-Investigating Judges proceeded with the drafting of the Closing Orders.¹⁷

8. The Co-Investigating Judges will not respond to criticisms of the delay in the proceedings; however, any assessment of the delay must be objective, i.e. it should be made professionally, impartially and honestly having regard to all aspects of the proceedings starting with the initial phase of the work of the Office of the Co-Prosecutors, the lawyers, the administration and the Pre-Trial Chamber.
9. As shown in Section V, the National Co-Investigating Judge considers that there is no error in the description of the type and probative value of the evidence in this Closing Order. Article 321 (evidence evaluation by court) of the 2007 Cambodian Code of Criminal Procedure and the principle of free admission of evidence in the common law system does not provide such prohibition. In practice and in a sensible way, there is a distinction between types of evidence (direct and indirect), namely between the hearsay evidence and the direct evidence. What is important is to consider the actual evidence guided by the rules governing the relevancy, legitimacy and objectivity of the evidence.
10. With respect to evidence alleged to have been obtained through torture, the National Co-Investigating Judge has the discretion to assess the probative

value of the evidence gathered by taking into account its characteristics, relevancy, legitimacy and objectivity and by considering the jurisprudence of the Trial Chamber¹⁸ and the Supreme Court Chamber¹⁹ so that the process could be expedited without having to seize the Pre-Trial Chamber. Despite such an effort, the Pre-Trial Chamber is of the opinion that the Co-Investigating Judges are not fast enough.

B. The Establishment of the ECCC

11. Following the Royal Government of Cambodia's official request for assistance on 21 June 1997,²⁰ an agreement was signed on 6 June 2003 between the United Nations and the Royal Government of Cambodia 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 period of Democratic Kampuchea from 17 April 1975 to 6 January 1979 ("ECCC Agreement").²¹
12. The ECCC was officially established within the Cambodian legal system on 3 July 2006 following the promulgation of 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.²²

C. Irregularity of the Preliminary Investigation

13. Although the disagreement between the Co-Prosecutors was resolved by the PTC, rendering the Introductory Submission valid, the National CIJ considers that it is necessary to summarise its background.
14. The ICP unilaterally opened the preliminary investigation while the principle of "Co-" in the judicial context of the ECCC has become legally binding even at the prosecutorial stage where the Co-Prosecutors are required to act jointly. This principle requires compliance with, among others, the provisions of the applicable laws as required by the ECCC Agreement and Law. On the contrary, the ICP opened the preliminary investigation alone, collecting documents and conducting interviews without the participation of the NCP and failing to follow the procedures applicable in case of disagreement. Written records of interview that were not signed by the Co-Prosecutor and the interviewees have not been taken into account in these reasons.

15. On 20 November 2008, the ICP unilaterally filed the Introductory Submission in the present case alleging that **AO An** is responsible for crimes under the jurisdiction of the ECCC. The Introductory Submission did not prompt any immediate action from the CIJs as the NCP registered a disagreement to be brought before the PTC. The PTC failed to reach a decision by the required majority. As a result, in compliance with the ECCC legal framework, the Introductory Submission stood. The Acting ICP then forwarded the Introductory Submission to the CIJs, requesting a judicial investigation into the facts in Case 004. Subsequently, the case was severed into Cases 004/1 and 004/2.
16. On 27 March 2015, the International CIJ conducted the initial appearance, charging **AO An**. The National CIJ disagreed with the proceedings pursuant to Internal Rule 72(1).²³
17. The National CIJ does not agree to charge **AO An** as he is still of the view that, based on the investigation, it is still doubtful whether **AO An** falls within the personal jurisdiction of the ECCC. The issue of personal jurisdiction over **AO An** is a threshold issue that must be dealt with before other matters within the legal context of the ECCC's selective jurisdiction.

D. Procedural History

18. On 20 November 2008, the Acting ICP filed the Third Introductory Submission.²⁴
19. On 3 December 2008, the Co-Prosecutors recorded a disagreement over the Third Introductory Submission. The disagreement was brought before the PTC.
20. On 18 August 2009, the PTC declared that it had failed to reach a decision by the required majority in which case the action of the ICP shall be executed.²⁵
21. On 7 September 2009, the Acting ICP issued a Notice of Filing of the Third Introductory Submission and requested the CIJs to open a judicial investigation.²⁶
22. On 9 June 2010, the CIJs registered a disagreement over the manner and approach of the judicial investigation. The National CIJ argued that it was unnecessary to conduct the investigation and focused on the review of the documents already available on the case file.²⁷

23. On 9 June 2010, International CIJ Marcel Lemonde issued a rogatory letter.²⁸
24. On 1 November 2010, Judge Marcel LEMONDE resigned from his position for personal reasons.
25. On 1 December 2010, International CIJ Siegfried BLUNK officially took office.²⁹
26. On 2 February 2011, the OCIJ issued a press release, announcing that joint teams had been established to review and analyse the documents on the case files, especially Cases 001 and 002.³⁰
27. On 15 June 2011, the ICP filed a Supplementary Submission regarding Sector 1 Crime Sites and Persecution of Khmer Krom.³¹
28. On 16 June 2011, the ICP filed a Request for Investigative Action regarding Case 004 Crime Sites in Central Zone and Responsibility of Suspect *Ta An*.³²
29. On 17 June 2011, the CIJs issued their Decision on the Co-Prosecutors' Supplementary Submission regarding Sector 1 Crime Sites and Persecution of Khmer Krom ordering the Co-Prosecutors to disclose within two working days when the disagreement had been recorded.³³
30. On 21 June 2011 the Co-Prosecutors responded to the 17 June 2011 Order of the Co-Investigating Judges regarding the Supplementary Submission, confirming that a disagreement had been recorded prior to the filing of the Supplementary Submission on 15 June 2011.³⁴
31. On 28 June 2011, the CIJs issued the Decision on the Supplementary Submission regarding Sector 1 Crime Sites and Persecution of Khmer Krom, rejecting the Supplementary Submission as invalid.³⁵
32. On 18 July 2011, the ICP filed a Supplementary Submission regarding Sector 1 Crime Sites and Persecution of Khmer Krom, stating that a record of the disagreement had been placed in the register kept by the Greffier of the Co-Prosecutors on 15 July 2011.³⁶
33. On 8 August 2011, the CIJs issued a press release regarding civil parties, stating that no public notice had been made in relation to the crime sites in Case 004 on the grounds that there were serious doubts whether the Suspect in this case was "most responsible".³⁷

34. On 9 October 2011, International CIJ Siegfried BLUNK resigned from his position.³⁸
35. On 9 October 2011, following Judge Siegfried BLUNK's resignation, International Reserve CIJ Laurent Kasper-Ansermet who had not been officially appointed as the International CIJ commenced his job remotely.
36. On 30 November 2011, International Reserve CIJ Laurent Kasper-Ansermet arrived at the ECCC and carried out a number of acts alone, including investigative actions and witness interviews.
37. On 6 December 2011, International Reserve CIJ Laurent Kasper-Ansermet issued a press release stating that he would conduct the judicial investigation and take necessary steps to manage his office and endeavor to keep the public sufficiently informed about major developments in Case File 004.³⁹
38. On the same day 6 December 2011, the National CIJ issued a press release, stating that the International Reserve CIJ had not been officially appointed. Therefore, the National CIJ did not recognise the legality of all the acts carried out by International Reserve CIJ Laurent Kasper-Ansermet.⁴⁰
39. On 24 February 2012, International Reserve CIJ Laurent Kasper-Ansermet issued Notification of Suspect's Rights regarding AOM An *alias Ta An*.⁴¹
40. On 29 February 2012, International Reserve CIJ Laurent Kasper-Ansermet directly notified Suspect **AO An** that he was a suspect under investigation and granted **AO An** access to the case file, but in fact the Suspect was not granted access to the case file.
41. On 19 March 2012, the ECCC issued a press release, announcing that International Reserve CIJ Laurent Kasper-Ansermet had resigned with effect from 4 May 2012.⁴²
42. On 4 May 2012, International Reserve CIJ Laurent Kasper-Ansermet officially resigned from the ECCC.⁴³
43. On 20 June 2012, the Supreme Council of Magistracy of the Kingdom of Cambodia appointed Judge Mark B. HARMON as the International CIJ.⁴⁴
44. On 26 October 2012, Judge Mark B. HARMON commenced his job.
45. On 3 December 2012, the CIJs disagreed over a rogatory letter and response to the Co-Prosecutors' investigative requests.

46. On 19 December 2012, Judge Mark B. HARMON issued a press release regarding additional crime sites in Case 004.
47. On 5 April 2013, the CIJs disagreed over the numbering of documents placed on the case file. The National CIJ stated that the documents placed on the case file by the International CIJ shall be numbered sequentially from the last documents placed before the resignation of Judge Siegfried BLUNK, but stressed that the document numbering did not have any legal effect, while the International CIJ argued that the documents should be numbered sequentially from those placed on the case file by International Reserve CIJ Laurent Kasper-Ansermet.
48. On 24 April 2014, the ICP filed Supplementary Submission regarding Forced Marriage and Sexual or Gender-Based Violence.⁴⁵
49. On 1 December 2014, the CIJs disagreed over the conduct of witness confrontations. The National CIJ considered that the investigation to determine personal jurisdiction and the proceedings at this stage did not require the conduct of confrontations among witnesses and/or civil parties.
50. On 22 January 2015, the CIJs disagreed over the notification of charges to **AO An**. The National CIJ considered that the investigation to determine personal jurisdiction and its follow up raises reasonable doubts as to whether or not **AO An** falls under the personal jurisdiction of the ECCC.
51. On 24 March 2015, International CIJ Mark B. HARMON summonsed **AO An** to an initial appearance.
52. On 27 March 2015 following the CIJs' disagreement over the notification of charges, Judge B. HARMON conducted the initial appearance hearing and notified **AO An** that he had been charged by the International CIJ.
53. On 7 July 2015, International CIJ Mark B. HARMON resigned for personal reasons.⁴⁶
54. On 31 July 2015, Judge Michael BOHLANDER was appointed as the International CIJ.
55. On 24 August 2015, the ECCC issued a press release, announcing that Judge Michael BOHLANDER had been appointed by the Supreme Council of Magistracy to replace Judge Mark B. HARMON.⁴⁷

56. On 25 February 2016, Judge Michael BOHLANDER summonsed **AO An** to a further appearance on 14 March 2016 at 10.00 a.m.⁴⁸
57. On 14 March 2016, Judge Michael BOHLANDER notified [**AO An**] of additional charges regarding his positions of the Deputy Secretary of the Central (Old North) Zone, Member of the Central (Old North) Zone Committee, and Secretary of Sector 41 of the Central (Old North) Zone for genocide and crimes against humanity.⁴⁹
58. On 9 November 2016, the International CIJ issued a notification pursuant to Rule 66 *bis*(2) regarding his intention to reduce the scope of the investigation.⁵⁰
59. On 16 December 2016, the International CIJ issued a decision to reduce the scope of the judicial investigation: Tuol Ta Phlong Security Centre, Wat Kandal Security Centre, Chamkar Svay Chanty Security Centre, Wat Baray Chan Dek Security Centre, Wat Srange Security Centre; the arrests and executions of Cham people in the Eastern Zone; torture at Tuol Beng/Wat Angkuonh Dei; and imprisonment and persecution at Wat Phnom Pros.⁵¹
60. On 16 December 2016, the CIJs issued Notice of Conclusion of Judicial Investigation against **AO An**.⁵²
61. On 16 December 2016, the CIJs issued an order to sever **AO An** from Case 004 and create “**Case 004/2**.”⁵³
62. On 29 March 2017, the CIJs issued Second Notice of Conclusion of Judicial Investigation against **AO An**, notifying that the judicial investigation against **AO An** had been concluded and that as the Internal Rules did not require any period for further investigation, none was granted.⁵⁴
63. On 19 May 2017, the CIJs issued Forwarding Order pursuant to Internal Rule 66(4), forwarding Case 004/2 under investigation to the Co-Prosecutors for issuing final submissions within 3 (three) months from the notification of this order.⁵⁵
64. On 18 August 2017, the NCP issued her Final Submission concerning **AO An** pursuant to Internal Rule 66, requesting the CIJs to dismiss the case against **AO An** pursuant to Internal Rule 67(3)(a).⁵⁶

65. On 21 August 2017, the ICP issued his Final Submission, requesting the CIJs to indict **AO An** and bring him before the Trial Chamber.⁵⁷
66. On 24 October 2017, the Co-Lawyers for **AO An** filed a response to the Co-Prosecutors' Final Submissions, requesting the CIJs to dismiss the case against **AO An**.⁵⁸

E. Irregularity of Acts by the International Reserve Co-Investigating Judge

67. Following the official resignation of Judge Siegfried BLUNK, International Reserve CIJ Laurent Kasper-Ansermet had not arrived at the ECCC, but started to act online from his former workplace. Upon his arrival at the ECCC, he started to carry out a number of activities without consulting the National CIJ. This was in breach of the ECCC Agreement, which governs cooperation between the CIJs. The National CIJ requested that the International Reserve CIJ temporarily delay the commencement of his activities until his appointment by the Supreme Council of Magistracy of the Kingdom of Cambodia as a full-rights International CIJ.⁵⁹
68. Nevertheless, the International Reserve CIJ Laurent Kasper-Ansermet continued to conduct a number of investigative actions including the notification of charges to the suspect, charging the suspect and other acts.
69. In principle, every International Reserve CIJ, before commencing the job, shall be appointed as a full-rights International CIJ first. The National CIJ issued a press release, rejecting the activities carried out by the International Reserve CIJ and declaring those activities legally invalid because they were carried out during the period when the International Reserve CIJ did not become a full-rights investigating judge. Therefore, the National CIJ, both verbally and in writing in the disagreement registered in the case file, did not accept the placement of the documents generated by the International Reserve CIJ on the case file and the documents placed on Case 004 shall be numbered sequentially from the last documents placed before the resignation of Judge Siegfried BLUNK. This Closing Order does not consider the documents generated by International Reserve CIJ Laurent Kasper-Ansermet to be legally valid.

F. Charging Procedure

70. Pursuant to the Internal Rules, a judicial investigation shall be conducted only into the facts alleged in an Introductory Submission or Supplementary Submission. However, a decision to open a judicial investigation is made at the CIJs' discretion. Internal Rule 55(4) provides in relevant part, "*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.*"⁶⁰
71. Upon receipt of the Introductory Submission, the Co-Investigating Judges may initiate an investigation without having to charge someone immediately. A charged person may be summonsed to appear before the Co-Investigating Judges. During this stage, the Co-Investigating Judges may issue a dismissal order. In principle, the Co-Investigating Judges will not issue an indictment without having to charge a person first since the charged person has not been notified of the charges so that he/she shall have time and means for the defence against those charges. If such an indictment is issued, it will violate the right to a fair trial.
72. While Internal Rule 55 requires standard of proof "clear and consistent evidence" to charge any persons who are not named in the Introductory Submission or the Supplementary Submission, the Co-Investigating Judges used this standard of proof to charge the charged persons named in the Introductory Submission or the Supplementary Submission. This standard of proof is not as high as the one used to ascertain guilt (beyond a reasonable doubt) by the Co-Prosecutors.⁶¹ However, it is not low either as it requires a lot of clear and corroborative evidence to prove that the charged person bears responsibility through commission as well as a very high likelihood that the responsible person will be sent to trial in the future.⁶²
73. The ECCC was established under the Agreement between the Royal Government of Cambodia and the United Nations. The ECCC is a special court whose jurisdiction is limited to two categories of persons only. For this reason, unlike national courts, the CIJs must first consider whether or not the person named in the Introductory Submission falls under the ECCC

jurisdiction before charging him/her. The CIJs must undertake a thorough and complete analysis before charging any person. As such, as stated earlier, the CIJs have the discretion to decide independently⁶³ and do not have to decide charges hurriedly. Any decision must be based on the standard of proof as set forth in Internal Rule 55 and must have regard to the rights, freedoms and interests of victims and civil parities.

74. The Co-Investigating Judges cannot indict a person and send him/her to trial before having charged him/her first. In respect of jurisprudence, France's Cour de Cassation has held that, "The Investigating Judge, before issuing a closing order that dismisses the case against a person, does not need to charge or interview that person if he finds that the person's guilt cannot be established."⁶⁴
75. It is not always compulsory for the CIJs to charge a charged person. On the principles of independence and impartiality, particularly the presumption of innocence in protecting the rights and interest of a suspect in accordance with the principle of fair trial rights,⁶⁵ the CIJs, despite having charged a person, may drop the charges against him/her unless the criteria for an indictment are met. All facts of charges may be dismissed against a charged person. In addition, charging a person does not require the judge to detain him/her if the detention is not justified by necessity.
76. A charged person has a number of fundamental rights in criminal proceedings such as the right to legal representation as set forth in the Universal Declaration and other covenants and conventions.⁶⁶ Failing to charge a person and eventually indicting and sending him/her to trial may violate these rights since the charged person has not been afforded an opportunity to exercise these rights and this would therefore result in an unfair trial. The decision to charge a charged person would move the criminal proceedings forward and the court would require time and resources to comply with legal procedures as required. In the end, if the person were to be acquitted because the court could not establish his/her responsibility, the court would have spent time and resources unnecessarily. This would not be in the interest of efficiency and judicial economy.

II. Factual Findings

A. General Policies of the Democratic Kampuchea Regime

77. The Democratic Kampuchea regime led the country from 17 April 1975⁶⁷ to 06 January 1979 with the aim of building the country following real world socialist path.⁶⁸ To achieve that, the policy to evacuate the population from cities and towns to countryside⁶⁹ was made so that they could join in mass agriculture⁷⁰ which was the most important sector for developing the maximum economy under the Party⁷¹ leadership and instructions, based on the stance of “**Independence, Mastery, Self-Reliance**”.⁷² In addition, low social class which was the poor peasant working class was made to control the local bases from the village level.⁷³
78. A book entitled “Geography of Democratic Kampuchea” which was published by the DK Ministry of Education in 1977 states that Cambodia had a total population of 7,700,000 (seven million, seven hundred thousand) – 80% (eighty per cent) of which were cooperative peasants and 20% (twenty per cent) were workers, unionists, male and female combatants of the Kampuchean Revolutionary Army.⁷⁴
79. The above reasons led to constant social class angst⁷⁵ against the feudalist⁷⁶ and capitalist classes which used to hold oppressive power for over 2,000 (two thousand) years and which were accused of shamefully having sold the country to foreign imperialists successively for the sake of their own interest and henchmen.⁷⁷ This made the low class become a crucial part in steering the entire Cambodia.⁷⁸
80. The DK administrative 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**”⁷⁹ on the grounds that the country could be built rapidly if it were done collectively.⁸⁰ In addition, policies were widely disseminated through meetings at zone, sector, district, commune, village and cooperative levels and they were transmitted from the upper to the lower levels through the hierarchy.⁸¹
81. The DK communist-based leadership vested its supreme power in the Party via the most influential institution known as “**The Central Committee of the CPK**”. The committee consisted of approximately 30 (thirty) members who

made major decisions concerning the fate of the country.⁸² While the CPK Standing Committee had 7 (seven) members including POL Pot, NUON Chea, SAO Phim, *Ta Mok*, IENG Sary, VORN Vet, and SON Sen.⁸³ As a matter of fact, [who had] **the authority over decision-making was the Standing Committee**,⁸⁴ despite the fact that KHIEU Samphan, the former President of the State Presidium,⁸⁵ said that in principle the most important organ was the “Central Committee”.⁸⁶

82. Prior to 1975 the Party required people to live in cooperatives in the liberated zones where they lived communally, farmed communally, harvested communally, ate in communal dining hall, and worked communally while the Party controlled and collected the produce.⁸⁷ Furthermore, the Party controlled every work activity, living arrangements, clothing, how people communicated, property, time, belief, food, and movement.⁸⁸
83. Mr MAT Ly stated that cooperatives were initially established on 20 March 1973 and people really liked them.⁸⁹ However, the Party made an official decision to establish peasant cooperatives on 20 May 1973.⁹⁰ For such arrangements, peasants who did not own a plot of land were entirely satisfied while those who owned land did not seem happy and fed up with the so-called collective.⁹¹
84. Right after the liberation, at some bases, some villages were incorporated into “**cooperatives**”⁹² with communal eating⁹³ and living arrangements on the pretext that a collective was a humanitarian concept that everyone should have had an equal amount of food for consumption.⁹⁴ Cooperatives were considered backbones of the revolution throughout the country.⁹⁵ Under such leadership, people were provided 2 (two) meals per day, one was gruel and the other was cooked rice.⁹⁶
85. Furthermore, the Party set out a target for rice production⁹⁷ as the Party, the upper echelon, forced people to produce **3 tons of rice per hectare**⁹⁸ over the 1.5 million hectares of farmland. *Angkar* expected that the rice produce would be 4,500,000 tons, which was the core task to undertake in 1976.⁹⁹ A witness who was a typist claimed that, “*Several documents say about producing three tons of rice per hectare.*”¹⁰⁰ Most rice produce had to be absolutely delivered to the Party for overseas export.¹⁰¹ Some cooperative chiefs at the bases inflated the figures of rice produce so that the Party viewed

- them as striving for and being loyal to the Party since they delivered a large quantity of rice produce to the upper echelon while in fact people at their bases did not have enough rice to eat.¹⁰²
86. In addition, some cooperative chiefs lied in their report to the upper echelon in order to retain some rice for people at the bases. As a result, the Party arrested and killed any cadres if they were found having lied. Lack of rice caused people starvation. Due to such challenge, people were mistreated as slaves under other inhumane acts.¹⁰³ This issue led to several consequences including death of many people due to starvation and infectious disease, etc.
87. The form of the DK leadership is distinct from other countries in the world.¹⁰⁴ Even IENG Sary, the former deputy Prime Minister in charge of Foreign Affairs, stated that, “**The Khmer revolution does not follow any previous model. What we are trying to achieve has never been done before in history.**”¹⁰⁵ DK had an absolute stance.¹⁰⁶ People were forced to work at worksites under the most difficult condition¹⁰⁷ and with no adequate break time. Worst still, people were deprived of right of liberty,¹⁰⁸ right to receive information,¹⁰⁹ and freedom of movement.¹¹⁰ There were no markets,¹¹¹ no private ownership,¹¹² no hospitals or healthcare centres, and insufficient medicine for treatment.¹¹³
88. The entire national economy went into a nosedive since this country was led by *Angkar* where there was no money circulation at all¹¹⁴ under the pretext that money circulation led to oppression and corruption, etc., which was the most critical issue that could lead this regime to instability in the administration and country leadership.¹¹⁵ Economists consider currency the only and fundamental basis for the functioning of a country’s economy.
89. With regard to religious belief, DK forced monks to disrobe¹¹⁶ and they were killed if they refused.¹¹⁷ Pagodas were forcibly¹¹⁸ destroyed.¹¹⁹ In practice, POL Pot implemented an absolute Marxist doctrine against all religions in Cambodia.¹²⁰ Several witnesses said that all religions were prohibited while pagodas were transformed into dining halls or used for raising animals.¹²¹ One witness said that “*At that time all religions were abolished and the CPK was the only one to be respected. The CPK hated monks... the most.*”¹²²

90. Democratic Kampuchea divided people according to their age, gender and they had to work in groups. They were required to live and work in different locations.¹²³ A small number of the elderly were not allowed by *Angkar* to be idle and they had to take care of small children whose parents were working at worksites.¹²⁴ Adults were required to participate in agricultural activities in cooperatives, namely working in rice fields,¹²⁵ plantations, or growing vegetables¹²⁶ while some others were made to dig canals¹²⁷ or build dams and so on.¹²⁸ In particular, in relation to reservoirs, the CPK stated that, “**As we have seen, the development within these last two years has been very fast. Compare this to the last one hundred years; one hundred years ago there were no such reservoirs.**”¹²⁹ Children were forced to tender cattle¹³⁰ and collect cow dung for fertilizer.¹³¹
91. In general, people did not have freedom of movement, visiting their relatives or travelling without *Angkar*'s permission.¹³² Absence from home or worksite meant violating *Angkar*'s disciplines. Thus, each family member had very little time to be together¹³³ in the family or at worksite. Freedom of speech was strictly limited by *Angkar*. People were constantly in fear as what they said might lead them to being sent for re-education, arrests, or taken away and killed when they criticised or/and complained about hardship or insufficient food.¹³⁴ Witness PRAK Yut, Kampong Siem district former secretary, said that, “*People could not refuse the order to build dams in the Southwest. If they did, they were sent for re-education.*”¹³⁵
92. In order to achieve the goal of the regime, which was to build the country actively and to lead the country prosperously and rapidly, based on socialism under the slogan “**great leap forward**,”¹³⁶ DK implemented some major policies including the evacuation of people, treatment of specific groups, forced labour at worksites, forced marriage and purges of internal and external enemies. The term “**enemies**” referred to anyone who was accused of breaking a plough,¹³⁷ a hoe, a spoon, a plate or a cooking pot,¹³⁸ who transplanted wrong rice seedlings,¹³⁹ who stole sugar lumps,¹⁴⁰ anyone who grew corn, bananas or potatoes by themselves,¹⁴¹ who tried to brake a car, but the car wouldn't stop,¹⁴² who were late for work,¹⁴³ who zealously implemented orders from the upper echelon,¹⁴⁴ criticised *Angkar*,¹⁴⁵ or attempted to destroy the CPK.¹⁴⁶

93. Prior to 1975, the Party evacuated people from their controlled areas.¹⁴⁷ In February 1975, the Central Committee of the CPK convened a meeting and decided upon a plan to evacuate people in anticipation of the victory.¹⁴⁸ At that time, senior leaders including POL Pot, NUON Chea, IENG Sary, and KHIEU Samphan attended the meeting¹⁴⁹ and decided to evacuate people in 3 (three) phases.¹⁵⁰ One witness testified that senior cadre *Ta Mok* said that, “*All people had to be evacuated to the countryside so that they could build economy there. ... The evacuation from cities had to be conducted nationwide and it had to be done in 2 (two) days.*”¹⁵¹ The CPK made an official assessment of the number of the evacuees at 2,000,000 (two million).¹⁵²
94. The movement of the people, Phase One, occurred after the liberation on 17 April 1975¹⁵³ and military units were tasked to execute the plan by forcing people to leave their homes and travel through all national roads to the west, the east, the north and the south of Phnom Penh as well as from provincial and district towns to the countryside.¹⁵⁴ With the aim of developing the economy, paving a socialist path for the regime, irrigation had to be built collectively at the countryside¹⁵⁵ - building creeks,¹⁵⁶ dams,¹⁵⁷ canals¹⁵⁸ and reservoirs consistent with the saying “**Where there is water, there is fish. Where there is fish, there is everything.**”¹⁵⁹
95. Furthermore, people were compelled to work in rice fields and to engage in rice production at cooperatives.¹⁶⁰ This became an important part of strengthening the DK security as it could help identify enemies including former soldiers,¹⁶¹ former civil servants of the previous regime,¹⁶² CIA¹⁶³ or KGB¹⁶⁴ [agents] and *Yuon* enemies burrowing from within¹⁶⁵ and defend the country against possible confrontation with Vietnam, etc.¹⁶⁶
96. The movement of the people, Phase Two, started from September 1975 through 1977. People and cadres from the Southwest Zone (Kandal and Takeo provinces) were evacuated to the Northwest Zone (Battambang and Pursat provinces).¹⁶⁷ The plan was implemented after a visit of the Standing Committee to the Northwest Zone in August-September 1975 as it learned that there was a need of additional 500,000 (five hundred thousand) people in addition to the existing population in the zone¹⁶⁸ in order to promote the socialist economy via production cooperatives thanks to the fertile soil in the zone and as it also could accommodate additional population.¹⁶⁹ Thus,

thousands of people were transferred by different means such as trains and vehicles, departing Phnom Penh and heading to various locations in Pursat and Battambang.¹⁷⁰ By 1977, the CPK estimated that the total number of the evacuees reached 4,000,000 (four million).¹⁷¹

97. The movement of the population, Phase Three – the last phase, occurred in late 1977-1978.¹⁷² People living in Prey Veng and Svay Rieng provinces in the East Zone were forced by *Angkar* to go to the Northwest Zone.¹⁷³ Beside ordinary people, there were enemies and perceived enemies including those associated with the previous regime and Vietnamese networks, the 17 April people, monks, Cham people, half-breed Chinese and half-breed Vietnamese, etc.¹⁷⁴ Those who arrived at this time were made to write their biographies. Some were sent to various cooperatives and worksites and some were sent to security centres first, while some others were taken away and killed immediately.¹⁷⁵
98. Furthermore, under the pretext of evacuation, the Party leadership withdrew civilians and troops from the battlefield with Vietnam when they suspected that there were traitors or SAO Phim's network.¹⁷⁶ *Ta Mok* (Northwest Zone Committee) in the presence of Sarun (Sector 105 Committee) and Rim (District Committee) chaired a meeting in Pursat province. They organized those who arrived in the Northwest Zone, asking them to watch out for East Zone people because, when arriving in Phnom Penh, some of them were found concealing weapons and some others were the Vietnamese network.¹⁷⁷
99. DK classified people according to their biographies¹⁷⁸ between those living in the liberated zone and after 1975. Right after 17 April 1975 *Angkar* divided people according to their living status: the rich, the poor or the learned persons. Those who held positions or their relatives worked as civil servants in the LON Nol regime or Sangkum Reast Niyum were considered having a no good tendency.¹⁷⁹ *Angkar* called those who were evacuated to new locations new people¹⁸⁰ or 17 April people.¹⁸¹ Those who remained where they were called old people¹⁸² or 18 April people,¹⁸³ which generally speaking referred to base people.¹⁸⁴ New people were given a status as “**depositees**” and they were not allowed to hold any positions of any levels.¹⁸⁵ On the contrary, old people or base people enjoyed the status as full-rights people or candidate people if their relatives were associated with enemies.¹⁸⁶

100. In general, people were forced to wear black clothes by *Angkar* and they were given two sets of clothes per year.¹⁸⁷ Each family no longer had private property. This was based on the policy which had been implemented prior to the liberation on 17 April 1975.¹⁸⁸ DK viewed that private property¹⁸⁹ belonged to the capitalist regime that led to corruption¹⁹⁰ or exploitation of the people by the rich.¹⁹¹
101. The 20 May 1975 meeting was held at Olympic Stadium to abolish markets and national currency.¹⁹² Obviously, one witness who was a former cadre that attended the meeting concerning Party policies where POL Pot and NUON Chea made opening remarks claimed that *“Both of them talked about political matters, cooperative organization, currency prohibition, market and monastery closings and stated that they would be reopened in the future.”*¹⁹³ In late 1978, there was a decision to introduce currency and markets; however, it was not implemented due to the collapse of the regime.¹⁹⁴
102. The DK regime imposed forced marriage in order to achieve and defend the socialist revolution through which *Angkar*, the upper echelon, were the custodians in lieu of parents.¹⁹⁵ Witnesses said in reference to the political message from cadres that, *“They planned to raise new forces, to increase the population to 15 (fifteen) or 20 (twenty) million in the next 15 (fifteen) or 20 (twenty) years.”*¹⁹⁶ This was also beneficial to policy management of individuals and economy, leaving parents working at cooperatives or worksites.¹⁹⁷
103. As for marriage, *Angkar* collected people of the same political status, encouraging soldiers [to get married]¹⁹⁸ in line with the announcements made by POL Pot in conferences, official publications, telegrams coupled with intimidation of violence or death.¹⁹⁹ Numerous witnesses testified that people who were forced to get married did not dare to protest.²⁰⁰
104. The purge policy inside and outside the Party was formulated prior to 1975 with the aim of destroying hierarchy of previous regimes, feudalists, capitalists, religions, race, etc.²⁰¹ Article 10 of the DK Constitution states that, *“Dangerous activities and systematic destruction 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.”*²⁰²

105. After 1975, situations became complicated at all levels, and general policies which seemed to be radical left following the lines of independence, mastery, and self-reliance were too strictly implemented.²⁰³ The purge policy was carried out following the 1976 Party Standing Committee decision regarding the right to smash inside and outside the Party ranks as it clearly states that *“If within the base framework, the decision shall be taken by the Zone Standing Committee. Surrounding the Centre Office, the decision shall be taken by the Central Office Committee. In independent Sectors, the decision shall be taken by the Standing Committee. For the Centre Military, the decision shall be taken by the Staff.”*²⁰⁴
106. Former Chief of S-21 Security Centre KAING Guek-Eav *alias* Duch interpreted the 1976 decision as follows: *“The Zone Standing Committee was not the only body with the authority at the base... Zone secretaries had the power to decide if a person was to let live or to die, therefore the real authority was vested with zone secretaries.”*²⁰⁵ Likewise, zone secretaries controlled the military and militia within the zone.²⁰⁶
107. Under the CPK leadership, the regime established numerous security centres for detention and execution, making a total of approximately 196 (one hundred and ninety-six) security centres throughout the country. They were used to detain, temper, re-educate, re-fashion, and torture people in order to identify traitorous networks or to kill entire families.²⁰⁷ Cadres at all levels had to implement the Party lines through dissemination of Party policies and facilitation of arrests and transfers by order of the upper echelon, commonly known as *“Angkar.”*²⁰⁸ A commonly used saying at the time was *“Don’t do anything to disrupt Angkar or disrupt a historical wheel.”*²⁰⁹
108. All orders came from the *“upper echelon”*²¹⁰ while the lower level did not understand the plans or political agenda.²¹¹ However, if they did not implement the policies of the upper echelon, they were considered *“enemies”*²¹² and taken away and killed.²¹³ In the DK context, an order from the upper echelon had to be absolutely respected and if anyone dared to refuse, he/she was arrested and killed.²¹⁴ Thus, cadres who dared to criticise the Party lines were considered by *Angkar* to be *“traitors”*.²¹⁵
109. 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.²¹⁶ The CPK designated regular Party lifestyle meetings, saying that, “*if meetings are regular, there is progress, fast or slow progress, but **progress nonetheless.***”²¹⁷ Following those meetings, *Angkar* spread propaganda, encouraging people to work hard and not to betray *Angkar* or they would be “**condemned by history.**”²¹⁸

110. Those who could not be re-educated or re-fashioned by *Angkar* would be taken away and killed as *Angkar* said that, “**No gain in keeping, no loss in weeding out.**”²¹⁹ In 1976, HOU Nim was killed as he suggested [a possibility of] printing the currency and market opening, which was contrary to the decision made earlier by POL Pot, NUON Chea and *Ta Mok*.²²⁰
111. The implementation of the above CPK policies showed that people faced countless difficulties, especially malnutrition and diseases.²²¹ When they were sick, there were no healthcare centres, hospitals, and insufficient medicines for treatment. Sometimes patients fell severely ill and most of them just died.²²²
112. Furthermore, people died due to the implementation of the purge policy. Cadres and those who were considered enemies or failed to follow the *Angkar*'s orders were also killed.²²³ At that time, disciplinary measures were very strict; whoever, including cadres at any levels such as HOU Yun,²²⁴ HOU Nim,²²⁵ VORN Vet,²²⁶ KOY Thuon,²²⁷ RUOS Nhim²²⁸ and SAO Phim,²²⁹ etc., who failed to comply with the policies were subject to being smashed.
113. During the period of 3 (three) years, 8 (eight) months, and 20 (twenty) days, the regime arrested and executed at least 60 (sixty) senior DK cadres at S-21 Security Centre,²³⁰ and approximately more than 1,700,000 (one million, seven hundred thousand) people²³¹ were killed and died from starvation,²³² diseases²³³ and overwork.²³⁴
114. Policies set out by the CPK as aforementioned show that the monitoring systems of all forms and at all time were established nationwide. Therefore, there was a saying that “*Angkar has many eyes of the pineapple*” which was used in reference to all forms of restriction imposed on people and cadres.²³⁵ In addition, if anyone failed to follow CPK policies, they would become enemies of *Angkar* and would sometimes be considered revolutionary enemies. What was strange was the elimination of private property. Growers

could not even eat vegetables they grew around their houses as vegetables belonged exclusively to cooperatives.²³⁶ This is the root of the problem that led to the birth of the slogan “**Good things come in small packages.**”

115. These facts are objective, publicly known, i.e. those who are over 50 (fifty) years old (**by 2018**) lived through the regime, heard, and witnessed all without evidence to be suggested.
116. The context of the commission and administrative mode in the DK regime is distinct from what happened in Yugoslavia, Rwanda and Sierra Leone, which led to establishment of the International Criminal Court similar to the ECCC. The DK regime had a particular 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.
117. Obviously, the term “enemies” or “revolutionary enemies” has a broad scope and extends to just its own innocent people. This is distinct from the racial conflict between Tutsi and Hutu, which led to genocide in Rwanda.²³⁷ What happened during the DK regime was also different from the genocide of the Croats and the Bosnians²³⁸ committed by the Serbian nationalists led by former-President Slobodan Milosevic.

B. Administrative Structure of the Party Centre

1. CPK Central Committee

118. The CPK was established prior to the DK regime coming to power from 1975 to 1979.²³⁹ The DK regime was a communist-led regime in which the Party led the state.²⁴⁰ CPK policies aimed to sweep clean feudal class and intellectuals among others who were considered enemies and they were accused of exploiting and oppressing people.²⁴¹ Thus, the CPK laid out policies, taking revenge against those people.²⁴²
119. The Central Committee of the CPK was the supreme level of the CPK.²⁴³ The term “Party” was referred to as the CPK Central Committee leadership.²⁴⁴ The Committee had around 30 (thirty) members²⁴⁵ and regularly held a meeting every 6 (six) months.²⁴⁶ The Committee always invited the zone and sector leaders to the meetings in Phnom Penh, especially when CPK policies were disseminated and implemented.²⁴⁷

120. Arrests at a zone or sector level had to be decided by the Central Committee of the CPK.²⁴⁸ Witness SÈM Hoern 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.*”²⁴⁹ In principle, the zone level sometimes did not have the authority to decide on arrests at the sector level; only the Central Committee of the CPK had such authority.²⁵⁰ Witness SUON Kanil stated that “*If there was no arrest document, he (KE Pauk) dared not make arrest. He had to follow orders from the upper echelon.*”²⁵¹
121. **AO An** is alleged, “in his capacity as the Zone Deputy Secretary, to have been a member of the CPK Central Committee at the 5th Party Congress, which consisted of sector secretaries and deputy secretaries, zone secretaries and deputy secretaries.”²⁵² The CPK Central Committee had around 30 (thirty) members including full and candidate members, mostly *tambon* secretaries, secretary of Regions, deputy secretary of Regions, member of Regions and sector secretary. However, despite their positions, they did not automatically become members of the Central Committee.²⁵³ Through his communication, **AO An** confirmed that he was not a member of the CPK Central Committee.²⁵⁴ He also stated that only secretaries of autonomous sectors could become members of the Central Committee of the CPK.²⁵⁵

2. CPK Standing Committee

122. The CPK Standing Committee played a key role in a day-to-day leadership on behalf of the Central Committee of the CPK which was the Party senior leader.²⁵⁶ There were 7 (seven) members of the Party Standing Committee: POL Pot, NUON Chea, SAO Phim, *Ta Mok*, IENG Sary, VORN Vet, and SON Sen.²⁵⁷ POL Pot was Party Secretary²⁵⁸ and NUON Chea was Party Deputy Secretary.²⁵⁹
123. Among those members, there were up to 5 (five) members of the Standing Committee: POL Pot, NUON Chea, IENG Sary, VORN Vet and SON Sen who always worked in Phnom Penh.²⁶⁰ Former Chief of S-21 Security Centre KAING Guek-Eav *alias* Duch said that there were 4 (four) superior echelons of the Party: (1). the Standing Committee, (2). the ex-officio members of the Central Committee, (3). the reserve members of the Central Committee, and (4). the Assisting Committee of the Central Committee.²⁶¹

124. The powers of the Permanent Committee of the Party Centre were stated in the CPK Statute – it was responsible for and monitored the implementation of CPK policies.²⁶² The Permanent Committee of the Party Centre was in charge of all of the political matters from one Congress to another.²⁶³ The first Party Congress was held on 30 September 1960.²⁶⁴ In 1977, the CPK started holding Annual National Congress of the Party.²⁶⁵ The general Party Congress throughout the country was the highest organization of the Party.²⁶⁶ The fifth Congress of the Party Centre was finally held on 2 November 1978 before the collapse of the regime.²⁶⁷
125. 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.²⁶⁸ It had 6 (six) members: POL Pot, NUON Chea, IENG Sary, VORN Vet, SON Sen and KHIEU Samphan.²⁶⁹ From 1975 to 1979 the Standing Committee held at least 19 (nineteen) meetings.²⁷⁰
126. Most of the Standing Committee meetings were held at K-1 and sometimes at K-3.²⁷¹ The decision to hold a meeting of the Party Standing Committee was made by the Party Secretary POL Pot.²⁷² The central office of the Standing Committee of the Central Committee of the CPK was generally known as “**Office 870.**”²⁷³
127. Former Chief of S-21 Security Centre KAING Guek-Eav *alias* Duch said that the Standing Committee was the most important organ of the Party.²⁷⁴ In addition, it oversaw all policies of the Party and the government including internal and external security issues²⁷⁵ as well as several important areas including agriculture, health, and social affairs. The Party Standing Committee led discussions on issues arising from worksites, interrogation, arrests, and general living conditions throughout the country²⁷⁶ and had the powers to order immediate execution.²⁷⁷

3. Other Organs

128. The DK Constitution was adopted on 14 December 1975 by the third National Congress and was promulgated on 5 January 1976.²⁷⁸ The constitution refers the judiciary as the “Judicial Committee” which was elected and appointed by the Kampuchean People’s Representative Assembly.²⁷⁹ 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, peasants and the Kampuchean Revolutionary Army.²⁸⁰ In reality, the Judicial Committee did not function.²⁸¹

129. Two other supreme organs were the Kampuchean People's Representative Assembly²⁸² and the Government²⁸³. The Government was the executive body responsible for executing the laws and political lines of the Kampuchean People's Representative Assembly and responsible before the Kampuchean People's Representative Assembly because the Government was elected by the People's Representative Assembly.²⁸⁴ The Kampuchean People's Representative Assembly was composed of 250 (two hundred and fifty) members who were secretly and directly elected for a five-year term²⁸⁵ by the Kampuchean people and the Kampuchean Revolutionary Army. 150 (one hundred and fifty) members represented peasants, 50 (fifty) members represented workers and 50 (fifty) represented the Kampuchean Revolutionary Army.²⁸⁶
130. The Kampuchean People's Representative Assembly is responsible for making laws, passing laws, monitoring law enforcement and defining the political policies of Democratic Kampuchea.²⁸⁷ It consists of one Standing Committee and others such as the Economics Committee, the Defence Committee, the Foreign Affairs Committee, and the Socio-Cultural and Health Committee, etc.²⁸⁸
131. Article 1 of Kram on the Determination of the Functioning of the People's Representative Assembly of Kampuchea states that, *"Each of the Kampuchean People's Representative Assembly members must continue to stay close to his/her grassroot, sharing their difficulties and happiness, knowing people's hearts, understanding their requests, that is, remaining close with unions and factories, cooperatives, worksites, irrigation systems, his/her unit, by sharing efforts to build and defend the country with the people, workers and farmers, labourers, male and female combatants and cadres of the Kampuchean Revolutionary Army in order to balance their status as real representatives of Kampuchean people, farmers, labourers, and Revolutionary Army."*²⁸⁹

132. The Central Committee decision dated 30 March 1976 appointed NUON Chea as Chairman of the Standing Committee of the People's Representative Assembly.²⁹⁰ In 1976 after the adoption of the constitution, a meeting to establish the State's Assembly was held once in order to show the world that the DK leadership had a State's Assembly.²⁹¹ One witness stated that *"As a representative of people, I did not know what my duties were. I did not even know who the Chairman of the Parliament [Assembly] was. I did not know the work of the Assembly."*²⁹²
133. The Kampuchean People's Representative Assembly seemed to have no real powers since everything was under the control of the Party.²⁹³ The regular duties of the Assembly were to transmit congratulatory messages to friendly countries and to receive foreign delegations visiting Kampuchea.²⁹⁴ Witness CHAN Youran stated that, *"NUON Chea received a delegate of Algerian MPs who came to visit Phnom Penh. He was the person to receive the delegate ... in 1977."*²⁹⁵
134. The Assembly did not work on any draft law or/and hold any session to pass any laws²⁹⁶ although the DK Constitution clearly states that the Kampuchean People's Representative Assembly is responsible for making laws,²⁹⁷ passing laws,²⁹⁸ monitoring law enforcement, and defining political policies of Democratic Kampuchea.²⁹⁹ KAING Guek-Eav, former Chief of S-21 Security Centre, stated that, *"Cambodia [Kampuchea] was the country that had the merely symbolic People's Representative Assembly."*³⁰⁰
135. The International Co-Prosecutor alleged that in March 1976 **Ta An** was appointed under THAU An's name as the Southwest peasants' representative in the People's Representative Assembly.³⁰¹ The allegation is backed up by only an unofficial and unclear copy of a document which lists the names of representatives of the People's Representative Assembly.³⁰² No. 16 on the list mentions THAU An or THAU Ān. There is a presumption that THAU An is **AO An**, or THAU An and **AO An** is the same person.³⁰³ There is no document to show who THAU Ān was. However, what is clear is that there is no document or/and evidence confirming THAU Ān is **AO An**.

C. CPK Policies towards the Cham

1. General Treatment of the Cham

136. Witness MAT Ly stated that, *“In 1976, the constitution of the assembly was released and stated that we could practise belief in any religion, except the reactionary ones. But after the liberation in 1975, all religions were considered reactionary.”*³⁰⁴ Witness CHHOUK Rin testified that, *“I don’t understand, because either Cham or Khmer were badly treated. All religions were banned.”*³⁰⁵ Witness MAT Ysa said that, *“They (the Khmer Rouge) wanted to eliminate all religions including Islam.”*³⁰⁶ Another witness FRANÇOIS Ponchaud said that, *“Those who were killed, and some were, were not killed because of their religion but because they were perceived as political enemies.”*³⁰⁷
137. The treatment of Cham people was more robust and systematic than other religions although in the regime Cham and Khmer people wore the same black clothes.³⁰⁸ Cham people were forbidden from wearing veils and forced to eat in communal hall.³⁰⁹ Witness LEP Srul said that, *“It was imposed upon everyone. But it was expanded to Cham people; we were asked to eat pork. If we did not eat it, we would be smashed.”*³¹⁰
138. Some assertions were made that Khmer people faced more hardship than Cham people.³¹¹ However, it is Cham people who endured more difficulties than Khmer people because they were forbidden by *Angkar* from completely practising their tradition, custom and culture.³¹² Furthermore, Cham people were separated by *Angkar*³¹³ from living together in the community as before and they had to live in cooperatives and mobile units and work under the same conditions as Khmer people.³¹⁴
139. Cham people were regarded as 17 April people by *Angkar* and forced to undertake various work assignments including working in rice fields, building dams and canals, finding and transporting firewood, and fishing.³¹⁵ Food provision was not sufficient. Cham people were prohibited by religion from consuming pork and dog meat; however, they were forced by *Angkar* to consume them.³¹⁶
140. Generally speaking, Cham people were forbidden by *Angkar* from practising their religion³¹⁷ and even the Koran Bible was collected and burned.³¹⁸ In

addition, Cham people were not allowed to study or speak the Cham language.³¹⁹ If someone was found by *Angkar* speaking the Cham language, she/he would be reprimanded for the first time. The person would be arrested and placed in prison for repeated acts.³²⁰

141. Cham people were also forced to marry non-Cham people.³²¹ They were really discriminated, and this situation was increasingly tense after 17 April 1975.³²² In 1977, the DK regime commenced implementing the policy to actively eliminate the Cham race throughout the country.³²³
142. Witness SOH Kâmrei *alias* Haji Kamaruttin Yusof stated that, “*I noticed a small 16-page book with light yellow cover, entitled “The Plan for Progressive Cooperatives ... The book clearly said **Cham is the biggest enemy who must be totally smashed before 1980.**”*³²⁴ The witness also said that, “*In 1977 a security cadre from Sector 21, East Zone, told me, without knowing that I was Cham, that “**the remaining Cham people would soon be killed.**”*³²⁵ Witness PRAK Yut, Kampong Siem district former secretary testified that, “*I attended a sector-level meeting during which **a decision was made to arrest Cham people.**”*³²⁶ Another witness PEOU Sarom said that, “*Cham people were seriously mistreated during that time.*”³²⁷
143. Witness NHIM Kol who was a Kampong Siem district resident said that, “*I know that the commune chief asked the village chief to write down the names of all people in the village in two notebooks. The village chief was required to provide detailed information about them such as their race and biography ... I know that those people whose names were listed down were falsely told that they would be taken to work at the Rubber Plantation Union. But actually they were taken away and killed.*”³²⁸ The order to make the list was issued by the upper echelon to the base.³²⁹
144. Witness PEOU Sarom who personally participated in making the list said that, “*He ordered me to make a detailed list of population in Krala Commune such as males, females, young, old, ethnic groups, “new people” or former LON Nol soldiers.*”³³⁰ Witness LEAV Loas recounted that, “*There were Cham people in my commune. Cham people rarely survived because both those who had made mistakes and those who had not were killed. I did not see the killings, just saw the Khmer Rouge coming to call one family away at a time,*

and the Cham population became less and less. Later, they gathered them all. Cham people were arrested in 1978."³³¹

145. Civil Party Applicant MUOK Sengly stated what Yeay Yuth said, *"The Cham are enemy of Angkar because they plan to rebel, so Angkar has to smash them. If any Cham remain, this must be reported so they can be swept clean, because this is the plan of upper-echelon.*"³³²
146. The testimony of a direct witness SALEH Ahmat who lived in Chinik village, Kroch Chhmar district showed that in late 1978 he drove a motorcycle for the district secretary, who did not know how to ride a motorcycle, to a meeting in Sandan district of Kampong Thom. Since SALEH was not to participate in the meeting, he sat outside to wait. He said that, *"While he waited he could still see some district secretaries of the East and Central Zones inside the meeting. He could also hear what was said during the meeting. At one point during the meeting, KE Pauk who was secretary of the Central Zone asked the district secretary of Kroch Chhmar: "The plan set out by the Party, what percentage has been completed?" SALEH said that KE Pauk then clarified that, "You must destroy the Cham [in the] mobile forces first; they are all traitors.*"³³³

2. Evacuation of the Cham

147. Cham people were evacuated further away from their living areas. Witness SALEH Ahmat said that, *"They arrested, evacuated and took Cham people for execution. These occurred since 1976. There was no meeting that declared any policy against Cham people but they told us that Muslim religion was a superstitious belief.*"³³⁴
148. During that period, many people, the Cham and Khmer alike, were all suffering. But about 75 (seventy-five) percent of Cham families throughout the country were evacuated from their native villages.³³⁵ Obviously, Cham people were evacuated to some districts in Kampong Thom and Kampong Cham provinces including Santuk and Chamkar Leu districts.³³⁶
149. During the evacuation, *Angkar* required all Cham people, men, women and children to leave and if anyone refused they were killed.³³⁷ The evacuation began in 1976 and continued to late 1978.³³⁸ However, witness YA Matly said

that, *“From 1975 to mid-1977 Khmer Islam people were not evacuated yet. The evacuation began in mid-1977 and continued to 1978.”*³³⁹

150. Witness SALEH Ahmat added that, *“The evacuation began in 1976 and continued to 1978 before the liberation. The purpose of the meeting was to assess how the plan to purge Cham people was achieved.”*³⁴⁰ The witness also added that, *“In late 1978 there was a meeting participated by commune, district and sector levels where KE Pauk was present. A question was raised as to how much the Party’s plan was implemented.”*³⁴¹ The rate of evacuation of Cham people is more than that of the evacuation of Khmer people from Phnom Penh and other cities throughout the country.³⁴²

D. The Purge Policy in the Central Zone

151. The CPK policy to purge, to screen³⁴³ or purify³⁴⁴ were implemented by the Party since early 1977³⁴⁵ and even since 1975 in some parts of zones and autonomous sectors³⁴⁶ throughout the country.³⁴⁷ Former Chief of S-21 Security Centre KAING Guek-Eav *alias* Duch said that, *“Based on the decision of 30 March 1976, it was the delegation of the smashing role to cadres. It was therefore an assigned document whose confidentiality was strongly preserved. It was perhaps kept for the **Standing Committee** only.”*³⁴⁸
152. The waves of arrests coincided with the rise of the radical left in the Central Committee of the CPK. For example, the arrest of **“VORN Vet”** who at that time held a position in the DK government and was Deputy Prime Minister in charge of Economy.³⁴⁹
153. Former President of the State Presidium, KHIEU Samphan *alias* Hem, said that, *“He (VORN Vet) was arrested because he [was] also one of the Vietminh bodies hidden in the Communist Party of Kampuchea. Similarly, SAO Phim was also arrested for the same reason.”*³⁵⁰ The CPK fully and ambitiously expected that the implementation of this internal purge policy would help to prevent the invasion of foreigners.³⁵¹
154. In mid-1977, the purge was first launched in Siem Reap province, followed by Kampong Thom province and subsequently throughout the entire Central Zone³⁵² and rose substantially in 1978.³⁵³ However, the purge was likely to have been launched in the Northwest Zone since 1976 as meetings were held in this zone to discuss the purge plans with the participation of Zone Com, the

Sector Com(s), the District Com(s), unit chiefs [in the sub-districts], and the chiefs in the cooperatives.³⁵⁴

155. In 1977, the purge in the Northwest Zone was actively carried out and remarkably effective. Witness, POL Seun, said that, *“In early 1977 Southwest cadres changed the administrative structure in the entire Northwest Zone by removing all zone, sector, district and commune committees and replaced them with those from the Southwest. I personally heard the Southwest people say that all Northwest cadres were traitors.”*³⁵⁵ Northwest Zone Secretary MOUL Sambat *alias* ROS Nhim was arrested and killed in late 1977.³⁵⁶
156. The CPK purge policy was implemented from the upper to the lower level³⁵⁷ as *Angkar* said that, **“Do whatever it takes to cleanse all traitors in the rank.”**³⁵⁸ Witness KHIEU En said that, *“The party members and Youth League members who came through a connection and when that connection was arrested, they would also be arrested.”*³⁵⁹ Previously, former Chief of S-21 Security Centre KAING Guek-Eav *alias* Duch explained the term “purge” which means **“remove the enemies from our ranks, the army, the population so that our ranks, the army and the population be healthy.”**³⁶⁰ Duch also added that *the internal Party’s purges and the purges among the people—which is now know[n] as the Crimes against Humanity—was the task of all of us. Each of us had to inevitably fulfil it according to our roles and responsibilities.*³⁶¹
157. The purge policy in the Central Zone seems to have begun in late 1976 after *Angkar* decided to arrest North Zone former Secretary KOY Thuon *alias* Thuch (later on it was referred to as the Central Zone).³⁶² KOY Thuon was under house arrest since 8 April 1976³⁶³. Later, the arrests of other cadres in the Central Zone were increasingly tense from 31 January 1977 as numerous cadres at the base level, cooperatives, communes, districts, sectors and zones were subject to this CPK purge policy.³⁶⁴ Duch stated that, **“The arrests of Old North Zone cadres forcibly began on 31 January 1977 with the cooperation of KE Pauk.”**³⁶⁵ In general, when a cadre was arrested, everyone in his network and relatives would be arrested.³⁶⁶
158. Witness SOU Seu said that, *“I also heard about the purges of CIA and KGB. They did not tell us when there were arrests.”*³⁶⁷ In the cooperatives of Chamkar Leu district, Sector 42, people continued to disappear. Mostly they

were 17 April people, and some base people also disappeared.³⁶⁸ Their disappearances from the cooperatives continued under the pretext that they “**were sent to study.**”³⁶⁹

159. Witness BAN Siek, former deputy secretary of Chamkar Leu district and secretary of Krauch Chmar district, testified that, “*The zone was controlled by Secretary KE Pauk. KE Pauk served as chief of the Zone Standing Committee... To my knowledge, important decisions, for example, on a purge were made by the Standing Committee.*”³⁷⁰ The purge policy was reflected in the Decision of the Central Committee on 30 March 1976 related to the right to smash inside and outside the ranks.
160. The Decision clearly states that, for purges at the zone, if in the base framework, “**to be decided by the Zone Standing Committee.**”³⁷¹ Duch described it as “a historical document. It shows a turning point, because it reveals the beginning of internal purges.”³⁷²
161. Witness NHÈM Chèn said that, “*I saw only KE Pauk chairing those particular meetings. KE Pauk also said it was the plan from the upper echelon to make efforts to arrest the entire enemy.*”³⁷³ As Zone Secretary, KE Pauk always chaired the meetings, providing his subordinates advice on how to arrest enemies in order to achieve the CPK plans. Witness NHÈM Chèn added that, “*He (KE Pauk) said that in short, at that time, he ordered action to be taken to arrest the enemy in the districts on a continuous basis. The actions had to be taken quickly in order to meet the set plans.*”³⁷⁴
162. Regarding the right to make arrests, witness SUON Kanil, former chief of telegram group at the Office of the Central Zone Committee, said that, “*KE Pauk never used his power to arrest any people personally. All the arrests of the people in the Central Zone were decided by the Centre.*”³⁷⁵ This witness also added that Zone Secretary KE Pauk did not have the right to arrest anyone in his Zone, but he had the right to grant a pardon.³⁷⁶
163. Witness SOU Soeun, Chamkar Leu district former secretary, said that, “*Once I asked them about the disappearance of people, they told me that ‘their affairs, they know and my affairs, I know.’*”³⁷⁷ Witness SUON Kanil, former chief of telegram group at the Office of the Central Zone Committee, also spoke about this issue, “*I did not know much about the purges because we had*

to comply with the four-fold slogan: “no know, no see, no hear, and no talk.”³⁷⁸

164. The purge policy had profound consequences. Witness CHHOUK Rin, former cadre, said that, “*The break-up was resulted from POL Pot’s politics and the too-great-leap-forward policy of the Communist Party of Kampuchea.*”³⁷⁹ The purges triggered the internal break-up of the CPK as some former Khmer Rouge fled to Vietnam and others escaped to the jungle.³⁸⁰ Facing several consequences of the purge policy, Khmer Rouge cadres laid the blame on POL Pot.³⁸¹

E. Forced Marriage

165. During the DK period, some people were not forced to get married,³⁸² but the majority were³⁸³ and if they refused, *Angkar* would re-fashion them.³⁸⁴ If they still refused, they would be taken away and killed.³⁸⁵ There was, however, an exception for the cadres who did not want to get married.³⁸⁶ Forced marriage did not only take place in the Central Zone but also in most of the zones and autonomous sectors.³⁸⁷ Witness CHHOUK Rin said that, “*I did not know the reason. We had to follow them as we stayed with the Communist Party.*”³⁸⁸ *During that era, no one dared to get divorced.*³⁸⁹
166. Duch said that, “*I even heard that Ta Mok would gather future spouses by the hundreds and forced them into marriage.*”³⁹⁰ Witness CHHOEUN Sèm said that, “*I got married in 1975, that is, after 17 April 1975. This marriage was forced by Angkar, by telling that, ‘You, Comrade, must get married.’*”³⁹¹ A former military cadre said that, “*I also got married in that manner. I was assigned to get married without any prior information. I did not know my bride. She also did not know that I would be her husband. I was forced to get married at the same time as many other couples.*”³⁹²
167. Although they did not know about the arranged marriage and while some of them also had fiancés/fiancées, no one dared to refuse the proposed marriage.³⁹³ For example, *Angkar* forced a woman to get married but she refused because the man was handicapped.³⁹⁴ Later the woman committed suicide. In consequence, her dead body was buried, and a chain was laid on her grave along with the statement of “**she was stubborn, and had betrayed Angkar**”.³⁹⁵

168. Wedding ceremonies were not allowed to organise according to the culture and tradition.³⁹⁶ They could be said to have been arranged without any Khmer music and banquets.³⁹⁷ Normally, in the context of Cambodian society, only a couple gets married at one time. In contrast, the DK regime organised wedding ceremonies from one couple³⁹⁸ to two couples,³⁹⁹ three couples,⁴⁰⁰ four couples,⁴⁰¹ more than four couples⁴⁰² and sometimes more than one hundred couples.⁴⁰³ This happened almost throughout the country.
169. In general, it was observed that wedding ceremonies were organised by a unit chief. To start with, the unit chief made an opening remark.⁴⁰⁴ Those who were to get married were seated face-to-face by *Angkar* – men sat in one row⁴⁰⁵ and women in a row opposite.⁴⁰⁶ Then each couple stood up to make a [marriage] vow.⁴⁰⁷ Finally, the unit chief made an announcement “**Congratulations to the comrades being married, the couples**”.⁴⁰⁸
170. At some bases, wedding ceremonies were organized in the open rice field where male and female couples were made to sit on empty sacks.⁴⁰⁹ Couples’ clothes were black, and sometimes *Angkar* allowed them to wear new clothes, still black, though.⁴¹⁰ Overall, marriage arranged for cadres was better than for people at the bases.⁴¹¹
171. After the marriage, *Angkar* allowed the couples to rest – the number of days off varied from one location to another ranging from one day⁴¹² to two⁴¹³ or three,⁴¹⁴ or up to a fortnight.⁴¹⁵ After the break, *Angkar* sent them back to work in the villages and generally gave them lighter work load at first⁴¹⁶ and while others were sent to different worksites right away.⁴¹⁷ Couples were separated and not allowed to stay together.⁴¹⁸ *Angkar* allowed them to meet only once a week,⁴¹⁹ once a month⁴²⁰ or once every two months.⁴²¹
172. In response to the investigator’s question “*Were those arranged couples happy, willing to accept each other or sad to be married?*”⁴²² Witness AUM Yat replied that, “*I noticed that they seemed to be fine. I noticed that they were happy with each other.*” However, very few couples lived together forever.⁴²³ Sometimes only one spouse was killed;⁴²⁴ sometimes both spouses were killed together.⁴²⁵
173. It would appear that there was no clear reason for forced marriage.⁴²⁶ Some former cadres held a view that multi-couple marriage was organized because it

seemed likely that *Angkar* did not want to waste resources.⁴²⁷ Former Chief of S-21 Security Centre Duch said that, *“In my opinion, collective marriages would have been decided upon by the Standing Committee, or in other words, by POL Pot. Once again, I saw no evidence that a country-wide policy was being applied in that regard.”*⁴²⁸

174. Witness SĒK Sam At *alias* Yeay Rim, Bakan district former secretary, said that, *“I did not have any policies to instruct for forced marriage. There were no rules or policies. However, from the beginning of the regime, I saw such practices. I saw that the weddings were not the same as before. In the old days, a proper process for marriage proposals would be followed. During the regime, many couples were wed en masse. I did not set out such policy. I was unaware of such a policy.”*⁴²⁹
175. Witness SAO Sarun, former Sector 105 Secretary (Mondulkiri province) said that, *“I went to a meeting with POL Pot (I don’t remember when), and he said to marry them in couples, two or three couples could be married, to not make it too difficult. But in actuality, a single couple could also be married. The parents or relatives that lived in different cooperatives or different sectors could attend, and the bride and the groom had to rise to make a resolution announcing their biographies and their loyalty to one another.”*⁴³⁰
176. Duch also said that, *“In 1967, I underwent secret training at a house on St. 163 and, on that occasion, I became aware of a document that originated from the party cell which I was a member. In that document, there was an explanation to the effect that marriage should be “1+1=2” and not “=0” or “=1.” I interpreted this slogan as follows: a member of the party can only love a fellow member of the same party. So therefore it was in that spirit that I prepared myself for marriage: it seemed to me impossible to marry anyone from outside the party, particularly someone from the new population. I would like to point out that my own wife was not only a member of the party but, in addition, a lower middle peasant and that she came from a base group of the revolution.”*⁴³¹
177. Soldiers were also forced to get married under arrangements made by their respective unit chiefs.⁴³² Witness CHHOUK Rin, a former soldier, said that, *“Forced marriage happened because if we were assigned to get married, we had to do it.”*⁴³³ In general, women were forced by *Angkar* to marry soldiers,

sometimes they had to marry handicapped soldiers since the latter had priority to propose first.⁴³⁴ Those who disliked their partners did not dare to protest since they were afraid *Angkar* would take them away and kill them.⁴³⁵

178. Militiamen spied on newlyweds, eavesdropping under the house for a few days. If a couple did not consent or rowed, *Angkar* would take them away for re-education and sometimes they disappeared.⁴³⁶ As such, some newlyweds forced themselves to consummate their marriage since they were afraid of losing their lives⁴³⁷ because those who refused to consummate their marriage were considered enemies and they were subject to a reprimand or being arrested and killed.⁴³⁸ When couples agreed to consummate the marriage, eavesdropping under the house no longer existed.⁴³⁹ However, spying on newlyweds to find out whether they were sleeping together was not mentioned in any Party instructional documents.

179. Duch also mentioned this issue: *“To my knowledge there were no measures to organize surveillance, but some immoral cadres spied on the married people to find out whether they were sleeping together. This was independent of the problem of forced marriage.”*⁴⁴⁰ Duch also added that, *“Secretary of the Military Hospital 98 Committee, who asked his subordinates to spy on married people to see if they were sleeping together was punished for this: he was first made to apologise to the married couples in question and then, as there were other allegations against him, he was arrested, transferred to S-21 and executed.”*⁴⁴¹

F. Administrative Structure at the Base Level

1. Zones

180. The DK regime had 6 (six) zones:⁴⁴² the Southwest Zone,⁴⁴³ the West Zone,⁴⁴⁴ the Northwest Zone,⁴⁴⁵ the Central Zone⁴⁴⁶ (former North Zone⁴⁴⁷), the Northeast Zone,⁴⁴⁸ and the East Zone.⁴⁴⁹ In addition, there were some autonomous sectors:⁴⁵⁰ Kampong Som,⁴⁵¹ Mondulkiri (Sector 105),⁴⁵² Preah Vihear (Sector 103),⁴⁵³ and Kratie (Sector 505).⁴⁵⁴ The administrative structure is a top-down hierarchy:⁴⁵⁵ zones,⁴⁵⁶ sectors,⁴⁵⁷ districts,⁴⁵⁸ communes,⁴⁵⁹ villages,⁴⁶⁰ cooperatives,⁴⁶¹ groups,⁴⁶² units,⁴⁶³ mobile units,⁴⁶⁴ and children units.⁴⁶⁵

181. At the zone level, the zone congress was the highest organization.⁴⁶⁶ Each zone was led by a zone secretary,⁴⁶⁷ a deputy zone secretary⁴⁶⁸ and members of the zone committee⁴⁶⁹. The same structure applied to autonomous sectors.⁴⁷⁰ The majority of the zone secretaries and above were members of the Central Committee of the CPK⁴⁷¹ and only a small number of the members of the zone committees might have become members of the Party Standing Committee.⁴⁷²
182. Based on the administrative structure, zones oversaw sectors, districts, communes, villages and cooperatives.⁴⁷³ Thus, a zone was divided into sectors while each sector was divided, for the administrative purpose, into districts and each district was subsequently divided into villages and cooperatives where mobile units were based.⁴⁷⁴ Each district mobile unit had around 3,000 (three thousand) people.⁴⁷⁵

2. Chain of Command

183. When there was a decision of the Central Committee of the CPK or Standing Committee, the dissemination mechanisms were implemented by the zone secretaries and autonomous sector secretaries who were responsible for disseminating policies and instructions to the sector and district secretaries, so the policies of the upper echelon could be executed.⁴⁷⁶
184. Regarding reporting mechanisms, the communes had to report to the district committees who in turn transmitted such reports to the sector committees. The sector committees had to further transmit the reports to the zone committees. The CPK Statute clearly states that, "*The organization which has the highest power in each zone is the zone committees.*"⁴⁷⁷

3. The Southwest Zone

185. The Southwest Zone was divided into four sectors: Sector 35⁴⁷⁸ (Kampot province),⁴⁷⁹ Sector 13⁴⁸⁰ (Takeo province),⁴⁸¹ Sector 33 (Samraong Tong district and Kong Pisei district in Kampong Speu province),⁴⁸² and Sector 25 (part of Kandal province).⁴⁸³ In the Southwest Zone, UNG Choeun or CHHIT Choeun *alias Ta Mok* was appointed as Zone Secretary from the beginning to the end of the DK regime.⁴⁸⁴

3.1. Sector 13

186. The International Co-Prosecutor alleges that **AO An** is a founder of Kraing Ta Chan Security Centre and Crime Site.⁴⁸⁵ This location is also part of the charges described in detail in the Closing Order in Case 002.⁴⁸⁶
187. Witnesses claimed that LENG Ān was Deputy Chief of the Security Centre in 1974 and later became Security Centre Chief until 1979⁴⁸⁷ when he was taken away and killed.⁴⁸⁸ There is possibly a misunderstanding about Ān and An, which leads to a conclusion that **AO An** is a founder of this Security Centre. Many witnesses provided contrasting evidence that **AO An** never worked in Sector 13 of the Southwest Zone⁴⁸⁹ in Tram Kak district, Takeo province where the Security Centre was located. In addition, Witness PECH Chim, Tram Kak district former secretary (District 105), clearly stated that “*An was KE Pauk’s deputy. An never worked in Kraing Ta Chan Security Centre.*”⁴⁹⁰ In conclusion, the investigation does not show that **AO An** is a founder of the Security Centre.

3.2. Sector 25

188. Prior to 1975, Sector 25 was part of the special zone.⁴⁹¹ However, after 17 April 1975 the upper echelon decided to include Sector 25 as part of the Southwest Zone.⁴⁹² Sector 25 covering part of Kandal province had 5 (five) districts:⁴⁹³ Kandal Steung,⁴⁹⁴ Sa-ang,⁴⁹⁵ Koh Thom,⁴⁹⁶ Kien Svay,⁴⁹⁷ and Khsach Kandal.⁴⁹⁸
189. Sector 25 Committee consisted of secretary, deputy secretary and members who were frequently replaced with no clear timeline.⁴⁹⁹ Before and after 17 April 1975, Chey was Sector Secretary, SOKH But Chamroeun was Sector Deputy Secretary and HUOT Sey was Member of the Sector Committee.⁵⁰⁰ Then CHAB Chiel became Sector Secretary, and Prak was Sector Deputy Secretary.⁵⁰¹ Later on, there were 4 (four) members on the Sector 25 Committee: Chea⁵⁰² as Secretary, Prak⁵⁰³ as Deputy Secretary, Sean⁵⁰⁴ and **An**⁵⁰⁵ as Members.⁵⁰⁶ Sector Secretary Chea was arrested in around August or September 1977.⁵⁰⁷ Prak then replaced Chea as the Sector Secretary.⁵⁰⁸
190. A witness said that in the early 1970s **AO An** was a military commander at the sector level in charge of Kandal Steung district.⁵⁰⁹ In 1972-1973, **AO An** was transferred to work in the southern part of Phnom Penh in Kandal Steung

district.⁵¹⁰ **AO An** became Sa-ang District Secretary for a short period of time.⁵¹¹ In February 1976 **AO An** was transferred from Sector 25 to work in Sector 35 in the Southwest Zone.⁵¹²

3.3. Sector 35

191. Sector 35 was part of the Southwest Zone under the control of Southwest Zone Secretary *Ta Mok*.⁵¹³ There were 5 (five) districts in Sector 35 in the Southwest Zone: Koh Sla, Kampot, Touk Meas, Kampong Trach, and Chhouk.⁵¹⁴ Sector 35 Committee consisted of KÂNG Chab⁵¹⁵ as Secretary, **An**⁵¹⁶ as Deputy Secretary, SAOM Phôn,⁵¹⁷ Sean,⁵¹⁸ *Ta Ty*,⁵¹⁹ Yut⁵²⁰ and *Ta Mut* as Members.⁵²¹
192. **AO An** was [a member of] the Sector Committee. The upper echelon gave him responsibility for building dams and canals.⁵²² **AO An** also served as the Sector 35 Office Chief for a while. Witness PECH Chim, Tram Kak district (District 105) former secretary, confirmed that, *"I secretly asked them and I was told that he (AO An) used to be Chief of Sector 35 Office in Kampot province."*⁵²³ **AO An** held another position, *"He (AO An) was [on] the Koh Sla District Committee,"*⁵²⁴ said another witness.
193. Having worked, after his transfer to Sector 35, for about 1 (one) year, **AO An** was assigned by the upper echelon to work in the Central Zone.⁵²⁵ At that time KÂNG Chab, Sector 35 Secretary of the Southwest Zone, was also transferred to the Central Zone and SÂM Bit was appointed by the upper echelon as the Sector 35 Secretary for his replacement.⁵²⁶

4. The Central Zone

194. After 17 April 1975, the North Zone was dissolved due to its wide coverage.⁵²⁷ The North Zone was demarcated into 2 (two) zones:⁵²⁸ the Central Zone⁵²⁹ and the New North Zone.⁵³⁰ Witness SUON Kanil, former chief of telegram group of the Office of the Central Zone Committee, said that, *"The New North Zone and the Central Zone were created in 1975, just about two or three months after 17 April 1975."*⁵³¹ The Old North Zone⁵³² was renamed the Central Zone by the upper echelon.⁵³³ The Central Zone which was the former Old North Zone was divided into 3 (three) sectors:⁵³⁴ Sector 41,⁵³⁵ Sector 42,⁵³⁶ and Sector 43.⁵³⁷

195. Early on, in the North Zone, KOY Thuon⁵³⁸ *alias* Thuch⁵³⁹ *alias* Khuon⁵⁴⁰ was Secretary⁵⁴¹ and KE Pauk was Deputy Secretary⁵⁴² and Zone staff with overall responsibilities.⁵⁴³ After the liberation in April 1975, KE Pauk became North Zone Secretary and Zone Secretary KOY Thuon was appointed by the upper echelon as Chief of Commerce Committee⁵⁴⁴ and transferred to work in Phnom Penh.⁵⁴⁵
196. Not long after he came to work in Phnom Penh, KOY Thuon *alias* Thuch was arrested by the upper echelon and transferred to S-21 Security Centre on 25 January 1977; he is under number 6165 on the S-21 Security Centre prisoner list.⁵⁴⁶ Starting from 1 February 1977, arrests of other cadres in the Central Zone (the Old North Zone) were made one after the other as they were implicated by *Angkar* in KOY Thuon's network.⁵⁴⁷
197. Almost all the Central Zone cadres were arrested except for KE Pauk who was considered the cleanest person in the Zone.⁵⁴⁸ As a result, after the North Zone was demarcated, the upper echelon appointed KE Pauk⁵⁴⁹ as Central Zone Secretary and Sector 35 former Secretary KÂNG Chab⁵⁵⁰ *alias* Sè⁵⁵¹ as Secretary of the New North Zone.⁵⁵² Witness PRUM Sou said that, "*In late 1977... NUON Chea announced the creation of the New North Zone and appointed KÂNG Chab alias Sè as Secretary of the New North Zone.*"⁵⁵³
198. At the outset, the Central Zone Committee consisted of KE Pauk⁵⁵⁴ as Secretary, Ang⁵⁵⁵ as Deputy Secretary and Sim⁵⁵⁶ (*Ta Mok's* nephew-in-law) as Member.⁵⁵⁷ Witness TEP Poch, Baray district former secretary, said that, "*As far as I know, Sim was one of KE Pauk's deputies and Chên, who was Sector 43 Secretary, was another [KE Pauk's] deputy.*"⁵⁵⁸ Later on, the Central Zone Committee consisted of 5 (five) members: KE Pauk as Secretary, Sreng as Deputy Secretary, Tol, Chên, and Oeun as Members.⁵⁵⁹
199. Upon the arrival of the Southwest group, some of the Central Zone Committee Members were successively replaced: KE Pauk as Secretary,⁵⁶⁰ **AO An** as Deputy Secretary,⁵⁶¹ Oeun,⁵⁶² Sim⁵⁶³ and Yut⁵⁶⁴ as Members.⁵⁶⁵ After Deputy Secretary Sreng was arrested by the upper echelon, **AO An**⁵⁶⁶ was sent from the Southwest to replace [him]. On the cover page of S-21 Security Centre confession regarding CHOR Chhan *alias* Sreng, there is a written annotation that Sreng was detained on **17 February 1977**.⁵⁶⁷

200. Based on the testimony of witness SUON Kanil, former chief of telegram group at the Office of the Central Zone Committee, and the information about the Zone Deputy Secretary Sreng's arrest on the cover page of S-21 Security Centre confession, the Charged Person **AO An** may have replaced Sreng after 17 February 1977, but not right away. No evidence of official announcement or letter was seen concerning the position **AO An** held as Deputy Secretary of the Central Zone.⁵⁶⁸ However, witness KUCH Ra said that, "*Ta An's position as deputy secretary of the Central Zone was officially announced during a zone conference.*"⁵⁶⁹
201. This is consistent with the event that the Southwest group travelled to the North Zone perhaps in March 1977.⁵⁷⁰ One witness said that, "*I can recall that Ta An travelled together but he was in another vehicle.*"⁵⁷¹ One witness, a Sector 35 former staff, also said that, "*Ta An went to Kampong Cham in around April or May 1977.*"⁵⁷² However, of all the statements of witnesses, only PECH Chim, Tram Kak district (District 105) former secretary, testified that, "*Ta An, Ta Sim and I left for the Central Zone on the same day... on 14 February 1976 I arrived in the Central Zone.*"⁵⁷³ This witness also added that **Ta An** arrived in the Central Zone on the same day, not in 1977.⁵⁷⁴
202. A handwritten document of the Central Zone top leader KE Pauk shows that in **June 1977** the Southwest cadres arrived in the Central Zone. Obviously, it reads, "*... In June 1977, the first stage of capturing was over. By that time, only me (KE Pauk) remained and the Central Zone had no cadres left. The upper brothers decided to transfer the cadres from Southwestern Zone to fill the unoccupied positions. They sent about 200 cadres from that zone.*"⁵⁷⁵ This is consistent with numerous statements made by 34 (thirty-four) witnesses.⁵⁷⁶
203. Apparently, many witnesses provided similar statements that it was **around mid-1977 when AO An was transferred to the Central Zone.**⁵⁷⁷ Other witnesses said that about 40 (forty) cadres from Sector 35 of the Southwest Zone including **AO An** were transferred out to work in other areas throughout the Central Zone.⁵⁷⁸ Upon arrival of the Southwest group in the Central Zone, the Central Zone Secretary KE Pauk assigned them to various sectors and districts right away.⁵⁷⁹
204. The Central Zone had two main offices to oversee the entire work assignments: the Office of the Central Zone Committee and the Central Office

(or Office 71).⁵⁸⁰ The Central Zone Office was located in the current provincial town of Kampong Cham (2018) at 7 January Hotel.⁵⁸¹ Witness KE Un *alias* Aok, Central Zone Secretary KE Pauk's nephew and former driver, said that, *"I drove KE Pauk to Office 71 which was located in Ta Prok commune, Chamkar Leu district, Kampong Cham province."*⁵⁸² The Central Office was an office where KE Pauk used to assign the most important tasks in the Central Zone.⁵⁸³ The Office of the Central Zone Committee located in Kampong Cham provincial town was responsible for general and important work assignments of the Central Zone.⁵⁸⁴

205. At the zone level, 2 (two) monthly meetings were normally held.⁵⁸⁵ Only Zone Secretary KE Pauk had the right to chair every internal zone meeting,⁵⁸⁶ and chaired the regular monthly meeting – no one could replace him.⁵⁸⁷ As usual, the sector committees, district committees and commune committees participated in the zone meetings, reporting on the accomplishments.⁵⁸⁸ It was only the Zone Committee members who had the right to attend in the special meetings.⁵⁸⁹

4.1. Authority of Central Zone Secretary KE Pauk

206. Zone Secretary KE Pauk had a close relationship with the members of the CPK Standing Committee.⁵⁹⁰ Former Chief of S-21 Security Centre KAING Guek-Eav *alias* Duch said that, *"Sometimes KE Pauk was invited to attend a meeting of the Standing Committee of the CPK Central Committee."*⁵⁹¹ This former Chief of S-21 Security Centre clearly said that, *"One day, someone from the Central Zone said in his confession that KE Pauk had betrayed by stocking arms in Kampong Cham province at Dey Dos pagoda. I made my report to NUON Chea and he (NUON Chea) replied that KE Pauk had not betrayed, since the decision to stock the arms had been made by POL Pot."*⁵⁹²
207. In addition, Duch said that, *"In fact, by his third response (if I remember correctly) KOY Thuon began to implicate KE Pauk. With the third response, SON Sen decided to have KOY Thuon be evasive about KE Pauk temporarily. With the fourth response, KOY Thuon was authorised to give responses involving KE Pauk. When the responses were finished, SON Sen had S-21 use a BIC pen to remove only KE Pauk's name in any copy given to any location where KE Pauk was."*⁵⁹³

208. Witness KE Un *alias* Aok, KE Pauk's nephew and former driver, said that, "**He (KE Pauk) was the chief of Kampong Cham Zone; and his senior was POL Pot.**"⁵⁹⁴ Witness KE Un also added that, "*I never spoke with anyone while I was on that Dam because people were so afraid of KE Pauk's car; afraid of being taken away to be killed. Even if someone stole a potato, he/she would be taken away to be killed. [We] do not have to talk about chatting with me who worked closely with the big shot.*"⁵⁹⁵
209. Former President of the State Presidium KHIEU Samphan said that, "*To his understanding, in the Khmer Rouge regime each zone, especially the zone secretary, is the lord who assigned work in the zone as he wanted. The Central Committee could not control and could only receive reports.*"⁵⁹⁶ Former S-21 Security Centre Chief Duch also held a similar view: "**As far as I know KE Pauk had the authority to decide on arrests or detentions.**"⁵⁹⁷
210. Based on the geographical administration, the Central Zone had 4 (four) major rubber plantations: Chamkar Andaung, Chamkar Svay Meas, Prek Kak, and Andaung Svay Rubber Plantations.⁵⁹⁸ These rubber plantations were under direct control of Central Zone Secretary KE Pauk.⁵⁹⁹ Witness PECH Chim, Tram Kak district (District 105) former secretary, said that, "*I received the work plan from the Zone directly. I went to study and attend the meeting at the Zone directly. The meeting was held once a month and I was called by the letter to attend it. Sometimes KE Pauk came down to see my place personally.*"⁶⁰⁰
211. KE Pauk frequently went to many locations within the Central Zone including Kampong Siem district worksites,⁶⁰¹ Phnom Pros Security Centre,⁶⁰² 1st January Dam,⁶⁰³ Anlung Chrey Dam worksite,⁶⁰⁴ Andaung Rubber Plantation,⁶⁰⁵ Wat Ta Meak Security Centre,⁶⁰⁶ Chamkar Leu district,⁶⁰⁷ Pharmaceutical Factory (in Boeung Snay),⁶⁰⁸ Office 71⁶⁰⁹ ... and several other locations in the Central Zone.⁶¹⁰
212. In addition to the evidence highlighted in the above paragraphs, KE Pauk held a much greater power in the Central Zone. He worked directly with the Centre and S-21 Security Centre regarding suppression in the Central Zone. Amongst 160 (one hundred and sixty) S-21 confessions,⁶¹¹ 4 (four)⁶¹² bear KE Pauk's annotations. It reads: "**One copy to Comrade Pauk**"⁶¹³ and "**Names extracted for Comrade Pauk.**"⁶¹⁴ Amongst 225 (two hundred and twenty-

five) telegrams,⁶¹⁵ 13 (thirteen)⁶¹⁶ show relationship between KE Pauk as Secretary of the Central Zone and the Central Committee. There is only one document which refers to **AO An** requesting opinion from the Centre through KE Pauk in relation to the arrest of 2 (two) soldiers in Sector 41.⁶¹⁷

4.2. Purges in the Central Zone

213. With regard to the purges in the Central Zone, several witnesses made the same statements that most of the predecessors in the administrative structure in the Central Zone were removed.⁶¹⁸ However, the question is whether they had been removed before the arrival of the Southwest group to take control⁶¹⁹ or the latter had arrived and took control before they were removed.⁶²⁰ Regarding this issue, several testimonies clearly confirm that the upper echelon had issued orders to take away former workers and had them killed before the Southwest group was transferred to the area to replace them.⁶²¹
214. Witness RY Nhâ said that, *“Before the Southwest Zone cadres came, all the Kampong Cham cadres, including the sector secretary, district secretaries and Phăn, were sent for education. They never returned. After that, the Southwest Zone cadres arrived.”*⁶²² Witness SAMRIT Ân stated that, *“Comrade Soem had been killed before the arrival of the Southwest group.”*⁶²³ Regarding the arrests of the former sector committees, witness NHÈM Chen, **AO An**’s former bodyguard said that, *“The arrests happened before the arrival of **Ta An**... They were all arrested before **Ta An** arrived. At that time, only unit chiefs remained.”*⁶²⁴ On this issue, **AO An** himself said, **“Everyone had been gone except for KE Pauk.”**⁶²⁵
215. Despite the arrival of the Southwest group in the Central Zone, arrests continued.⁶²⁶ The waves of replacement by the Southwest group did not only occur in the Central Zone but also in the East and Northwest Zones.⁶²⁷ In addition, witness NHÈM Kol said that, *“Soeun (secretary of Kampong Siem district) and Meng disappeared after PRĂK Yut arrived in Kampong Siem district for two or three weeks... I am sure of that before PRĂK Yut and her subordinates arrived in Kampong Siem district, there had been no arrests of cadres.”*⁶²⁸
216. In the context of the DK regime, the phrase **“orders from the upper echelon”** squarely means orders given by the zone secretary.⁶²⁹ Killings of people by

truckloads were related to orders from the upper echelon.⁶³⁰ The decision of the Party Standing Committee clearly states that only the zone had the authority to decide on arrests.⁶³¹ Statements from several witnesses show that the purges in the Central Zone were led and directly organized by Central Zone Secretary KE Pauk.⁶³²

217. However, KE Pauk himself used to pass the responsibility to his upper echelon. A witness said that, *“KE Pauk said there were orders from the upper echelon. He said that when digging up grass, dig up all the roots.”*⁶³³ In general, whether it was the Southwest Zone or the Central Zone, only the zone secretary had the authority to order an arrest. Witness NUT Nov clearly stated that, *“It was only the zone that had the right to call anyone to go to study.”*⁶³⁴
218. Regarding arrests of ordinary people, some witnesses claimed that sometimes orders came from the zones and sometimes they came from the sectors. In principle, ordinary people were not subject of transfer to S-21 Security Centre.⁶³⁵ Witness PECH Chim, Tram Kak district (District 105) former secretary, also responded regarding the order to kill given by KE Pauk that, *“KE Pauk told me and instructed me to continue the purges. I said that I could not do it. It was too dark for me to see it with my eyes. Their parents were gone and how could I mistreat their wives and children? If you can, you do it.”*⁶³⁶
219. Under the control of KOY Thuon *alias* Thuch, Zone Secretary, not many killings were seen. However, after KE Pauk became Zone Secretary replacing KOY Thuon, many people were seen to be killed.⁶³⁷ One witness stated that, *“Phim, Batheay district secretary... told me that thousands of people were arrested in the Central Zone in particular between 1977 and 1979... and the orders were given from the upper level to the zone level.”*⁶³⁸ At one point in time KE Pauk issued an order to stop the killings. KE Pauk’s niece recalled KE Pauk’s advice and order that, *“All of us will stop killing people; anyone who kills them will be punished.”*⁶³⁹
220. As a consequence of the implementation of the purge policy, only a few Central Zone cadres survived. Obviously, none of the Sector 43 Secretaries survived. At the district level, only a handful of district secretaries survived till today.

4.3. KE Pauk's Absence

221. In addition to his position of the Central Zone Secretary, KE Pauk also held a position of Chief of Staff of the Central Zone.⁶⁴⁰ Witness CHHOUK Rin, former military cadre said that, *"The zone level at the time had the authority over both the military and the civilians."*⁶⁴¹ Moreover, KE Pauk also held another military position of deputy Commander-in-Chief to SON Sen in charge of the front line for the attack against Vietnam. He was also a member of the CPK Military Committee.⁶⁴² KE Pauk was the fourth most powerful cadre in the Centre in charge of the military.⁶⁴³
222. Regarding the presence of KE Pauk in the Central Zone, witness KUCH Ra stated that, *"Sometimes KE Pauk had to go join the congress in Phnom Penh or chaired big meetings in various sectors, but I did not know how long he was absent."*⁶⁴⁴ Witness SUON Kanil claimed that, *"As I know, KE Pauk did not leave for anywhere during the period of 3 years 8 months and 20 days. He was absent only when he went to battlefields, attended meetings in Phnom Penh or oversaw dam/dyke constructions for a short period of time."*⁶⁴⁵
223. In contrast, only witness KE Un, KE Pauk's nephew and former driver, said that, *"No one ever drove him (KE Pauk) to Phnom Penh. He (KE Pauk) communicated through telegrams because he wanted to keep the information secret."*⁶⁴⁶ This is consistent with CHHOUK Rin's testimony that, *"This is the routine of Khmer Rouge leaders. Absence is rare."*⁶⁴⁷
224. Witness LIM Sēng also said that, *"As far as I remember, the longest time he was ever absent from the zone was 3 days only."*⁶⁴⁸ In fact, KE Pauk was not frequently absent from the Central Zone. He was absent from the zone for a short period of time only for about five to six days.⁶⁴⁹
225. Witness SARAY Hean claimed that, *"At the zone level, the structure was the same, i.e. there was a zone secretary, and [the secretaries in] all sectors were automatically members of the Zone Committee in numerical order 1st member, 2nd member, and so on. Concerning work responsibility, I knew that when the zone secretary was absent, a zone committee member below the secretary would be in charge."*⁶⁵⁰ Despite all that, when the Central Zone Secretary KE Pauk was away, it was the **chief of the Office of the Central Zone Committee** who was in charge.⁶⁵¹

226. Witness SUON Kanil, former chief of messenger group of the Central Zone Office, said in this regard that, *“In case KE Pauk was absent, people came to meet with the chairperson of the Central Zone Office named Sau.”*⁶⁵² Former chiefs of the Central Zone Office include Sau, Nhean, Sèn, and Moeun.⁶⁵³ This is supported by the fact that other zone secretaries including the East Zone secretary assigned their office chiefs to attend meetings on their behalves.⁶⁵⁴
227. In the Central Zone, when Zone Secretary KE Pauk was away or on a mission outside the zone, who was in charge? One witness stated that, *“The person who could replace him (KE Pauk) when he was absent was the office chief named Moeun who was KE Pauk’s nephew.”*⁶⁵⁵ Clearer than that, another witness provided a similar statement: *“I remember only Moeun and Hèn who worked on behalf of KE Pauk when he carried out his duties somewhere else or was absent from the zone.”*⁶⁵⁶
228. Furthermore, for the decisions that had to go through and decided right away by the Zone Secretary, the messenger would deliver those documents to KE Pauk in person immediately.⁶⁵⁷ KE Pauk had more than 10 (ten) messengers for delivery of documents.⁶⁵⁸ PECH Chim, Tram Kak district (District 105) former secretary and former chief of Andaung Rubber Plantation, clearly stated that, *“I always sent my reports directly to KE Pauk. In case of urgencies, someone would send them to him immediately no matter where he was.”*⁶⁵⁹

4.4. AO An’s Position

229. Regarding the position and duties of **AO An** at the zone level, in response to the investigator’s question: “Do you know which position **AO An** held at the zone level?” Witness SAT Phea, who had more information about **AO An**, replied that, **“I don’t know.”**⁶⁶⁰
230. In response to the Co-Investigating Judge’s question: *“Did **Ta An** know about the transfer of people?”* Witness ROTH Peou replied that, *“It was the plan from the upper level and I did not know whether **Ta An** knew that. It became a convention that people spoke to one another that it was the order from the upper level.”*⁶⁶¹ Another witness NHÈM Chen, **AO An**’s former bodyguard, said that, *“KE Pauk received orders from Ta POL Pot called Ta SALOTH Sar*

*alias Ta Number 1. Ta An received orders from KE Pauk, and KE Pauk received orders from POL Pot.*⁶⁶²

4.5. Communication Structure in the Central Zone

231. The CPK Statute clearly stipulates the reporting regime that the Zone Committees shall examine, monitor and deliberate activities of their respective Zones.⁶⁶³ Telegrams were transmitted and received following the chain of command – they were sent from the Central level down to the Zones,⁶⁶⁴ and from the Zones down to the Sectors.⁶⁶⁵ Witness SUON Kanil, former chief of messenger group of the Central Zone Office, said that, *“Every telegram related to the Sectors which was sent to the Central Zone had to go through my place.”*⁶⁶⁶
232. It was the CPK instruction that telegram communication between one zone to another had to go through the Central Committee of the CPK first – each zone was not allowed to communicate directly.⁶⁶⁷ Each zone had its own telegram unit⁶⁶⁸ comprising of telegram translator,⁶⁶⁹ number coder,⁶⁷⁰ transmitter,⁶⁷¹ receiver,⁶⁷² and typist⁶⁷³ or MORSE operator.⁶⁷⁴
233. In general, the content of a telegram was not long – it contained brief information only. If a recipient could be reached by means of a motorcycle or vehicle, a messenger would deliver that message.⁶⁷⁵ However, if the content of the delivery was long, it would be delivered by mail or a messenger.⁶⁷⁶
234. Every telegram sent from the Central Committee of the CPK had to follow the schedule set for the Central Committee of the CPK. The telegrams that were sent from the zones to the sectors had also to follow the existing schedule set for transmitting messages to the sectors.⁶⁷⁷ Schedule setting was based on a simple reason – to avoid time overlapping in making reports and/or receiving instructions from the upper level.⁶⁷⁸
235. At the zone level, there were several modes of communication. However, telegraph was the only means for quick and safe delivery of information with the assurance of maintaining high secrecy in transmitting messages from the zones to the Central Committee of the CPK and the sectors.
236. Witness SUON Kanil, former chief of telegram group at the Office of the Central Zone Committee, claimed that, *“At the zone level, we sent telegrams to the sectors.”*⁶⁷⁹ In some cases, *“the zone received telegrams from the*

sectors.”⁶⁸⁰ The witness also added that, “*The outgoing and incoming telegrams to and from the Central Zone were mostly with the sectors under the zones. The telegrams to be sent out were brought to my group by KE Pauk’s messengers with KE Pauk’s signature. The reason I knew it was KE Pauk’s telegrams was because every outgoing and incoming telegram had to be delivered to KE Pauk.*”⁶⁸¹

237. The telegrams sent from the Central Zone to the Central Committee of the CPK **had to** contain KE Pauk’s signature.⁶⁸² The telegrams coming from the sectors were not on a regular basis.⁶⁸³ They were sent only when there were important matters. Each day the zone received one telegram from one sector. However, the frequency of telegrams sent from the Central Committee of the CPK to various zones became more than usual as there were between two telegrams or more per day in 1978.⁶⁸⁴ This is according to witness SUON Kanil, former chief of telegram group at the Office of the Central Zone Committee, who also said that, “*The communication with the Centre increased more than usual in 1978.*”⁶⁸⁵
238. The telegrams which were sent from the Central Zone Office were kept for only 3 (three) months, then they had to be destroyed.⁶⁸⁶ However, 229 (two hundred and twenty-nine) telegrams⁶⁸⁷ left in the case file. Witness SUON Kanil, former chief of telegram group at the Office of the Central Zone Committee, stated that, “*The ability to manage of the zone secretary [The control of the Zone Committee] was different from one zone to another. That depended on the knowledge of each zone secretary [Zone Committee]. As for KE Pauk, he was a pure peasant, so he followed whatever instruction given to him.*”⁶⁸⁸

4.6. Sector 41

239. Sector 41 was one of the 3 (three) sectors in the Central Zone. It geographically covered five districts:⁶⁸⁹ Prey Chhor,⁶⁹⁰ Kang Meas,⁶⁹¹ Cheung Prey,⁶⁹² Batheay⁶⁹³ and Kampong Siem⁶⁹⁴ (or District 88).⁶⁹⁵ Its office was located near Prey Tortoeng market, Chrey Vien commune, Prey Chhor district, Kampong Cham province, Sector 41, the Central Zone.⁶⁹⁶ Its first chief was Sang Dam *alias* Ām.⁶⁹⁷ After Ām was arrested, Aun became Sector 41 Office Chief and was also Sector 41 Deputy Secretary.⁶⁹⁸

240. Witness SAT Phea stated about the death of *Ta Ām* that, “*That happened after Ta An’s arrival. Ta Ām was detained and subjected to electric shock in Prey Torteung, but I do not know where he was killed. Ta An ordered Ta Ām’s arrest. I learned this from one of Ta Aun’s messengers, whose name I have forgotten.*”⁶⁹⁹ However, witness EM Pon said that, “*Yeay Yut’s husband (Aun), who was Kampong Siem District Chairman, was arrested in my office. He was sent to Kampot province. Kampot personnel came and took him away.*”⁷⁰⁰
241. Around 40 (forty) to 50 (fifty) people permanently lived in Sector 41 Office.⁷⁰¹ There were about 7 (seven) messengers in Sector 41 Office. Each of them had one motorbike to perform their work.⁷⁰² In 1975-1976, the first Sector 41 Secretary was CHOR Chhan *alias* Sreng⁷⁰³ and Taing⁷⁰⁴ was the Sector 41 Deputy Secretary. Based on the information on the cover page of S-21 Security Centre confession, Sreng was held on 17 February 1977⁷⁰⁵ under the pretext that he was to be sent for study sessions.⁷⁰⁶
242. Then in 1977, CHUN Chhum *alias* Taing⁷⁰⁷ replaced Sreng as the Sector 41 Secretary.⁷⁰⁸ Sector 41 Secretary Taing was also arrested before the arrival of Southwestern cadres in the Central Zone.⁷⁰⁹ The arrest of Sector 41 Secretary Taing was made around six or three-four months before the arrival of Southwestern cadres.⁷¹⁰ When **AO An** arrived in the Central Zone, KE Pauk appointed him as the Sector 41 Secretary to replace Taing.⁷¹¹ There are inconsistencies between witnesses with regard to the time when **AO An** replaced Taing.
243. One witness stated that, “*Ta Sreng, the former Secretary of Sector 41, was replaced by Ta An, who came from the Southwest Zone.*”⁷¹² The claim about **AO An**’s prompt replacement without going through Sector 41 Secretary Taing,⁷¹³ could lead to confusion as to how Sector 41 Secretary was replaced. Many witnesses stated clearly that Sector 41 Secretary Taing had been arrested before **AO An**’s replacement.⁷¹⁴
244. Based on the evidence which was obtained perhaps after March or April 1977, **AO An** did not yet become Sector 41 Secretary even though a number of witnesses said that **AO An** had arrived there in the abovementioned period.⁷¹⁵ There are no official documents recording the appointment of **AO An** as the Sector 41 Secretary.⁷¹⁶ After **AO An** had become Sector 41 Secretary, the

composition of Sector 41 Committee consisted of **AO An** as Sector 41 Secretary,⁷¹⁷ Sim,⁷¹⁸ Phim,⁷¹⁹ Monn,⁷²⁰ Kan⁷²¹ and Yuth⁷²² as members.⁷²³

245. One witness also confirmed that, *“I was Kampong Siem District Secretary in the Central Zone and the fourth member of Sector 41.”*⁷²⁴ In general, the composition of Sector 41 was frequently changed. Therefore, there is no precise information indicating the specific period in which the position was held. As the Sector 41 Secretary, **AO An** had direct authority over chiefs of messengers of Sector 41 Office. For example, HONG Heng, a former messenger of Sector 41 Office, said that, *“Ta An personally gave us assignments. We worked in shifts.”*⁷²⁵
246. There were 2 (two) work arrangements in Sector 41 dealing respectively with administration and Party matters.⁷²⁶ Sector 41 Secretary **AO An** was in charge of administration while Sim was responsible for Party matters.⁷²⁷ The tasks involved in both cases were not different. However, when the Party made any decision on any matter, the administration had to comply with it.⁷²⁸ The Sector Secretary in charge of administration had to respect decisions of the Party office.⁷²⁹
247. In Sector 41, a meeting was regularly held once a month,⁷³⁰ like in other sectors.⁷³¹ Witness CHIN Sinal stated that, *“We had to attend a monthly meeting at the Sector Office.”*⁷³² Many witnesses gave similar testimonies that, as the Sector 41 Secretary, **AO An** advised people to engage in digging canals and building dams.⁷³³ Many witnesses saw **AO An** visiting different locations in Sector 41: Anlong Chrey Dam,⁷³⁴ Chub Rubber Plantation,⁷³⁵ 1st January Dam,⁷³⁶ 5th January Dam,⁷³⁷ Met Sob Security Centre,⁷³⁸ Wat Batheay Security Centre,⁷³⁹ Chamkar Leu,⁷⁴⁰ Skun,⁷⁴¹ Cheung Prey,⁷⁴² Phnom Pros Security Centre,⁷⁴³ Wat Au Trakuon Security Centre,⁷⁴⁴ Kampong Siem district,⁷⁴⁵ Wat Ta Meak.⁷⁴⁶
248. One witness living in Kampong Siem district stated that, *“I met Ta An only two times. I first met him in Angkuonh Dei village, when he was coming to visit the newly built communal kitchen. Later I saw him in Prey Chhor, when I was travelling to Kang Meas district.”*⁷⁴⁷ The aim of **AO An**’s visit to the base was to inspect canal digging, dam building and rice farming, which made **AO An** aware of issues regarding the rice harvest by the people at the base.⁷⁴⁸

249. The people at the base in the Sector stated almost the same thing that **AO An** was aware of the circumstances through his direct and regular engagement with them.⁷⁴⁹ Moreover, they saw **AO An** and his wife Kan visiting rice fields on a regular basis so as to learn about the progress of the rice production. **AO An** sometimes assisted them in harvesting rice as well.⁷⁵⁰
250. One witness who saw [AO An] with his own eyes said that, *“I saw him (AO An) drive to the west. Sometimes, he went with his messenger and sometimes with his wife and children. Sometimes I saw rice sheaves in his cargo bay. On one occasion, I was told that Ta An went to help transplant rice seedlings in Trapeang Touk cooperative with his messenger and family.”*⁷⁵¹ Witness CHHIM Bunserey stated that, *“During the meeting, Ta An told all of us to work hard carrying earth to build the dam. The meeting lasted the entire morning.”*⁷⁵²
251. In late 1977, **AO An** provided policies training for the cadres in Sector 41.⁷⁵³ The policies taught by **AO An** were related to daily routines, rice farming, rice production, and ways to improve work performance.⁷⁵⁴ Moreover, as the Sector 41 Secretary, **AO An** was always present at Sector 41 – seldom did he go out.⁷⁵⁵ This was the Khmer Rouge practice – rarely were they absent from their bases.⁷⁵⁶
252. Witness SUON Kanil testified with regard to this particular point that, *“He (AO An) was Zone Deputy Secretary but he had his separate tasks in Sector 41. Only when affairs involved the Zone did he participate.”*⁷⁵⁷ For example, **AO An** did many things for Sector 41 where he was in charge of.⁷⁵⁸ One former messenger in 1977 testified that, *“I never saw [him] during the day, I only saw him (AO An) at night.”*⁷⁵⁹
253. Sometimes **AO An** went to attend the meetings held at the district level.⁷⁶⁰ One witness testified that, *“I saw Ta An only once at a worksite of Sector (Sautip, Prey Char, Prey Chhor district). I saw Ta An carrying a plastic pouch of strong tobacco beneath his armpit when he was getting out of his Jeep.”*⁷⁶¹ When coming to those meetings, **AO An** always came with around 5 (five) people – bodyguards and his drivers.⁷⁶² **AO An** had several drivers such as⁷⁶³ Pon,⁷⁶⁴ Huy,⁷⁶⁵ Lay,⁷⁶⁶ Meoun⁷⁶⁷ and Hum.⁷⁶⁸

254. Chiefs of communes and villages were still changed even after the Southwest group arrived at the place. One witness indicated that, *“The order must have come from Ta An because he was Sector Chairperson... I think the order came from the district and the district received the order from the Sector level. I did not hear it directly from PRAK Yut, but some former commune chiefs disappeared two days after she attended a Sector meeting with Ta An. Four days later, new commune chiefs were appointed to replace the old ones.”*⁷⁶⁹
255. The Sector itself had no authority to arrest anyone in their jurisdiction unless there was an order from the Zone. For example, the former secretary of Kampong Siem district said, *“I do not remember from which level the letter came, but by practice, the letter would come from the Zone, and would then be forwarded to the Sector level which would then send it to the district level.”*⁷⁷⁰ AO An reportedly went to meet PRAK Yut in Kampong Siem district⁷⁷¹ and Kampong Siem district former secretary PRAK Yut also went to meet AO An. A witness said that, *“She (PRAK Yut) came to attend the meetings in Prey Chhor two or three times per month.”*⁷⁷²
256. Witness SAMRIT Muy stated that, *“In early 1977, they held a meeting at the Peam Stadium. All the villagers had to attend. The Sector Committee [Secretary] An and the District Committee [Secretary] Kan convened the meeting and told us to work hard for Angkar. Then they said that there were enemies among the people. After that meeting the arrests accelerated both night and day.”*⁷⁷³
257. The person in charge of Sector 41 military was, right in the beginning, Ta Hum. Later, he was arrested; and Try replaced him. However, there was no clear timeline [for when the arrest was made].⁷⁷⁴ The arrest of Sector military chief Hum was made because he committed a moral offence with AO An’s sister-in-law. In this regard, witness SO Saren said that, *“I am not sure about the person who gave the order. However, if this adversely affected Ta An’s little sister-in-law, it would only have been Ta An who ordered the arrest.”*⁷⁷⁵
258. For ordinary people, the commune level ordered arrests.⁷⁷⁶ Witness SO Saren vaguely stated that, *“In fact, he (AO An) did not kill [them] by himself. There were killings only in the districts and other grassroots. However, I did see one event involving the pregnant wife of someone in the sector military whose husband was arrested. The wife of this person in the military kept coming*

- often to ask Ta An about her husband.”*⁷⁷⁷ The witness claimed that **Ta An** ordered the military to take [her] to be killed.”⁷⁷⁸
259. Witness SAT Pheap mentioned that, *“He (AO An) also likened them to cars whose old tires had to be removed and cut up to make shoes, meaning that these enemies had to be taken to be killed.”*⁷⁷⁹ He added, *“The number of arrestees increased after Ta An’s arrival. I know this because they were smashing enemies. That was Ta An’s plan.”*⁷⁸⁰
260. One witness said that, *“An implemented a cool policy in seeking out enemies. Anyone who complained was arrested.”*⁷⁸¹ It was claimed that after the conclusion of the monthly meeting, **AO An** issued an order to arrest people.⁷⁸² This incident was additionally confirmed by the same witness that, *“Actually, I received orders from Ta An but I am not sure if Ta An initiated the orders or he received the orders from the upper level or what.”*⁷⁸³ Moreover, the same witness added that, *“Ta An did not order me to arrest those people.”*⁷⁸⁴
261. The abovementioned witnesses testified based on their assumptions that **AO An** was linked to the issuance of orders.⁷⁸⁵ For example, witness SO Saren gave his testimony that, *“Back that time, he (AO An) left Chamkar Leu and I heard that he (AO An) received the order to go to Kampong Siem, but I do not know where the order he received came from.”*⁷⁸⁶ However, for initiatives to issue orders to kill people, **AO An** had no authority to do so. One witness stated that, *“Ta An received orders form the Zone.”*⁷⁸⁷
262. In a meeting, Central Zone Secretary KE Pauk gave an order to **AO An**, *“An, observe and arrest all the enemies quickly in the Sector, according to plan, as the upper echelon forced [me to].”*⁷⁸⁸ For example, **AO An** as the Sector 41 Secretary had attended the meeting with other cadres on arrests of enemies under instructions and orders from Zone Secretary KE Pauk.⁷⁸⁹ In addition, one witness testified that it was the orders from the Zone Secretary, *“The Batheay District Secretary was Phim, whose wife is currently living... He told me that... thousands of people had been arrested and killed in Kampong Siem district and that the orders had been given from the upper level to the zone level, then to sector and district level.”*⁷⁹⁰

4.7. Sector 42

263. Sector 42 was situated in the Central Zone.⁷⁹¹ It administratively covered five districts:⁷⁹² Steung Trang district,⁷⁹³ Chamkar Leu district,⁷⁹⁴ Baray district,⁷⁹⁵ Praek Prosob district,⁷⁹⁶ and Taing Kork district.⁷⁹⁷ The Sector 42 Office was opposite the current district hall of Chamkar Leu.⁷⁹⁸ Ram was in charge of the Sector 42 Office.⁷⁹⁹
264. Chan Monn *alias* Tol was, in the beginning, Sector 42 Secretary.⁸⁰⁰ Later, Lim Someoun⁸⁰¹ *alias* Oeun⁸⁰² replaced Tol.⁸⁰³ In early 1977 Oeun became the Sector 42 Secretary until the fall of the regime⁸⁰⁴ and passed away in 2001.⁸⁰⁵ Besides being the Sector 42 Secretary, Oeun was also related by marriage to Central Zone Secretary KE Pauk.⁸⁰⁶
265. Since Oeun was Seoun's⁸⁰⁷ younger brother, KE Pauk's wife, this relation made this Sector nearly receive no inspection from the upper echelon.⁸⁰⁸ With regard to this issue, one witness stated clearly that, *"I never saw upper echelon come down to inspect Sector 42 other than the sector secretary himself."*⁸⁰⁹
266. In 1977, Sector 42 Secretary Oeun read the salvation document, ***"Don't be afraid. The Party has stopped smashing, stopped purging or killing."***⁸¹⁰ A former messenger of the Kampong Siem district secretary said, *"I heard from victims' relatives that they had been sent from various rubber plantations in Sector 42 as ordered by Ta KE Pauk."*⁸¹¹ Therefore, before this document existed in the framework of Sector 42, it was likely that the purges might have been carried out in a specific form, which made Sector 42 Secretary Oeun say so.
267. Chamkar Leu district former secretary SOU Soeun *alias* Soeun,⁸¹² Sector 42 Secretary's sister, was highly active in leading local work in Chamkar Leu district. The Chamkar Leu district former deputy secretary claimed that, *"I attended meetings with SOU Soeun. Mostly the contents of the meetings concerned work at the worksites, not purges or arrests."*⁸¹³
268. Besides being Chamkar Leu district secretary, SOU Soeun *alias* Soeun was also a member of Sector 42. Moreover, SOU Soeun *alias* Soeun who was also Central Zone Secretary KE Pauk's spouse was swiftly promoted to higher positions, one after the other, after 17 April 1975. First, she was a member of

Prek Prosob District Committee in charge of receiving the evacuees from Phnom Penh.⁸¹⁴ Having worked in Prek Prosob district for about half a year, SOU Soeun was transferred to Chamkar Leu District Committee.⁸¹⁵ As the Chamkar Leu district secretary, she always held meetings at her home with the commune chiefs to give orders and instructions for the communes to implement.⁸¹⁶

4.8. Sector 43

269. Sector 43 covered 4 (four) districts:⁸¹⁷ Staung district,⁸¹⁸ Kampong Svay district,⁸¹⁹ Sandan district⁸²⁰ and Sontuk district.⁸²¹ The Sector 43 Office was located in the centre of Kampong Thom.⁸²² The administrative structure of Sector 43 consisted of sector secretary, sector deputy secretary, and members of the Sector Committee as other sectors across the country.⁸²³
270. KOAM Chan *alias* Chorn was, in the beginning, Sector 43 Secretary.⁸²⁴ After 1977, Sim⁸²⁵ became Sector 43 Secretary, replacing the former Secretary Chorn who was arrested.⁸²⁶ Later, Sim was also arrested, and Phaen ascended to the position.⁸²⁷ But it was likely that another person named *Ta* Ngin might have held the position of Sector 43 Secretary as well.⁸²⁸
271. There were many worksites in Sector 43. But the most noticeable and biggest one was the 1st January Dam, which belonged to the Zone of which Central Zone Secretary KE Pauk took direct charge.⁸²⁹

5. Autonomous Sectors

272. The autonomous sectors were authorised to communicate directly with the Central Committee of the CPK as, in terms of their status, they were as equal as the zones.⁸³⁰ For example, Sector 105 which was an autonomous sector was authorised to report directly to the Central Committee of the CPK.⁸³¹
273. An autonomous sector secretary had the power to decide on arrests of people.⁸³² For instance, Sector 105 had the power to arrest people. One witness asserted that, “*As a sector secretary (Sector 105), Ta Sarun had the power to decide on such arrests.*”⁸³³

6. Sectors

274. The administrative structure at the sector level, generally, included “Sector Committee” or “Sector Com”. The Sector Committee consisted of sector

secretary, sector deputy secretary and members of the Sector Committee.⁸³⁴ The majority of the district secretaries in the sector were additionally members of the Sector Committee in numerical order 1st member, 2nd member, and next, depending on the practical situation of each sector. However, becoming a member of the Sector Committee did not happen generally and automatically.⁸³⁵

275. Witness PECH Chim, Tram Kam district (District 105) former secretary, mentioned that, “*The district secretaries did not serve as the members of the Sector Committee except in a special case when the Sector assembly announced their assignment to a specific person to do it. For example, Koh Andet District Secretary Sieng was assigned and announced by the assembly to serve as a member of Sector 13.*”⁸³⁶ The sector secretaries were tasked with overall affairs in the entire sector including army.⁸³⁷
276. The CPK Statute provides that the organisation which has the highest authority in each sector is the “**Sector Representational Conference**”. During the time from one conference to another, the highest operational organization for that Sector is “**Sector Committee**”.⁸³⁸ At the sector level, a meeting was held once a month,⁸³⁹ sometimes twice a month in case of heavy workload.⁸⁴⁰

III. AO An’s Personal History, Role, and Participation

A. AO An’s Personal History

277. **Ta An**⁸⁴¹ or AOM An⁸⁴² or AOM An⁸⁴³ or AO Yeourn⁸⁴⁴ or AOM Yeourng⁸⁴⁵ or **AO An**⁸⁴⁶ was named AOM Yoeurng at birth.⁸⁴⁷ The name **AO An** was officially called, following his initial appearance ordered by the International Co-Investigating Judge on 27 March 2015.⁸⁴⁸ **AO An** categorically denied using the name “THO An” and any other names other than AOM An which was previously called AOM Yeourng.⁸⁴⁹
278. Whatever names were used, **Ta An** or **AO An** was identified as the only one person. Therefore, calling any name has no problem in identifying the Charged Person. However, for ease [of reference] and to avoid different interpretations, a consistent name should be used – the name “**AO An**” has been recognized previously and referred to in general, except when **An** or **Ta An** was quoted from witnesses’ statements.

279. **AO An** was born in 1933.⁸⁵⁰ However, the birth certificate indicates that **AO An** was born in 1936.⁸⁵¹ As of now, the Charged Person **AO An** is 85⁸⁵² years old (by 2018). **AO An** was born in Taing Svay village, Peam commune, Sameakki Mean Chey district (former Kampong Tralach Leu district),⁸⁵³ Kampong Chhnang province.⁸⁵⁴
280. **AO An**'s father was HING Ao⁸⁵⁵ who passed away when **An** was about 12 (twelve) years old.⁸⁵⁶ **AO An**'s mother was EK Nun⁸⁵⁷ who passed away in 1979.⁸⁵⁸ After his father's decease, **An** was brought up by his grandfather – his mother's father who later got **An** ordained as a Buddhist monk.⁸⁵⁹
281. In 1954, when he was 12 (twelve) years old, **AO An** was a novice for six months⁸⁶⁰ at Taing Khmao pagoda⁸⁶¹ in Peam commune, Kampong Tralach district, Kampong Chhnang province.⁸⁶² In 1960, **AO An** left the monkhood due to illness.⁸⁶³ From 1960 to 1963, **AO An** had been sick for 3 (three) years.⁸⁶⁴ That was when **AO An** changed his name from AOM Yeourng to AOM An.⁸⁶⁵ From 1963 to 1969, **AO An** was a farmer and lived with his mother.⁸⁶⁶ **AO An** has 4 (four) siblings.⁸⁶⁷ Until now, two of them passed away, and only two are still alive.
282. With regard to his married life, **AO An** has two wives.⁸⁶⁸ In 1976, **AO An** married Ban Kou⁸⁶⁹ *alias* Kan⁸⁷⁰ in Kampot province.⁸⁷¹ In 1979, Kan passed away,⁸⁷² leaving behind one daughter.⁸⁷³ In 1990, **AO An** married his second wife, Prum Ran, a widow with one child. His second wife passed away in 2014 at the age of 62 (sixty-two).⁸⁷⁴ **AO An** has 2 (two) children.⁸⁷⁵
283. In 1970, **AO An** joined the resistance movement that liberated Samdech Ov⁸⁷⁶ under the command of *Ta* 15⁸⁷⁷ (Or *Ta* Mok)⁸⁷⁸ and held various positions in districts and sectors of the Southwest Zone and Central Zone, after *Angkar* transferred him from the Southwest Zone to Central Zone in mid-1977.⁸⁷⁹ His roles and positions were described supra (paragraphs 190, 191, and 242).
284. After the fall of the DK regime, **AO An** fled to the Cambodian-Thai border. Later, **AO An** fled to Anlung Veng district, Oddar Meanchey province.⁸⁸⁰ In 1999, after the integration of Khmer Rouge into the Royal Government of Cambodia, **AO An** moved to the other location in western part of Cambodia.⁸⁸¹ **AO An** is now living in Ou Korki village, Odar commune,

Komrieng district, Battambang province⁸⁸² as an ordinary farmer.⁸⁸³ His health is always fragile.⁸⁸⁴

B. AO An's Participation

285. Before describing **AO An's** participation, we would like to show the facts concerning the crimes the ICP alleged in the Introductory and Supplementary Submissions including: (1) purges in the Central Zone, (2) Wat Au Trakuon Security Centre, (3) Wat Batheay Security Centre, (4) Met Sop (Kor) Security Centre, (5) Wat Phnom Pros Security Centre, (6) Kok Pring Security Centre, (7) Chamkar Svay Chanty Security Centre, (8) Anglong Chrey Dam Forced Labour Site, (9) Genocide in Kampong Cham Province, (10) Wat Srange Security Centre, (11) Tuol Ta Phlong Prison and Execution Site, (12) Wat Kandal Security Centre, (13) Wat Baray Chan Dek Security Centre, (14) Forced Marriage in Kampong Siem and Prey Chhor districts, (15) Wat Ta Meak Security Centre, (16) Genocide of Cham people and Wat Au Trakuon Security Centre and (17) security centres and killing sites at Tuol Beng and Wat Angkuonh Dei. The National CIJ notes that there are 17 (seventeen) crime sites charged in the ICP's Introductory and Supplementary Submissions.⁸⁸⁵
286. The International Co-Investigating Judge (ICIJ) charged **AO An** in relation to 10 (ten) crime sites. Later on, the ICIJ, during the investigation, excluded 8 (eight) facts according to the Decision to reduce the scope [of judicial investigation]: Wat Kandal Security Centre, Chamkar Svay Chanty Security Centre, Wat Baray Chan Dek Security Centre, Wat Srange Security Centre, the arrests and executions of Cham in the Eastern Zone, torture at Tuol Beng/Wat Angkuonh Dei and imprisonment and persecution at Wat Phnom Pros, and Tuol Ta Phlong Security Centre.⁸⁸⁶ However, in the Introductory Submission, the ICP used the name "Tuol Ta Phlong Prison and Execution Site," which appears that the location had both the security centre and execution site.
287. As previously described, the National Co-Investigating Judge (NCIJ) does not agree with the charges. However, the NCIJ will consider the facts relevant to the charged 10 (ten) crime sites in detail in compliance with the required principles of evidence to consider whether or not **AO An** falls within the personal jurisdiction of the ECCC.

288. Charging the Charged Person is to let him know and prepare his defence against the facts of these crime sites and to ensure the right to be informed and the right to a defence pursuant to the law in the fair substantive trial. The NCIJ will also consider the information relevant to other facts which are not under the charges or collected from the investigation.

1. Crime Sites

1.1. Wat Phnom Pros Execution Site

289. Wat Phnom Pros Execution Site was located in Krala commune, Kampong Siem district, Kampong Cham province, Sector 41 of the Central Zone.⁸⁸⁷ It was under the control of the Zone.⁸⁸⁸ Choeun was responsible for the security at Phnom Pros.⁸⁸⁹ The Phnom Pros Execution Site was located near Kampong Siem District Office.⁸⁹⁰
290. In general, prisoners who were taken to be executed at Phnom Pros were executed immediately without temporary imprisonment.⁸⁹¹ However, if they ran out of time, they took the prisoners to be detained at the Kampong Cham Provincial Prison, which was the Central Zone Office (now 7 Makara Hotel).⁸⁹² Furthermore, witness MORN Muth mentioned that, *“In 1977 or 1978, many families in the village were told to pack their belongings and move to new houses, but as far as I know those people were transported by trucks to Phnom Pros.”*⁸⁹³
291. Regarding the trucks for transporting people to Wat Phnom Pros at that time, a witness said that Zone lorries were used to transport detainees at Wat Ta Meak Security Centre for execution at Phnom Pros.⁸⁹⁴ Moreover, witness NHEM Chen, **AO An**'s former bodyguard, said that, *“‘The Central Zone Truck’ was written on the plates.”*⁸⁹⁵ Meanwhile, another witness also made an observation on the trucks, saying that, *“In regards to a Zone lorry, its bumper and cargo space had written across it ‘North Zone 304.’”*⁸⁹⁶
292. Witness KE Pich Vannak testified that, *“My father called Ta Vey Reap the new chairman of the division of the Central Zone in [and] he replied that brother An gave an order to transport those people to the new village. My father asked further where the new village was. Ta Reap replied that in the Phnom Pros Phnom Srey area. Then my father asked why he was not*

*informed. Ta Reap replied that brother An gave an order to transport those people to be smashed there.*⁸⁹⁷

293. But previously, witness VORNG Sokun said that, *“I have no idea but as far as I know Ta Pauk was the secretary of the zone, so, I can suppose that he could be responsible for the arrests and execution of those people. Every time people were sent to Phnom Pros for execution, I always saw a stocky man coming along. I did not know his name, but later Choeun told me that he was Ta Pauk.”*⁸⁹⁸ Another witness, SA Nau, also gave testimony relevant to KE Pauk, saying that, *“I saw a heavy-set large-build Khmer Rouge leader come to look at my work site. They told me that he was KE Pauk.”*⁸⁹⁹ Witness ORN Kim Eng, a former soldier stationed at Phnom Pros since early 1977 said that, *“Yes, he was. KE Pauk was in charge of the Zone Security Office and killing site at Phnom Pros.”*⁹⁰⁰
294. Wat Phnom Pros Execution Site was located near the Kampong Siem District Office, but the security centre was not under the authority of the sector because Phnom Pros was under the direct control of the Zone Committee of which KE Pauk was Zone Secretary.
295. In this regard, a witness testified that, *“I heard that he (AO An) was Sector 41 Secretary. I did not see him at Phnom Pros.”*⁹⁰¹ A former member of the guard unit of AO An said that, *“I did not go to (Phnom Pros) because Ta An only controlled Kang Meas, Cheung Prey, Batheay and Chamkar Leu.”*⁹⁰² Similarly, witness IM Pon said that he never drove Ta An to Phnom Pros.⁹⁰³
296. Phnom Pros Execution Site was regarded as a brutal execution site.⁹⁰⁴ Obviously, the Phnom Pros area was controlled by the Khmer Rouge troops before 1975. Witness MORN Muth, former soldier, said that, *“Perhaps in 1973, the place (Phnom Pros) was controlled by the Khmer Rouge troops. I think that it was under the direct control of the zone.”*⁹⁰⁵
297. Around 10,000 (ten thousand) people died at Phnom Pros according to government documents, after the liberation, regarding the excavation and collection of the bones of victims around the Phnom Pros Execution Site in 1982.⁹⁰⁶ However, there were also other figures which were based on witnesses’ estimation or documents from local authorities.⁹⁰⁷

1.2. Wat Au Trakuon Security Centre

298. Wat Au Trakuon Security Centre was located in Sambuor Meas village, Peam Chi Kang commune, Kang Meas district, Kampong Cham province, in Sector 41 of the Central Zone.⁹⁰⁸ It was a district-level security centre.⁹⁰⁹ It was created and became operational in 1976 before the Southwest cadres were transferred to the Central Zone.⁹¹⁰ At that time, it was fenced and enclosed with barbed wire.⁹¹¹
299. In the beginning, the Chief of Wat Au Trakuon Security Centre was Khun. Having been working for around 3 (three) months, Khun was arrested and taken to be killed.⁹¹² Later on, Han⁹¹³ became Chief of this Security Centre and Botr was his deputy. Then, Botr was arrested under orders from *Angkar* and taken to be killed in late 1976 or in early 1977 due to a moral offence. Kuong replaced Botr.⁹¹⁴ Han was Chief of the Wat Au Trakuon Security Centre until the fall of DK.⁹¹⁵
300. Big buildings around the Wat Au Trakuon compound including the temple were used as the security centre.⁹¹⁶ Prisoners at Wat Au Trakuon Security Centre were detained in the temple after arrests. Male and female prisoners were partitioned off by a wooden wall in front of the Buddha statue.⁹¹⁷ Male prisoners' legs were shackled with a long bar in line.⁹¹⁸
301. Arrests of people who were transported to the security centre were carried out by 2 (two) groups: Sub-district Militia and Long Swords, who had the authority to arrest people in the whole Kang Meas district.⁹¹⁹ The Sub-district Militia consisted of around 7 (seven) members. Samreth Muy was Chief from 1973 to 1979.⁹²⁰ The Long Swords consisted of around 6 (six) members. Chay was Chief and Tay Kim Horn was his deputy while Kuong Moeun and Hun were members.⁹²¹ The Long Swords was created in 1977 with the aim of arresting people.⁹²² Han was Chief of the Wat Au Trakuon Security Centre and took direct charge of the Long Swords.⁹²³
302. Most of the prisoners at Wat Au Trakuon Security Centre were people living in Kang Meas district.⁹²⁴ In general, the [Wat] Au Trakuon Security Centre Chief had the authority to give the order to take people to the security centre.⁹²⁵ The people who were arrested were transported almost every day to the security centre by horse carts or ox carts.⁹²⁶ There were two ways of

making arrests: (1). the Security Centre Chief and the Long Swords directly went to arrest people at the base, and (2). they tricked the people under suspicion into going to Wat Au Trakuon Security Centre by providing them with different pretexts.⁹²⁷

303. Prisoners were classified into 2 (two) categories: light and serious offenders.⁹²⁸ They included new people, base people, and Cham people.⁹²⁹ Light offenders were detained for a short time of about 1 (one) or 2 (two) months and would then be released,⁹³⁰ while serious offenders were not released. They had to be killed.⁹³¹ During the interrogation, prisoners were excruciatingly tortured to solicit confessions.⁹³² For example, one witness who was Han's former bodyguard testified that, "*The serious offenders were interrogated and then taken to be killed.*"⁹³³ The prisoners were taken to be killed on a plot of land of around 3 (three) hectares east of the Wat Au Trakuon Security Centre fence.⁹³⁴
304. There were around 10 (ten) prisoners sent for execution each time.⁹³⁵ Their hands were tied behind their backs, blindfolded, and then sent for execution, sometimes, in front of Wat Au Trakuon around 200 (two hundred) metres away where pits were already dug.⁹³⁶ This witness said that, "*A whole family who was my neighbour was taken to Wat Au Trakuon and killed there because they ate bananas and potato grown by themselves.*"⁹³⁷
305. Prisoners were killed with steel ox-cart axles.⁹³⁸ Mostly, they were taken to be killed at night starting from 7 (seven) p.m. to midnight.⁹³⁹ When there was a killing, loud music was played over loudspeakers.⁹⁴⁰ The acts of genocide occurred dramatically in 1977 – most victims were new people. From September to October 1977, many Cham people were also killed.⁹⁴¹
306. Regarding the execution of Cham people, witness SENG Srun mentioned that, "*They rounded up 300 Cham, children and adults, and put them along the road in front of the pagoda entrance. At that time, they assigned two persons at the north end of the line and the other two to guard at the south end. They arrested the Cham people in 3 villages (Sambuor Meas Ka, Sambuor Meas Kha and Sach Sau). To conduct the arrest, the Long Swords were divided up into 3 teams, each consisted of four persons. After the arrest was completed, the Long Swords just disappeared, leaving my team of four persons to march the Cham to the security office in Au Trakuon pagoda. While walking them [to*

the pagoda], I wanted those Chams to escape, but they seemed unaware of the death [waiting for them]; so they didn't escape. This arrest of the Cham people took place following the order from the district secretary, who was Kan; and he was the one who gave the order."⁹⁴²

307. A former bodyguard of this security centre chief mentioned that, *"I just knew that they had a plan to kill all Cham people."*⁹⁴³ At that time, the base level made a list of people who were going to be identified whether they were Khmer or Cham.⁹⁴⁴ A witness who was a former village chief in mid-1978 said that, *"I am sure that the commune chief did not assign [me] to make the list of Cham people. When I became the village chief, those Cham people had already been taken away earlier."*⁹⁴⁵ Another witness, MAO Saroeun, mentioned that, *"During the Khmer Rouge regime, most of Cham people were taken to be killed at Wat Au Trakuon in Peam Chi Kang commune, Kang Meas district. Throughout Kang Meas district, almost all of Cham people were killed. Only one of them is alive – he is Ta Man."*⁹⁴⁶
308. A witness mentioned that, *"I met him (Ta An) two times. Once, I met him at Wat Au Trakuon when he came to a meeting. But to my understanding, that meeting was just to deceive people like asking people if they had enough to eat."*⁹⁴⁷ This witness added that, *"The meeting lasted for about three hours. The speaker in the meeting was An. It was only Ta An who spoke at the meeting while others were just listening to him."*⁹⁴⁸
309. Witness SENG Srun said that, *"I saw An in a meeting in Wat Au Trakuon. During the meeting, An told the people that if any unit chairmen or village chairmen did not let the people have enough to eat, or did not let the people dig potatoes, he asked that the people report that to him. At that time three people in the village, Din, Heng and Ieng, reported to An that the village chairmen had not let them dig potatoes. After they reported to An, Din, Heng and Ieng were arrested and transported by horse cart to be killed in (Au Trakuon) pagoda."*⁹⁴⁹
310. In 1977, the scale of the killing at Wat Au Trakuon Security Centre increased. Cham people were also among them.⁹⁵⁰ A witness mentioned that, *"It was the chief of the security centre who held superior responsibility for ordering the human killings."*⁹⁵¹ Another witness said that, *"I knew that around 10,000 (ten*

*thousand) people had been killed because after [the fall of] the Khmer Rouge regime in 1979, I went there and I saw many pits.*⁹⁵²

311. After the fall of the DK regime, numerous skulls seen at Wat Au Trakuon Security Centre were possibly as many as the ones at S-21 Security Centre.⁹⁵³ After the liberation, according to officials of the State of Cambodia, the number of the victims who were killed at Wat Au Trakuon Security Centre was around 30,000 (thirty thousand) people. Despite such a confirmed figure, it was just an estimate made by certain officials. No specific number or scientific research was officially recognized.⁹⁵⁴

1.3. Wat Batheay Security Centre

312. Wat Batheay Security Centre was located in Batheay village, Batheay commune, Batheay district, Kampong Cham province, in Sector 41 of the Central Zone.⁹⁵⁵ It was a district-level facility⁹⁵⁶ and was established in late 1976 and early 1977. It functioned until the fall of the DK regime.⁹⁵⁷
313. This security centre occupied approximately 2 (two) hectares.⁹⁵⁸ Almost the whole area to the east of the pagoda was used to bury corpses.⁹⁵⁹ There was no strong fence at this security centre, but there were guards to ensure the security there.⁹⁶⁰ There were 4 (four) detention halls, 2 (two) of which located to the left were used for detaining female prisoners and the other two for detaining male prisoners.⁹⁶¹ One witness mentioned that, *“In fact, Wat Batheay was not used as a security centre, but the security centre was located next to Wat Batheay.”*⁹⁶²
314. The first chief of this security centre was Has.⁹⁶³ Then, Sin came to replace Has for about 3 (three) months before he was arrested and taken to be killed by the upper echelon.⁹⁶⁴ After then, Pov replaced him.⁹⁶⁵ Lastly, KHUN Khim *alias* Khim came to replace Pov as chief until the fall of the regime.⁹⁶⁶
315. Who took people to be killed was Group Chief Rin, and Lim, Ty and Roeun were members.⁹⁶⁷ The execution site of this security centre was located east of the pagoda gate around 30 (thirty) metres away.⁹⁶⁸ Most killings took place during the daytime.⁹⁶⁹ Those who were transferred from the East Zone were often detained overnight; and after their statistics were compiled, they were taken to be killed right away because if they were detained longer, the [security] centre would be over-crowded.⁹⁷⁰

316. Prisoners in this security centre were adult, senior and children.⁹⁷¹ Some local cadres such as commune chief, village chief and unit chief were also arrested and taken to be killed at Wat Batheay Security Centre.⁹⁷² Furthermore, Cham prisoners were also detained there.⁹⁷³ Prisoners were taken from other areas throughout the whole Batheay District.⁹⁷⁴ During imprisonment, the prisoners who were the new people were brutally tortured by tying their hands and hanging them. They were, in addition, shackled at night.⁹⁷⁵
317. In 1976, the number of killings at Wat Batheay Security Centre rose, targeting on those arrested from Prek Anchanh, Vihea Sour, Roka Koang, Prek Por, Svay Rompear, Anlong Leng, Prek Koy.⁹⁷⁶ Two years later in 1978, Kim who was the security centre chief transported Cham people including children and adults along with other people from the East Zone to be killed at this security centre.⁹⁷⁷ Witness THOU Leang asserted that, *“I remember that the east people were brought in one evening in American made 4x4 trucks. One of the trucks pulled a carriage behind while the other one did not pull a carriage behind it. It was in the evening time. One of the trucks was driven by a person named Hat and other one by a person named Mam. The transportation took place for a period of over one month to carry people to kill in Batheay.”*⁹⁷⁸
318. Prisoners were tortured during interrogation and sometimes were taken to be killed right after interrogation.⁹⁷⁹ Some were kept for a while before being killed.⁹⁸⁰ Most of them who were sent to Wat Batheay Security Centre were killed, and rarely did they survive.⁹⁸¹ They were beaten with their hands tied behind the backs before being walked to the pit to be killed. Certain witnesses noticed that some corpses showed signs of beating on their heads while others had their throats cut.⁹⁸²
319. A witness said that, *“I saw new people being shackled by their ankles and they were made to crawl to raise the yam bed and to clear bushes while they were not given any food to eat; they received only water. There were groups of four people who were chained together. If one of them was very old and unable to work anymore, the Khmer Rouge told the other three to dig a pit and made that person sit on the edge of the pit. Then they hit him/her with the back of a hoe and pushed him/her into the pit to be buried there. They brought a new person in to replace him/her. If one person was removed from the chain, they brought in another person as a replacement. They did this all the time.”*⁹⁸³

320. Furthermore, this witness added that, *“Women’s bodies were cut open and their gallbladders were removed. Most nice-looking women were mistreated and their gallbladders were removed and hung, but I did not know where they would be taken to. Men were not mistreated so much; they were taken away and killed in different ways. There were many ways to kill, including striking them with ox-cart axles, bamboo clubs, hoes and many other ways such as starving and torturing them. At that place, when they were used they were not given any food. When they were absolutely exhausted and unable to work anymore, they were made to dig pits.”*⁹⁸⁴
321. High level cadres were not seen visiting Wat Batheay Security Centre – just the district secretary who was always seen coming in and out of there.⁹⁸⁵ Witness THOU Leang stated that, *“I did not see anyone come. There was only Phim who was the district chief. Five or six Khmer Rouge soldiers came from Kampong Cham Province at the end of the year or in January. They came by Honda motorcycles to sweep clean prisoners in Batheay prison.”*⁹⁸⁶ Cham people were also killed at Wat Batheay Security Centre. The witness stated that, *“10 (ten) out of 100 (one hundred) were Cham people.”*⁹⁸⁷ According to the witness’s observations, they could be identified as Cham people because when they were walked out of the trucks, they spoke Cham language.⁹⁸⁸
322. A witness said that, *“It is hard to say that how many prisoners were in the security centre (Wat Batheay) because those brought in were killed immediately or the next day.”*⁹⁸⁹ If they were not taken to be killed right away, they would be put in a hall because the guards did not have enough time to kill them immediately.⁹⁹⁰ It is estimated there were thousands or around 10,000 (ten thousand) victims killed at Wat Batheay Security Centre.⁹⁹¹

1.4. Met Sop (Kor) Security Centre

323. Met Sop Security Centre⁹⁹² or Kor Security Centre⁹⁹³ was located in Takeo village, Kor commune, Prey Chhor district, Kampong Cham province.⁹⁹⁴ It was established in 1975.⁹⁹⁵ It was a sector-level security centre.⁹⁹⁶
324. The perimeter of this security centre was surrounded by wooden and barbed wire fence.⁹⁹⁷ Within its perimeter, there were many pits of corpses, but they are now a large area of paddy fields and palm plantation. At least 3 (three) ponds which were dug in that regime remain.⁹⁹⁸

325. Sop⁹⁹⁹ was the first chief of Met Sop Security Centre. He was a former teacher at Trapeang Ampil School.¹⁰⁰⁰ He was born in Somrorng commune, Prey Chhor district, Kampong Cham province.¹⁰⁰¹ Heng¹⁰⁰² was deputy chief of the security centre.¹⁰⁰³ In 1977, Met Sop Security Centre Chief Sop was purged and Ngauv replaced him.¹⁰⁰⁴ Witness SAT Pheap mentioned that, "*He (Comrade Sop) was arrested by the sector cadres.*"¹⁰⁰⁵ At this security centre, there were around 10 (ten) to 20 (twenty) armed security guards and approximately two interrogators.¹⁰⁰⁶
326. At Met Sop Security Centre, there were 3 (three) prison buildings and 2 (two) work buildings, a dining hall, a cattle shed and a rice barn.¹⁰⁰⁷ Male and female prisoners were detained separately and the majority were chiefs of communes and districts, soldiers and especially those who had a tendency to the LON Nol regime.¹⁰⁰⁸
327. Prisoners at Met Sop Security Centre were always tortured¹⁰⁰⁹ during interrogations.¹⁰¹⁰ After interrogations, some prisoners were released to work outside, growing vegetables, rearing pigs and farming.¹⁰¹¹ Pheng was responsible for rice fields.¹⁰¹² Prisoners were made to sleep on planks of wood, higher from the ground, and handcuffed and shackled in groups.¹⁰¹³ Most of them were regularly given gruel in the morning and evening; however, they were sometimes given cooked rice as well.¹⁰¹⁴
328. In 1977, **AO An** went to Met Sop Security Centre for many times. Witness NHEM Chen, AO An's former bodyguard, said that, "*Once a month or once every two months, when there were orders from above, he (AO An) went.*"¹⁰¹⁵ However, **AO An** told his bodyguard the truth that **what he did was the order from the upper echelon requiring him to obey. If not, he would die.** The same witness clearly said that, "*Yes, I was close to him, and I asked him whether or not he pitied the others. He told me, 'If I do not obey orders, they will kill me too.'*"¹⁰¹⁶
329. Witness SAT Pheap mentioned that, "*Ta Ngauv reported to **Ta An**. I know this because **Ta An** was the Sector Secretary. I saw Ta Ngauv drive his car to **Ta An**'s office once every five days or once every week.*"¹⁰¹⁷ Another witness indicated the relationship between the upper echelon and lower level that had to carry out the orders.¹⁰¹⁸

330. Most prisoners at Met Sop Security Centre were killed with wooden or steel clubs.¹⁰¹⁹ A witness who was **AO An**'s former bodyguard said that, "*He (AO An) ordered that whatever necessary had to be done in accordance with 1977 plans; they all had to be killed because from 1978 onward there would not be any killing. By 1978, the situation would improve, the killing would cease and there would be thick gruel for us to eat.*"¹⁰²⁰ For example, in 1978 the Central Committee of the CPK issued a directive stating that all those who participated in the activities of CIA, KGB or Vietnamese agents before July 1978 would be pardoned.¹⁰²¹
331. Corpses of victims were buried in different locations close to the security centre such as at Au Ta Kung, Tuol Krasang, Thnaot Chou and Tuol Ampil.¹⁰²² Around 2,000 (two thousand) people were estimated to be killed or died of illness at Met Sop Security Centre.¹⁰²³ After the fall of DK, the remains of victims at Met Sop Security Centre were collected and taken to cremate at Tuol Krasang.¹⁰²⁴

1.5. Kok Pring Execution Site

332. Kok Pring Security Centre was located on the edge of a big lake (Boeng Thom) near Kdei Boeng village, Vihear Thom commune, Kampong Siem district, Kampong Cham province.¹⁰²⁵ They started to kill people in Kok Pring since 1970.¹⁰²⁶ In 1977 after the arrival of the Southwest group, the purge policy continued to be implemented against the population.¹⁰²⁷ Their working condition became worse and worse compared to that before the arrival of the Southwest group at the Central Zone.¹⁰²⁸
333. One witness said that, "*The period when I saw people walking toward the lake was 1977. It was night time when people were walked away... The disappearances started intensively at the end of 1976 or early 1977.*"¹⁰²⁹ Every night, 20 (twenty) to 50 (fifty) people were taken away and killed at Boeng Thom – the majority were the 17 April people.¹⁰³⁰ The executioners at Kok Pring Security Centre included Kan, Ken, and Meas.¹⁰³¹
334. At Kok Pring Security Centre, before the execution, people were tortured and beaten with clubs and sometimes female victims were raped before having their throats slit.¹⁰³² Normally, they were taken away and killed every other night and sometimes every night consecutively.¹⁰³³ The number of people

killed at the security centre rose substantially in early 1977.¹⁰³⁴ Witness KAK Sreoun stated that, *“Killings began in 1970 at the time of the coup... Large-scale killings were from early 1977.”*¹⁰³⁵

335. At Kok Pring Security Centre, there were at least 20 (twenty) pits with bodies along the banks of Boeng Thom and many other pits right in its vicinity.¹⁰³⁶ After 1979, over 70 (seventy) pits were found.¹⁰³⁷ Witness KAK Sreoun claimed that, *“I remember 50 grave pits in Kouk Pring and 20 others along the banks of the Boeng Thom Lake. The total was about 70 grave pits.”*¹⁰³⁸ Each pit was 1.5 x 3 x 1 metres.¹⁰³⁹
336. According to a number of witnesses, there were over 1,000 (one thousand) victims who were executed at Kok Pring Security Centre.¹⁰⁴⁰ However, the Documentation Centre of Cambodia reported that from 5,000 (five thousand) to 7,000 (seven thousand) people were executed at Kok Pring Security Centre.¹⁰⁴¹ Some other witnesses estimated that up to 25,000 (twenty-five thousand) people died there.¹⁰⁴²

1.6. Anlong Chrey Dam Forced Labour Site

337. Anlong Chrey Dam was located in Prey Chhor district, Kampong Cham province.¹⁰⁴³ Anlong Chrey was the name of a bridge near the area where the dam was built. It was built in late 1977 and the construction was completed in May 1978.¹⁰⁴⁴ It was a sector-level worksite.¹⁰⁴⁵
338. Witnesses have so far stated that they saw **AO An** come to inspect Anlong Chrey Dam.¹⁰⁴⁶ Witness PHAN Sophal, former worker at the dam mentioned that, *“I saw Ta An around 1979 when he came to check the worksite. Ta An accused us of spying on them for the CIA agents and the Vietnamese.”*¹⁰⁴⁷ **AO An** came to inspect the worksite probably before the DK regime was about to collapse.¹⁰⁴⁸ Anlong Chrey Dam was frequently visited by Central Zone Secretary KE Pauk. Witness CHIN Sinal stated, *“I knew KE Pauk because he came to inspect the dam construction (Anlong Chrey Dam) many times.”*¹⁰⁴⁹
339. *Ta Chhin* was in charge of Anlong Chrey Dam.¹⁰⁵⁰ The people who were mobilized to build the dam were from five districts: Prey Chor district, Cheung Prey district, Kong Meas district, Chamkar Leu district and Kampong Siem district.¹⁰⁵¹ It was estimated that around 1,000¹⁰⁵² (one thousand) and 1,500¹⁰⁵³

(one thousand and five hundred) people were gathered by *Angkar* to work at Anlong Chrey Dam.¹⁰⁵⁴

1.7. Wat Ta Meak Security Centre

340. Wat Ta Meak Security Centre was located in Prey Totueng village, Chrey Vien commune (previously known as Khlaeng Poar commune),¹⁰⁵⁵ Prey Chor district, Kampong Cham province, Sector 41 of the Central Zone, near Sector 41 Office and other offices under Sector 41.¹⁰⁵⁶ Wat Ta Meak Security Centre covered three hectares of land.¹⁰⁵⁷ It was a sector-level security centre.¹⁰⁵⁸
341. Initially, this security centre was a small, temporary detention site¹⁰⁵⁹ which detained prisoners a maximum of one week¹⁰⁶⁰ before being sent for execution at other places.¹⁰⁶¹ Wat Ta Meak became an official security centre from April 1978 to the collapse of the DK regime.¹⁰⁶² The temple of Wat Ta Meak was used as a meeting hall.¹⁰⁶³
342. Aun was the deputy chief of Sector 41¹⁰⁶⁴ and also military chief of Sector 41,¹⁰⁶⁵ who had authority over the guards¹⁰⁶⁶ and managed work in Wat Ta Meak Security Centre.¹⁰⁶⁷ According to testimonies, Aun replaced Am as chief of Sector Office.¹⁰⁶⁸ The persons who went to arrest prisoners were Am and Aun – they executed the arrest order and brought them for detention in the security centre.¹⁰⁶⁹ In addition, Sok and his messenger also arrested prisoners by themselves.¹⁰⁷⁰ After prisoners were arrested, they were packed in bags and transported by ox-carts or trucks to the security centre.¹⁰⁷¹ This security centre was heavily guarded by around 50 (fifty) to 60 (sixty) sector militiamen.¹⁰⁷²
343. Prisoners in the security centre included new people, base people, males, females and children who were arrested from various cooperatives and villages. Most of them were people from Prey Chhor district, Kong Meas district and Cheung Prey district.¹⁰⁷³ Moreover, Wat Ta Meak Security Centre was used to house evacuees and prisoners, the majority of whom were evacuees from Phnom Penh in 1975.¹⁰⁷⁴
344. Prisoners received watery gruel and did not have sufficient food to eat although they were given two meals per day.¹⁰⁷⁵ However, sometimes prisoners were also allowed to cook and could get little items for their daily use from their relatives.¹⁰⁷⁶

345. Elderly prisoners were chained, handcuffed, shackled or their hands were tied behind their backs.¹⁰⁷⁷ While being interrogated, prisoners were excruciatingly tortured and beaten with whip or chain unconscious from time to time. Sometimes, they did not stop interrogating prisoners – they just splashed water on prisoners to regain consciousness and interrogated them further.¹⁰⁷⁸ For young prisoners, they were shackled every day and often beaten with whip.¹⁰⁷⁹
346. At Wat Ta Meak Security Centre, prisoners were not allowed to go out of the centre. Moreover, they were not allowed to talk.¹⁰⁸⁰ Some prisoners were forced to dig earth or clear land within the perimeter of Wat Ta Meak in the morning and were sent back to the detention facility in the afternoon.¹⁰⁸¹ Wat Ta Meak Security Centre was a field where people were gathered and killed mostly under the pretence that *Angkar* sent them for study sessions.¹⁰⁸² For example, witness NHEM Chen said, “*They just said they would take them for study sessions at Wat Ta Meak.*”¹⁰⁸³ Another witness also mentioned that, “*I heard from the older people. They informed me that Wat Ta Meak was a place to keep people.*”¹⁰⁸⁴
347. Prisoners were blindfolded and transported out of the security centre when filled to capacity.¹⁰⁸⁵ Between 5 (five) p.m. and 6 (six) p.m., prisoners were transported out for execution at Met Sop Security Centre,¹⁰⁸⁶ Wat Phnom Pros Security Centre,¹⁰⁸⁷ or other locations.¹⁰⁸⁸ New prisoners were transported in between 7 (seven) p.m. and 9 (nine) p.m. by zone or sector trucks.¹⁰⁸⁹
348. One witness said that **Ta An** came to have meetings twice at Wat Ta Meak, calling in district coms and commune coms for the meetings.¹⁰⁹⁰ Another witness stated that **Ta An** also came to visit Wat Ta Meak but did not indicate when and what **Ta An** did.¹⁰⁹¹ Another witness said that **Ta An** often received information about Wat Ta Meak Security Centre.¹⁰⁹² Only one witness said that the killings were carried out under orders from **Ta An**.¹⁰⁹³ However, another witness said that **Ta An** did not have the power to decide any arrest of anyone by himself. He had to report to his superiors first.¹⁰⁹⁴
349. In April 1978, POL Pot planned to smash the army and purge low-level cadres who arrested and killed people illegally – many of them were arrested and detained at Wat Ta Meak.¹⁰⁹⁵ No one knows the exact number of the prisoners at Wat Ta Meak although prisoners were arrested and transported into Wat Ta Meak every day.¹⁰⁹⁶ Witness SAMRITH An said, “*I don’t know for sure. We*

placed only the human skulls in the stupa, but the exact number of the bodies was not known."¹⁰⁹⁷ Concerning Cham people, witness CHHEAN Heang responded to a question asked by an international investigator, "*Were any Cham people detained at Wat Ta Meak?*" The witness replied that, "*It seems there were no Chams detained here.*"¹⁰⁹⁸

1.8. Tuol Ta Phlong Security Centre

350. Tuol Ta Phlong Security Centre was located within the perimeter of Lycée Réasmei Saophaon in Trach village, Kampong Chen Cheung commune, Stung district, Kampong Thom province, Sector 43 of the Central Zone.¹⁰⁹⁹ Tuol Ta Phlong Security Centre was a district-level security centre.¹¹⁰⁰ At the outset, Run was chief of the security centre and Rem was the deputy chief and was the one who carried out the killings.¹¹⁰¹ The security centre had around 10 (ten) to 20 (twenty) staff and about 5 (five) guards.¹¹⁰²
351. Previously Tuol Ta Phlong Security Centre was a school, but it was later turned into a prison in 1975 and functioned until the collapse of the regime.¹¹⁰³ However, this security centre was said to exist before 1975. Witness Loem Yuy Hu stated that the place operated from 1970 to 1979 which was first used to detain arrested Lon Nol soldiers.¹¹⁰⁴
352. Hundreds of prisoners were arrested and placed in the classrooms of that school.¹¹⁰⁵ They were detained in 5 (five) rows and in each one there were around 25 (twenty-five) prisoners. They were made to sleep on the ground and were not allowed to talk.¹¹⁰⁶ The detention period was from 1 (one) to 3 (three) months.¹¹⁰⁷ At Tuol Ta Phlong Security Centre, there were male, female, and child prisoners. The majority were new people from Phnom Penh, Siem Reap and other places.¹¹⁰⁸ They were divided into 2 (two) categories: serious and light prisoners. They were placed in separate cells.¹¹⁰⁹
353. Light prisoners were given a bowl of rice gruel mixed with morning glory each day.¹¹¹⁰ Serious prisoners were not given food or water. They were shackled 24 (twenty-four) hours a day and were not allowed to go out to relieve themselves.¹¹¹¹ They were allowed to relieve themselves right at their locations.¹¹¹²
354. Prisoners were interrogated, tortured. They were sometimes beaten with whip for confession.¹¹¹³ Light prisoners were forced to work in the security centre,

i.e. burying bodies, cleaning things up, harvesting, and making compost fertilizers, and so on.¹¹¹⁴ Witness KAM Proek testified that, “*Sometimes I was also assigned to bury dead bodies. What I also noticed was that the dead bodies were buried by being placed in opposite positions. Children’s bodies were placed on their mothers.*”¹¹¹⁵

355. 30 (thirty) to 40 (forty) prisoners were taken away and killed every night.¹¹¹⁶ From time to time, they were killed right in front of the school building and then transported by ox-carts and buried in the pits throughout Ta Phlong village or burned on the edge of the lake near the hill.¹¹¹⁷ Some prisoners were sent for execution at Tom Pich on the edge of the forest of Neak Ta Svay, about 8 (eight) kilometres away from Lycée Réasmei Saophaon.¹¹¹⁸ Before execution, prisoners always screamed wildly and moaned.¹¹¹⁹ A witness said that *Ta* Samrech ordered the killings of the prisoners and Rem was the one who carried out the killings.¹¹²⁰
356. There were 250 (two hundred and fifty) to 500 (five hundred) pits of dead bodies at Tuol Ta Phlong Security Centre.¹¹²¹ Only a handful of prisoners at the security centre could survive, but they were forced to refashion themselves before being released on condition that they did not say anything about [Tuol] Ta Phlong Security Centre.¹¹²² For example, there were around three prisoners who were liberated from the security centre when the regime collapsed.¹¹²³
357. Some prisoners died with handcuffs and some others died of starvation or diseases.¹¹²⁴ The number of execution at Tuol Ta Phlong Security Centre increased dramatically from 1977 to 1978, in particular, the execution of prisoners who were new people.¹¹²⁵ Witness KAM Proek mentioned that, “*Thousands of victims were killed there.*”¹¹²⁶

1.9. Wat Kandal Security Centre

358. Wat Kandal Security Centre was located in Paun village, Chranieng commune, Baray district, Kampong Thom province, Sector 42 of the Central Zone.¹¹²⁷ At was the first person in charge of Wat Kandal Security Centre. He was eventually arrested and killed in 1977.¹¹²⁸ Then Phen replaced him as [chief of] Wat Kandal Security Centre.¹¹²⁹ When the Southwest group arrived in the Central Zone, there were no more arrests of chiefs except for the arrest of At.

359. Prisoners at Wat Kandal Security Centre included base people and new people.¹¹³⁰ They were shackled and detained in the pagoda.¹¹³¹ When they were sent out to work outside, they were unshackled.¹¹³² Those who were considered to have refashioned themselves were released to return to their villages and work as usual.¹¹³³ For serious prisoners, they were transferred to the sector security centre at Thnol Bek.¹¹³⁴
360. Witness PRAK Yun said that, *“People who were brought in and detained here were killed inside the pagoda compound as well as at the rice fields near the pagoda. Some were killed and tossed into wells and ponds in nearby villages.”*¹¹³⁵ Another witness who was a guard of Wat Kandal Security Centre also stated that, *“When the Southwest people first arrived, there were some prisoners in the security centre, but by 1978 there were no more prisoners.”*¹¹³⁶ However, there was only one witness who testified in relevant part that, *“I saw there were approximately 30 prisoners there (Wat Kandal Security Centre).”*¹¹³⁷

1.10. Chamkar Svay Chanty Security Centre

361. Chamkar Svay Chanty Security Centre was located in Veal Ri Lech village, Svay Teab commune, Chamkar Leu district, Kampong Cham province, Sector 42 of the Central Zone.¹¹³⁸ The security centre functioned, detaining and killing people,¹¹³⁹ from 1975 until the collapse of the regime in 1979. The security centre was about two hundred metres west of Svay Teab School and sat on an area of approximately 4 (four) hectares surrounded by thick bamboo fence.¹¹⁴⁰
362. The security centre had two long, wooden halls for detaining people.¹¹⁴¹ Prisoners were shackled day and night without exception.¹¹⁴² They were accused by *Angkar* of being lazy, committing moral offenses, and in particular, being former officials of the previous regime.¹¹⁴³ They included elderly people, adults and children.¹¹⁴⁴ In general, there were 2 (two) types of prisoners: light and serious offenders.¹¹⁴⁵ They were also classified as new people and base people.¹¹⁴⁶
363. The arrested prisoners were taken by ox-carts or trucks.¹¹⁴⁷ When they were transported by trucks, the trucks were totally covered.¹¹⁴⁸ When they were transported by ox-carts, the ox-cart unit chief would drive them and the young

militiamen holding knives walked behind to prevent them from running away.¹¹⁴⁹ Witness Ham Kim Sour, former ox-cart driver, said while he was driving people from Thnol Bek village to execution [site] around 40 (forty) metres away, another unit chief came to take over to Chamkar Svay Chanty.¹¹⁵⁰

364. One witness stated that, *“I witnessed people from some villages such as Moha, Chin, Trapeang Beng, Veal Ri Lech, Srae Preal and Phum Proek being brought here by ox-carts. I saw them because I was then assigned to ride the ox-cart carrying firewood for the village’s collective dining hall. I also heard, but I did not witness the people from Veal Ri Keut, Svay Teab, Tang Krang, Thnol Bek Keut, Thnol Bek Lech and Pramat Dei villages being brought by ox-carts to be killed here.”*¹¹⁵¹
365. From 1975 to mid-1978, execution was carried out on a small scale.¹¹⁵² However, from June 1978, it increased almost every day at Chamkar Svay Chanty when people from 13 (thirteen) villages in Svay Teab commune were taken and killed at this security centre.¹¹⁵³
366. In 1977 while being detained for 7 (seven) days with other 35 (thirty-five) prisoners, witness KHEK Nhe managed to see, through a wall hole, people being killed every day.¹¹⁵⁴ In 1978, KE Pauk gave the order to record names of educated people in Svay Teab commune for execution.¹¹⁵⁵ Arrests were made promptly following an announcement made by unit chief Kheang.¹¹⁵⁶ Many witnesses gave testimonies on the killings and persecution at Chamkar Svay Chanty Security Centre; however, they claimed that they had never heard of **Ta An**.¹¹⁵⁷
367. Yun was chief of Svay Teab commune and in charge of arrests and execution of people at Chamkar Svay Chanty.¹¹⁵⁸ Militias at various villages in Svay Teab commune were under orders from Yun.¹¹⁵⁹ Besides Yun’s militias, there were also security guards from district and sector levels who were also tasked with arresting people and smashing them at this security centre.¹¹⁶⁰ Phal who was Yun’s younger brother-in-law was in charge of the guards and the executioners namely Sin, Pann Chheun and Phouk Ung Sao.¹¹⁶¹ Suon was also the one who gave the order to arrest and kill people.¹¹⁶² Moreover, unit chiefs, militias, and village chiefs also participated in execution at Chamkar Svay

Chanty.¹¹⁶³ After the number of killings increased, Yun was arrested and killed under orders from KE Pauk because he acted beyond the order.¹¹⁶⁴

368. From time to time, prisoners were forced to dig pits for their own burial all through the night.¹¹⁶⁵ They had their hands tied behind their backs and were walked to the edge of the pits. They were made to kneel down on the edge of the pits. Then they were killed by blows to the napes with bamboo clubs before being dropped into the pits. Some were killed first before their bodies were dumped into the pits and water wells.¹¹⁶⁶ Bamboo clubs or iron axes were used to kill prisoners.¹¹⁶⁷ While executing the prisoners, the executioners entertained themselves with music from loudspeakers and shouted at the prisoners referring to them as contemptible enemies while the prisoners screamed in pain.¹¹⁶⁸
369. Witnesses said that a few prisoners were released from Chamkar Svay Chanty Security Centre. They even said that this security centre was a detention facility and most people were brutally killed in Chamkar Leu district.¹¹⁶⁹ Concerning the death toll, witnesses indicated different figures between 1,000¹¹⁷⁰ (one thousand) and 2,000¹¹⁷¹ (two thousand) people. The Documentation Centre of Cambodia reported that the death toll was between 5,000 (five thousand) and 10,000 (ten thousand) people.¹¹⁷²

1.11. Wat Baray Chan Dek Security Centre

370. Wat Baray Chan Dek Security Centre was located in Baray Chan Dek pagoda in Tras village, Ballangk commune, Baray district, Kampong Thom province, Sector 42 of the Central Zone.¹¹⁷³ Baray Chan Dek Security Centre was a district-level security centre.¹¹⁷⁴
371. The chief of the security centre was (1) Sen,¹¹⁷⁵ then (2) Mang, (3) Mao¹¹⁷⁶ and the last one (4) Soeun from the Southwest holding the position until the collapse of the regime.¹¹⁷⁷ The temple of Baray Chan Dek pagoda was used as a detention facility of the arrested prisoners for torture and execution.¹¹⁷⁸ This security centre was used to detain prisoners who were new people, base people and Cham people.¹¹⁷⁹
372. Prisoners were mistreated during the course of interrogation for confessions.¹¹⁸⁰ The confessions were forwarded to the district level which was the direct upper level.¹¹⁸¹ A witness testified that, "*Those confessions*

were sent to the district where the district chief would decide if they were to release or smash.”¹¹⁸² Witness UT Seng stated that, “There was another major killing site at Wat Baray Chan Dek; they played loudspeakers there while the people were being killed; they brought the people to the front of the pagoda and killed them right there.”¹¹⁸³

373. The security centre had between 20 (twenty) and 30 (thirty) prisoners.¹¹⁸⁴ Prisoners were detained at the dining hall south of pagoda.¹¹⁸⁵ Detainees were shackled in rows – there were between 7 (seven) and 8 (eight) of them in each row. They were shackled with a ring and a long iron bar the whole day.¹¹⁸⁶ As for female prisoners, they were placed in a small cell without being shackled.¹¹⁸⁷ This also applied to child prisoners.¹¹⁸⁸
374. Prisoners received 2 (two) meals per day – 2 (two) ladles of watery gruel each meal.¹¹⁸⁹ When they needed to relieve themselves, they had to do it into a portable urinal bowl and then passed it on from one another until it reached a light prisoner whose shackles were removed for discharging the urine.¹¹⁹⁰ They were allowed to take a bath once a week.¹¹⁹¹
375. It is said that only those who were evacuated out of Phnom Penh were taken away and killed at this security centre, yet there were also Cham prisoners.¹¹⁹² Between 1976 and 1977, many people were arrested and sent for detention at Wat Baray Chan Dek Security Centre.¹¹⁹³ When the Southwest group arrived, this pagoda was used as a security centre for around a fortnight before they moved to Sralau Toung Security Centre.¹¹⁹⁴ In early 1978, the number of executions at Sralau Toung increased significantly.¹¹⁹⁵ However, witness MEN Le stated that, “In 1978, I saw many people [being] sent to the pagoda (Wat Baray Chan Dek), but none survived.”¹¹⁹⁶
376. The number of the people who died at this security centre is not precisely known. One witness said that, “I cannot estimate how many people were killed but I saw a 4 square metre room full of skulls there.”¹¹⁹⁷ Another witness asserted that nearly 1,000 (one thousand) prisoners were executed at Wat Baray Chan Dek Security Centre.¹¹⁹⁸ However, according to a former guard of the security centre, the total number of the prisoners killed at the security centre was less than 1,000¹¹⁹⁹ (one thousand) while another witness estimated that up to “5,000 (five thousand) people were executed in 1978.”¹²⁰⁰

1.12. Wat Srange Security Centre

377. Wat Srange Security Centre was located in Srange village, Tbeng commune, Kampong Svay district, Kampong Thom province, Sector 43 of the Central Zone.¹²⁰¹ It was a sector-level security centre.¹²⁰² However, a former guard claimed that it was a district-level security centre.¹²⁰³ It occupied approximately 1 (one) hectares surrounded by bamboo fence.¹²⁰⁴
378. Wat Srange Security Centre functioned in 1976 before the arrival of the Southwest group.¹²⁰⁵ However, this security centre is claimed to have started to function in 1974.¹²⁰⁶ Despite the presence of the Southwest group, its composition remained unchanged.¹²⁰⁷ It closed down in late 1978 right before the collapse of the regime¹²⁰⁸ for no apparent reason. However, it was transferred to Baing Kanh Chak located in Prey Preal village, Tro Pen Reussei commune, Kampong Svay district, Kampong Thom province.¹²⁰⁹
379. The security centre consisted of Kin as chief, Lai as deputy chief, and Chheoung as member.¹²¹⁰ Interrogators were Kin, Lai, Chun and Eng.¹²¹¹ There were around 6 (six) executioners: Sem, Chan, Yeoun, Thang, Ley, and Sork.¹²¹² There were at least 5 (five) guards: Khim as chief, Lai as deputy chief, Chheoung, Phat and Choeng as members.¹²¹³
380. Around 20 (twenty) standing soldiers took charge of the security issues at this security centre.¹²¹⁴ Its workers were all base people.¹²¹⁵ Most people who had a tendency towards the former Lon Nol regime, new people, base people, local cadres or bandits who were arrested from villages/communes in the sector were arrested and sent to the security centre.¹²¹⁶
381. Prisoners were arrested and sent to Wat Srange Security Centre sometimes almost every day and sometimes once every two to three days – each time two or three people and, from time to time, up to four or five ox-carts were brought in at night.¹²¹⁷ One witness who was a former chief of economy in Srange village living close to the security centre stated that, *“Sometimes I saw people being tied and walked in line towards the security centre.”*¹²¹⁸
382. Most arrests were made in the form of invitation to meetings and then they were arrested.¹²¹⁹ Prisoners were mostly adults and a few young children whose parents were arrested and they had to be brought along too. They were transported by horse carts or ox-carts¹²²⁰ and detained in the Wat Srange

- temple right away.¹²²¹ One witness testified that there were between 40 (forty) and 100 (one hundred) prisoners in the temple.¹²²²
383. Those prisoners were handcuffed and shackled to a long iron bar up to 5 rows – 20 (twenty) prisoners in each one.¹²²³ They were provided a ladle of watery gruel each meal, only two meals a day.¹²²⁴ While being detained, they were forced to perform hard labour.¹²²⁵ Female and male prisoners were detained separately.¹²²⁶
384. Within the perimeter of the pagoda, there was a hall which was known as an interrogation place.¹²²⁷ During interrogation, prisoners were tortured, hit with nylon ropes, stabbed in their chests with wooden sticks, and poured water into their noses.¹²²⁸ After interrogation, the interrogators classified them as serious or light prisoners.¹²²⁹ Sometimes, they were taken away and killed right after interrogation.¹²³⁰ Serious prisoners were to be sent to the security centre in the centre of Kampong Thom province while light prisoners might have been released to live in their villages.¹²³¹ While being detained, some light prisoners were made to serve meals to other detainees in this security centre.¹²³²
385. At this security centre, there were 3 (three) big execution sites outside the perimeter of the pagoda: to the north and northwest of Wat Srange and along Prey Da Veng in Srange village.¹²³³ A former guard of the security centre stated that, *“The decision to execute people was an order from the upper echelon, namely from the district and sector committees.”*¹²³⁴ New people and base people were killed at this security centre.¹²³⁵ Prisoners often screamed in pain while being killed.¹²³⁶ In some cases, they died in the detention facility due to starvation.¹²³⁷ Their bodies were taken away and buried outside the security centre fence.¹²³⁸
386. With regard to the death toll at Wat Srange Security Centre, no factual data was collected by experts’ research, but it was collected mostly based on inference. For example, witness HEANG Say stated that, *“I did not know the exact number; however, there could have been thousands.”*¹²³⁹ Some other sources estimated that about 3,500 (three thousand and five hundred) prisoners were executed at Wat Srange Security Centre.¹²⁴⁰

1.13. Wat Angkuonh Dei Security Centre

387. Wat Angkuonh Dei Security Centre was located in Kdei Boeng village, Krala commune, Kampong Siem district, Kampong Cham province in Sector 41 of the Central Zone.¹²⁴¹ Previously, this security centre was used as a killing site where few people were killed.¹²⁴² It was a district-level security centre and generally used as a temporary detention facility for prisoners before they were sent for execution. However, some killings took place here.¹²⁴³ After the fall of the DK regime, pits with corpses were found at Angkuonh Dei.¹²⁴⁴
388. The security centre was a shed with tiled roof without walls.¹²⁴⁵ Prisoners in the security centre were shackled in two rows.¹²⁴⁶ Detainees were always tortured during investigation.¹²⁴⁷ They were detained there for a very short time before being transferred to the sector level or to Tuol Beng Execution Site¹²⁴⁸ which was approximately 1.5 kilometre away west of Angkuonh Dei village on the left side of National Road 6 to Phnom Penh.¹²⁴⁹
389. After the Southwest group was transferred to the Central Zone, *Yeay Yut* became secretary of Kampong Siem district (District 101 secretary), *Ta Si* was deputy secretary and *Nân* [chief of] Kampong Siem district committee.¹²⁵⁰ On the military side, *Phon* was in charged and chief of Kampong Siem district military.¹²⁵¹ *Ny* was chief of Kampong Siem district security centre.¹²⁵² In late November 1978, *Yeay Yut* was transferred by the upper echelon to work in Sector 5 of the Northwest Zone.¹²⁵³ At that time, *Nân* became secretary of Kampong Siem district while *Ta Si* was transferred elsewhere.¹²⁵⁴ *Chea* was in charge of Wat Angkuonh Dei Security Centre.¹²⁵⁵
390. This security centre was used to detain Khmer and Cham people who were arrested from various communes in Kampong Siem district.¹²⁵⁶ Those holding the rank from village deputy chief to commune chief and former LON Nol soldiers were sent to the Sector Security Centre.¹²⁵⁷ Children were also detained at Wat Angkuonh Dei.¹²⁵⁸ When a child escaped even at night, the militia would search for him/her that night.¹²⁵⁹ Due to its less space, only over 10 (ten) prisoners could be detained.¹²⁶⁰ Witness NHEM Kol said that, “*No Cham people were spared, except for Phea who was defended by Yut.*”¹²⁶¹
391. Witness NHEM Kol said that, “*I met Ta An... at Angkuonh Dei village when he was coming to visit the newly-built communal kitchen.*”¹²⁶² Witness AOK

Chanty said that, *“I heard that Ta An came to attend a meeting at the district office located in Angkuonh Dei village, but I never saw him.”*¹²⁶³

1.14. Tuol Beng Execution Site

392. Tuol Beng Execution Site was located west of the pagoda in Tuol Beng village, Krala commune, Kampong Siem district, Kampong Cham province in Sector 41 of the Central Zone.¹²⁶⁴ It was approximately three to four kilometres away from Kampong Siem district office.¹²⁶⁵ It was a district-level security centre¹²⁶⁶ and now it turns into farms and land for agriculture.¹²⁶⁷
393. Ny was in charge of Tuol Beng Security Centre.¹²⁶⁸ Rom who was transferred from the Southwest Zone was chief of Krala commune.¹²⁶⁹ Rom had at least four messengers including Hoeun, Long, Chek and Seng.¹²⁷⁰ Rom worked in the Krala commune office which was located opposite a road to Angkuonh Dei village.¹²⁷¹ The Krala commune office was approximately 200 meters away from Kampong Siem district office.¹²⁷²
394. Tuol Beng Security Centre had two long wooden buildings for housing prisoners, each building was approximately 7 (seven) metres by 20 (twenty) metres.¹²⁷³ There were approximately 200 detainees.¹²⁷⁴ Those who were to be taken for execution at Tuol Beng were detained in this centre.¹²⁷⁵ Tuol Beng was an execution site¹²⁷⁶ and the execution began even before the arrival of the Southwest group.¹²⁷⁷ Approximately 3 (three) days prior to the fall of the regime, the detainees at Tuol Beng Security Centre were transferred to Prey Totueng Prison where they were all killed with grenades thrown into the prison.¹²⁷⁸
395. In 1978, the number of killings at Tuol Beng Security Centre rose dramatically that people found it difficult to walk past the area due to the stench.¹²⁷⁹ There were more than twenty pits, large and small, in Tuol Beng Execution Site.¹²⁸⁰ Phon, Keut, and Sun were in charge of arrests of people and their execution at Tuol Beng.¹²⁸¹ Many Cham people were also sent for execution at Tuol Beng.¹²⁸² According to a witness, thousands of victims were executed at Tuol Beng.¹²⁸³
396. In response to the investigator’s question: “Did Yut know about the security centre and killing site at Tuol Beng?” Witness KHOEM Neary said that, *“Definitely, it was under her management in which she was on the committee*

[of Kampong Siem District].”¹²⁸⁴ In addition, several witnesses who lived in Kampong Siem district at that time said that they did not know *Ta An*.¹²⁸⁵

1.15. Forced Marriage in Sector 41 (Kampong Siem and Prey Chhor Districts)

397. In Kampong Siem district, Kampong Cham province, Sector 41 of the Central Zone, there was a form of marriage which was arranged by *Angkar* in 1975 before the arrival of the Southwest group and until the collapse of the regime.¹²⁸⁶ Generally, *Angkar* arranged marriage on a large scale with many couples, particularly on the 17 April victory anniversary.¹²⁸⁷
398. Marriage arranged by *Angkar* required men and women to have good backgrounds, depending on their classification: new people, base people or same element.¹²⁸⁸ At one time in Kampong Siem district office, **AO An** told PRAK Yut that, “*When you comrades arrange marriage for them, you have to select them according to their elements/composition. But he did not give reasons.*”¹²⁸⁹ One witness claimed that **AO An**’s statement covered new and base people.¹²⁹⁰ However, in reality, *Angkar* also arranged marriage for those who had different backgrounds.¹²⁹¹
399. Normally, women could not propose marriage, but men could. In particular, those who had been involved with the resistance could submit a request to the unit or village chief who would prepare their personal history before forwarding it to communes for deliberation and decisions.¹²⁹² Marriage was mostly arranged at the Kampong Siem District Office, sometimes in the dining hall of the villages where couples sat face to face.¹²⁹³ Then the couples held hands and took a vow to love each other before the wedding meal started.¹²⁹⁴
400. When the district secretary joined wedding ceremonies, the district would organize the event, and the village and commune chiefs would also be present.¹²⁹⁵ If the district did not attend, the commune chief would instead.¹²⁹⁶ Generally, parents did not attend wedding ceremonies; however, they did only for a few cases.¹²⁹⁷ After wedding ceremonies finished, communes would report them to district secretaries.¹²⁹⁸ PRAK Yut, Kampong Siem former district secretary, would always announce in meetings about the weddings over a loudspeaker that getting married was to help develop the nation and those who wished to do so should make a request to village chiefs.¹²⁹⁹

401. In late 1977, a meeting about marriage was held at Wat Ta Meak. One witness stated that, *“He (AO An) spoke about marriage planning. They planned to raise new forces to increase the population to 15 or 20 million in the next 15 or 20 years. This was the Asian plan, referring to Pol Pot’s plan.”*¹³⁰⁰ Witness SAT Phea also said that, *“I want to speak more about the ‘Forces in Asia’. Their plans were to increase the number of people aged between 15 and 20 to 20 million and to fight for and retake Prey Nokor and Khmer Surin by 2001. Ta An said this but he said this only once.”*¹³⁰¹
402. Some witnesses said that it was rare for a person to request for a marriage. Most of the time, unit, village or commune chiefs would do.¹³⁰² However, commune chiefs did not have authority to decide on this. They had to send requests to districts, and districts would further request sectors for decisions. It took about one to three months.¹³⁰³ In Sector 41, one witness said that **Ta An** delegated the authority to districts to organize wedding ceremonies by themselves. **Ta An** was always happy to approve them.¹³⁰⁴
403. It was claimed that PRAK Yut sent the names of those who were to get married to the worksite.¹³⁰⁵ After a one-week notification, wedding ceremonies would be organized.¹³⁰⁶ There were many couples in each wedding under the pretence that the more couples the better.¹³⁰⁷
404. Newlyweds were monitored especially at night to ensure consummation.¹³⁰⁸ Most of the time, husbands would come to complain that their wives did not agree to sleep with them. In this regard, village chiefs would call husbands and wives for re-education. If they did not get along with each other before commune chiefs, they would face starvation or would be taken away and disappeared.¹³⁰⁹ PRAK Yut, Kampong Siem former district secretary, told a witness that **Ta An** ordered newlyweds to consummate their marriages for national prosperity.¹³¹⁰
405. One witness testified that he never knew that women were forced to marry soldiers¹³¹¹ while another witness stated that, in a meeting, they talked about former disabled soldiers who had priority to pick any women for their marriage.¹³¹²
406. Those who were of age to get married, living in mobile units in Prey Chhor district were made to get married by *Angkar*.¹³¹³ Wedding ceremonies would

be organized at the commune hall by commune chiefs.¹³¹⁴ No one dared to refuse such wedding arrangements because they were afraid that they would be taken away and killed.¹³¹⁵

407. At Prey Chhor district, *Angkar* each time organised wedding ceremonies for many couples, sometimes five couples and sometimes up to ten couples or even more depending on the number of people in villages who were to get married.¹³¹⁶ One witness said that there were forced marriage on two occasions, the first one 32 (thirty-two) couples and the second one 15 (fifteen) couples.¹³¹⁷
408. Weddings at Prey Chhor district took place from the beginning of the DK regime until its collapse.¹³¹⁸ Weddings organised for former disabled soldiers took place before and after the arrival of the Southwest group.¹³¹⁹ Witness IENG Chham said that, *“In that regime, they just matched people for the wedding; the office chairman asked us that ‘Do Comrades agree with the match arranged by Angkar?’ If we agreed, they arranged for us.”*¹³²⁰ The witness added that, *“We did not dare to reject and protest. The wedding was not voluntary; it was arranged by Angkar.”*¹³²¹

1.16. Genocide of the Cham in Kampong Cham Province

409. Cham people were evacuated by *Angkar* from the villages where they had lived to certain districts in Kampong Cham province including Chamkar Leu.¹³²² Moreover, in late 1978 there was a meeting attended by commune, district, and sector levels in the presence of KE Pauk as well. During the meeting, KE Pauk asked him how much percentage the Party’s plan had been implemented.¹³²³
410. Witness PRAK Yut, former secretary of Kampong Siem district, mentioned that, *“I received the order from **Ta An** to collect Cham people and former Lon Nol soldiers.”*¹³²⁴ The order from **Ta An** was given in a monthly meeting. **Ta An** also gave orders to other district chiefs.¹³²⁵
411. Moreover, witness PRAK Yut, former secretary of Kampong Siem district, described that, *“One day **Ta An** came to see me and whispered to me that the Centre started to arrest Cham people and ordered me to list down the names of all Cham people in my district.”*¹³²⁶ She also added that, *“I used to attend*

meetings at the sector level in which a decision to arrest Cham people was taken."¹³²⁷

412. A Kampong Siem district witness testified that, *"I know that the commune chief asked the village chief to write down the names of all people in the village in two notebooks. The village chief was required to provide detailed information about them such as their race and biography. One notebook would be kept in the village [office] and the other in the commune [office]. I know that those people whose names were listed down were falsely told that they would be taken to work at the Rubber Plantation Union. But actually they were taken away and killed."*¹³²⁸ The list was made under orders from the upper echelon to local levels.¹³²⁹ Witness POV Sarom who prepared the list said that, *"He ordered me to make a detailed list of the population in Krala Commune such as males, females, young, old, ethnic groups, "new people" or former LON Nol soldiers."*¹³³⁰
413. The former secretary of Kampong Siem district said that she also received a name list of the people to be arrested from **Ta An**. However, she did not know their roles and positions as she was not interested. She thought that villages would send it to **Ta An** and **Ta An** would send it to her because the people in the name list were in her district.¹³³¹ Meanwhile, witness SOK Horn, a Kampong Siem resident, testified that, *"During the Pol Pot regime, the commune chief ordered to kill Cham people. The killers were sent from the commune."*¹³³²
414. For Cham people living in Kampong Siem district, most of them were arrested and killed right in this district. It was claimed that **no Cham people were spared, except for Phea who was defended by Kampong Siem district former secretary Yut.**¹³³³
415. Witness PRAK Yut, former secretary of Kampong Siem district, also said that, *"She received the order from Ta An to identify, search and arrest Cham people who lived in Kampong Siem district which was one of the big districts with 11 communes."*¹³³⁴ She added that, *"I received orders from the sector level to arrest and kill all of those Cham. The orders I received were very clear about killing those Cham. After that, I sent those orders on to the commune level and my deputies at the district level. I do not know how or where those Cham were killed. After the killings of the Cham people were*

*completed, I received a report from my deputies or the militia chief about the number of Cham they had killed. Then, I sent that report to **Ta An**, who was at the sector level.”¹³³⁵ She mentioned that, “When the orders were fully carried out, all the commune chiefs reported personally to me. Then I discussed this with Grandfather Si and made a report to be sent to **Grandfather An** at the sector level.”¹³³⁶*

416. In my capacity as Kampong Siem district secretary, I sent the report to **Ta An** in which I described the names and reasons of the arrest, detention, release and execution.¹³³⁷ However, the same witness added that, “**I did not know if Grandfather An gave the orders on his own or if he received the orders from the upper echelon. But I think he could not issue the orders on his own. He must have received them from the upper echelon.**”¹³³⁸
417. It is said that **the decision to kill all those Cham was received from an echelon higher than Ta An. Ta An also received orders from above. I did not ask Ta An who had issued the orders to kill Cham people like that.**¹³³⁹ Therefore, the execution of Cham people was under orders from the upper echelon and the lower levels had to follow.¹³⁴⁰
418. Arrests of Cham people were made on a continual basis, but at the end of the regime, there was a plan to arrest more Cham people under orders from the upper echelon. One witness claimed that, “*In that meeting, Ta An told us that we had to go to villages by ourselves to write down the names and make a name list.*”¹³⁴¹ However, the new name list was not yet prepared completely when the regime collapsed.¹³⁴²

2. Number of Victims

419. Concerning the number of victims, the International Co-Prosecutor claimed that there were up to 400,000 (four hundred thousand) victims who died in the Central Zone. This claim is contestable because such a claim is not corroborated with any other evidence. The evidence collected shows that the number of victims was far less than this one. We will discuss further infra. First, the ICP failed to differentiate between the number of victims who died and who were executed in Sector 41.
420. The result of the investigation did not indicate an exact number of victims who died and who were killed. Some witnesses said the number of victims could be

thousands or around ten thousand at Wat Batheay Security Centre and thousands at Wat Ta Phlong Security Centre. Moreover, they asserted that there were around 200-30,000 (two hundred to thirty thousand) victims at Wat Au Trakuon Security Centre, 2,000 (two thousand) victims at Met Sop Security Centre, 1,000 (one thousand) victims at Kok Pring Execution Site, 3,500 (three thousand and five hundred) victims at Wat Srange Security Centre, 5,000 (five thousand) victims at Wat Baray Chan Dek Security Centre, 1,000-1,500 (one thousand to one thousand and five hundred) victims at the forced labour worksite at Anlong Chrey Dam, and 1,000-10,000 (one thousand to ten thousand) victims at Chamkar Svay Chanty Security Centre. These numbers are uncorroborated.

IV. Applicable Law regarding Personal Jurisdiction at ECCC

421. The ECCC Agreement explicitly states, *inter alia*, that the ECCC was established to bring to trial senior leaders of Democratic Kampuchea and those who were most responsible for the crimes and serious violations of 1956 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.
422. Article 2 new of the ECCC Law states that, “*Extraordinary Chambers shall be established in the existing court structure, namely the trial court and the supreme court to bring to trial senior leaders of Democratic Kampuchea and those who were most responsible for the crimes and serious violations of Cambodian laws related to crimes, 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. Senior leaders of Democratic Kampuchea and those who were most responsible for the above acts are hereinafter designated as Suspects.*”¹³⁴³
423. The Supreme Court Chamber (“SCC”) has interpreted the terms “senior leaders of Democratic Kampuchea and those who were most responsible” as referring to 2 (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 in

order for the Court to properly exercise personal jurisdiction; the criteria are thus cumulative, not disjunctive.¹³⁴⁴

424. Senior leaders refer to senior officials who participated in the making of policies, their implementation and monitoring.¹³⁴⁵ According to the discussion documents for the establishment of the ECCC, senior leaders refer to members of the CPK Standing Committee and the Central Committee of the DK.¹³⁴⁶ There are 2 (two) main elements in determining a person to be most responsible: (1) the gravity of the crimes charged and (2) the level of responsibility of the charged persons.¹³⁴⁷
425. When assessing the first element, the Referral Bench of the International Criminal Tribunal for former Yugoslavia relied on factors such as (1) the number of victims, (2) the geographic and temporal scope and manner in which they were allegedly committed, as well as (3) the number of separate incidents.¹³⁴⁸ To assess the second element, the International Criminal Tribunal for former Yugoslavia has evaluated it on the basis of considerations such as (a) the level of participation in the crimes, (b) the hierarchical rank or position of the accused, including (c) the number of subordinates and hierarchical echelons above him or her, and the permanence of his position.¹³⁴⁹ The Pre-Trial Chamber of the International Criminal Court has evaluated similar factors.¹³⁵⁰
426. 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 fact 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.¹³⁵¹
427. 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 the outlines of the prosecution and investigation policies to be employed by the Co-Prosecutors and, independently, by the OCIJ. It found them to be in principle unfettered by any strict rules of interpretation and in essence non-justiciable before the Trial Chamber or SCC, short of a showing of abuse of discretion through bad faith or unsound professional judgment.¹³⁵²

428. In Cases 001 and 002, the Co-Prosecutors, the CIJs, the Trial Chamber and the SCC have so far failed to specify what criteria are considered to determine whether a person is a senior leader or among those who were most responsible. What may be accepted is the only conclusion that a senior leader may be among those who were most responsible. However, those who were most responsible may not be senior leaders. Therefore, if a person is a senior leader, it is not necessary to prove that he is also among those who were most responsible.¹³⁵³
429. This interpretation implies that the CIJs have full discretion to consider and decide whether a person is a senior leader or among those who were most responsible, based on factual findings in the context of the ECCC Law. This means that consideration of criteria or factors is left to the CIJs' discretion. Therefore, even though determining whether a person is a senior leader or among those who were most responsible is at the CIJs' discretion, those legal arguments shall comply with the principle of the strict interpretation of the criminal law,¹³⁵⁴ favouring the accused in case of doubt concerning jurisdictional issues.¹³⁵⁵ The interpretation should, however, be consistent with the uniformity of jurisprudence and in accordance with the judicial context applicable in Cambodia.
430. 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 judgment presupposes that there are parameters against which the exercise of the discretion can and must be measured, i.e. what constitutes the boundaries of good faith and sound professional judgment before the decision moves into the field of arbitrariness. The SCC cannot have had in mind an entirely free-wheeling selection policy approach by the OCP or OCIJ.
431. The CIJs also disagree in principle with the argument that comparisons to other persons are not appropriate or feasible.¹³⁵⁶ Against this background, 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.
432. While 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.

433. 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*. It would nonetheless 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.

A. The Position of the ECCC within the Cambodian Legal System – Personal, Temporal and Subject-matter Jurisdictions

434. 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 the policy discretion by the CIJs when deciding to dismiss a case based on personal jurisdiction alone.
435. 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 a close study of the negotiation history preceding the establishment of the ECCC and the development 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 jurisdiction of the ECCC. An argument might therefore be made that we should counter the obvious effect of this view and exercise our discretion as broadly as possible in favour of a finding of personal jurisdiction in order to avoid an unwanted impunity gap. The CIJs disagree with that reasoning for the reasons set out below.
436. 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 an internationalised system as operated, for example, in Bosnia and Kosovo, or the military tribunals after WW II, for any of the perpetrators that would remain below the ECCC's envisaged responsibility threshold.

437. 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 another court is possible.”¹³⁵⁷
438. Similarly, the PTC had in 2011 already held that the Cambodian Government could have used its own ordinary courts to try the Khmer Rouge but instead it opted for the establishment of the ECCC: “*The [...] Government was [...] free to prosecute such crimes [...] as a basic exercise of its jurisdiction [...]. However, rather than using its pre-existing court structure, the [...] Government [...] agreed with the United Nations to establish the ECCC [...] and delegated its jurisdiction to hear these cases.*”¹³⁵⁸
439. No attempts were ever made by either the Cambodian government or the United Nations to regulate the investigation and prosecution of those who would fall short of the personal jurisdiction threshold of the ECCC, because they were not among those most responsible. That stands to reason, because the goal of peace and reconciliation, which entails reintegration of the Khmer Rouge into society was another paramount motivation of the Cambodian government.¹³⁵⁹ 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 – as early as 2008, for example, by the former Head of the DSS, Rupert Skilbeck.¹³⁶⁰
440. More specifically, unlike other courts or tribunals set up on the international level or as a hybrid (national) tribunal,¹³⁶¹ neither the ECCC Agreement nor the ECCC Law contain a 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 specialist court. The applicable law before the ECCC hence does *a priori* not envisage a situation where a conflict of jurisdictions could exist that would require such a regulation.

441. 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 negotiated 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.
442. [...] fully aware that the total death toll, for example, was in the region of a conservatively estimated 1.7 million people¹³⁶² at the time – incidentally about the same as the major modern conflicts, including all situations before the ICC to date, combined. They also knew that there were a large number¹³⁶³ of potential perpetrators who each alone could have been responsible for hundreds or thousands of deaths – 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 (one hundred and forty) victims.¹³⁶⁴
443. The sheer scale of the casualties in the Khmer Rouge period, the negotiation history set out by the SCC¹³⁶⁵ as well as the evidence from the investigation in Case 004/2 alone makes adopting a similar approach impossible, because measuring in such numerical categories would make many ordinary soldiers who routinely performed mass executions over periods of time, or their direct superior officers who ordered them, into 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 face justice.
444. The fact that, for example, the 2009 Penal Code contains provisions on genocide, crimes against humanity and war crimes in Articles 183–198 and a general provision in Article 8 Penal Code declaring that “*the Penal Code shall not constitute a condition for denial of justice for the victims of serious offences provided in a separate law in relation to violation of international humanitarian law, international practices, or international conventions recognized by the Kingdom of Cambodia,*” 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.

445. Articles 3 and 10 of the 2009 Penal Code together embrace the rules of *nullum crimen* and of *lex mitior* i.e. that the most lenient law has to 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 would leave only domestic offences.
446. It is also far from clear whether Cambodian constitutional law would allow the direct application of offences recognised under international customary criminal law outside the remit of the ECCC Agreement and 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.¹³⁶⁶
447. In sum, 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.
448. 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 left a major trauma in Cambodian society and there were numerous potential perpetrators still alive who had committed serious crimes, either directly or as superiors.
449. There is thus a massive impunity gap for crimes committed during the DK era. However, this finding must have no policy impact on the National CIJ's exercise of discretion regarding personal jurisdiction as we have other reasons.

B. Criminal Law Principles – Strict Construction, Selective Jurisdiction

450. For the exercise of discretion, there is a principle of strict construction of the criminal law. In some jurisdictions, the same effect would be achieved by the application of the principle of strict construction, for example, in Cambodian law¹³⁶⁷ and also at the ICC.¹³⁶⁸ Internal Rule 21(1) states that, "*The applicable ECCC Law, Internal Rules, Practice Directions and Administrative Regulations shall be interpreted so as to always safeguard the interests of*

Suspects ... so as to ensure legal certainty and transparency of proceedings, in light of the inherent specificity of the ECCC.”¹³⁶⁹

451. The application of strict construction is all the more crucial in systems where the law is often not fully settled, as is still the case in many areas of criminal law. Particularly, the instances of divergent interpretation of identical legal concepts in the ECCC and other courts, not least on the very issue of personal jurisdiction,¹³⁷⁰ are clear evidence of this.¹³⁷¹ The case of a special court with a narrowly tailored personal, subject-matter and temporal jurisdiction, based on contentious negotiations between a national government and the international community in a post-conflict transitional scenario, which began operations for more than 20 (twenty) years after the events in question, is a prime example for the need of interpretational judicial restraint.
452. This is true not least because of the pressure exerted by the public’s expectations, by the media, on the grounds of concerns around 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 not infrequently expected simply to attach the seal of official approval and confirmation to the pre-existing general view of history.
453. 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.”*¹³⁷²
454. To disregard this banal, yet vital truth would be tantamount to subscribing to the odious statement by Benedict Carpzov from 1652, 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.”*¹³⁷³
455. The ECCC is quite clearly 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 occurred

during the DK, namely those which fall under its own jurisdiction. That is to say no impunity enjoyed by any political leaders who caused the destruction to Cambodian society.

456. 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 society against the desire for some form of judicial closure for the horrendous suffering of the victims, whether they are dead or still alive, their families and society as a whole.
457. In this context, the fact that the OCP itself had already on 8 September 2009¹³⁷⁴ and again on 26 November 2014¹³⁷⁵ publicly indicated that there would be no more new investigations initiated after Cases 003 and 004 needs to be mentioned. While no offender can under law claim that they are being treated unfairly because many others are not prosecuted who may be as responsible as they are, as long as they themselves receive a fair trial, selective prosecution in an already selective jurisdiction may present wider issues of moral fairness.¹³⁷⁶ This enhances the need for an acknowledgment of the fact that a rigorous and robust evaluation of the evidence against those few who are being investigated is required.
458. It is undoubtedly difficult from the point of view of general criminal policy 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 trees¹³⁷⁷ or who had competitions about who could kill the greatest number of people,¹³⁷⁸ should not face justice. The same applies to those who directly committed many gruesome and cruel barbarities such as, for example, eviscerating victims before executing them, collecting their gallbladders or livers and in some instances even cooking and eating them for consumption.¹³⁷⁹ 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.
459. 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* negotiated impunity for virtually the entirety of the former Khmer Rouge will appear unpalatable and indeed unfair to many. However, 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.

460. If at all, any such presumption must operate the other way. The fact 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, is not something which can ever be laid at the feet of any party or give rise to a lesser standard of proof for indictment or conviction, but based on a dispassionate evaluation of the evidence and interpretation of the law at all levels of the ECCC's judicial hierarchy, beginning with the Office of the Co-Investigating Judges.

C. Criteria for the Exercise of Discretion – Decision making in the DK Structures

461. The National CIJ noted that by adopting the definition laid out in its Appeal Judgment in Case 001, the SCC also implicitly held that there is no merit in any historical-political contention that the negotiations around the establishment of the ECCC led to a joint and binding understanding that only a certain finite number of (named) individuals were to be under the court's jurisdiction: The selection of persons to be investigated and indicted was and is purely a matter for the discretion of the OCP and OCIJ, and based entirely on the merits of each individual case.
462. In theory, a senior leader who had not been substantially involved in the criminal activities of the DK might fall outside the ambit of the court's jurisdictional reach as being not most responsible. Conversely, someone on the lower rungs of the hierarchy could be considered as one of the most responsible depending on their individual contribution to the atrocities. The relative gravity of the person's own actions and their effects are thus another valid point of reference, subject to what was said above with regard to the overall impact of mere numbers of victims. In that sense, the considerations to

be employed for the question of personal jurisdiction are not entirely dissimilar to those one would use for sentencing purposes.

463. This should not detract from the obvious initial filtering effect that a person's formal position in the hierarchy has. One important, but not conclusive or exclusive, consideration in deciding who was among those most responsible is the degree to which the offender was able to contribute to or even determine policies and/or their implementation.
464. As our analysis of the evidence below will show, another general fact needs to be borne in mind, namely that despite the regular meetings held, 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 on pain of personal consequences at any level, but increasingly so the further down the chain of command one looks, if the orders were not adhered to. This does not contradict the fact that the policies were often couched in rather general terms by the top echelons and the lower cadres given some leeway regarding the details of the implementation of those policies which explicitly meant purging, smashing.
465. Nor does the increasing difficulty of maintaining organisational structures towards the end of the DK mandate 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 into the category of those most responsible. The fact remains that at all time the ultimate definition of the content of policies and the means of their implementation rested with the top echelons who could interfere at will.
466. 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 exchange of tactical and operational information on the levels below the top leadership. Indeed, openly discussing instructions from "*Angkar*" between, for example, regimental 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.

D. Historical Background of Searching for the Truth

467. After the liberation on 7 January 1979, although the judicial system in Cambodia was not operational, being willing to pursue the truth and justice for the victims, the Cambodian government established an official court to try Khmer Rouge leaders. Law Decree (Kret Chbab) No. 1 dated 15 July 1979 states that the jurisdiction is *“to try the POL Pot – IENG Sary clique for the crime of genocide.”*¹³⁸⁰ The leaders including IENG Sary and POL Pot were convicted in absentia on the crime of genocide and other crimes in August 1979.¹³⁸¹
468. In 1994, after the 1993 general election, former cadres of the DK regime did not participate [in the election] and continued to wage civil war. For the main purpose of national reconciliation, ending war and keeping the peace, the Royal Government adopted a law to outlaw the Democratic Kampuchea group.¹³⁸² The law grants a stay of six months after coming into effect to those cadres who return to live under the control of the Royal Government. However, the stay does not apply to leaders of the Democratic Kampuchea group, and the condoned offences are only stipulated in the national law. Article 6 of the Law clearly states that, *“For leaders of the Democratic Kampuchea group, the stay described in this law does not apply.”*¹³⁸³ This indicates the intention of the Royal Government to pursue national reconciliation and at the same time pave the way for finding justice for the victims through the non-applicability of stay for leaders of the Democratic Kampuchea regime who could become a narrow target for a court which may be established in the future. Those who were the targets were the infamous senior leaders including IENG Sary, KHIEU Samphan and POL Pot.
469. In September 1996 in pursuit of peace, the King of the Kingdom of Cambodia issued a Royal Decree pardoning IENG Sary for the death sentence imposed by the 1979 default judgment and for the offences provided for in the 1994 Law to outlaw the Democratic Kampuchea group.¹³⁸⁴ The political will for the purpose of national reconciliation and ending war led to the end of armed conflict in 1998 and the Royal Government’s “win-win policy” led to the

reintegration of Khmer Rouge soldiers in the Royal Armed Forces with the assurance that their property rights, ways of life and occupations are protected.

470. In 1997, the Royal Government of Cambodia contacted the United Nations for the purpose of establishing a tribunal to try those who were responsible for crimes committed during the Democratic Kampuchea regime.¹³⁸⁵ 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 was adopted in 2001 before an agreement between the Royal Government of Cambodia and the United Nations to prosecute under the Cambodia law the crimes that were committed during the period of Democratic Kampuchea was reached in June 2003. It took almost 10 (ten) years from 1997 for the ECCC to become fully operational in 2007 after the Internal Rules come into effect.
471. The negotiations of the agreement were conducted meticulously to ensure national reconciliation and finding justice as it went through hotly contested discussions on its content, in particular, on jurisdictional issues reflecting the ownership and integrity of Cambodia. Certain provisions which may contain constitutional uncertainties including capital punishment, time limit for prosecution and retroactivity of the law were submitted to the Constitutional Council of the Kingdom of Cambodia for examination. The Constitutional Council found that all Articles of the ECCC Law are compatible with the Constitution, except for Article 3 which refers to the 1956 Penal Code that carries capital punishment and thus is unconstitutional.¹³⁸⁶ As a result, there is no capital punishment for those crimes, otherwise it will contradict Article 38 of the 1993 Constitution of the Kingdom of Cambodia which abolishes capital punishment.
472. At the initial stage of the negotiation on the ECCC Agreement, the word “**Leaders**” was used, but later added with “**Senior**” to select only a very limited number of leaders who could fall under the jurisdiction of the ECCC. These refer merely to members of the Central Committee of the CPK and the Party Standing Committee. Even though there was no name list of those people, the working group was likely to refer specifically to top leaders such as POL Pot, NUON Chea, KHIEU Samphan, SON Sen, IENG Sary, Deputy Prime Minister in charge of the Foreign Affairs, KE Pauk, IENG Thirith,

former Minister of Social Affairs, VANN Rith, former Minister of Commerce, *Ta Mok*¹³⁸⁷ who were all members of the Standing Committee and/or the Central Committee of the CPK.¹³⁸⁸

473. During the negotiations, KAING Guek-Eav *alias* Duch, former Chief of S-21 Security Centre, was found alive and later detained in the military court facility.¹³⁸⁹ The phrase “**those who were responsible**” was therefore incorporated into Article 2 new of the ECCC Law. After rigorous discussions, both the United Nations and the Royal Government of Cambodia agreed to add the word “**most**” to “**those who were responsible**” forming the complete phrase “**those who were most responsible.**” Both sides took a similar view with respect to senior leaders who fell under the personal jurisdiction of the ECCC and Duch who was one of the cadres who were most responsible. Overall, it can be said that the phrase “**those who were most responsible**” was specifically included in reference to former S-21 Chief KAING Guek-Eav *alias* Duch. This means that had Duch not been found alive, the phrase would not exist in the ECCC law.
474. The inclusion of Duch means that those who were most responsible played a key role in committing crimes, close to the commission, under their autonomy and *de facto* authority. While both categories of persons are considered to fall under the jurisdiction of the ECCC, both “**senior**” and “**most responsible**” reflect that only a limited number of leaders may fall under the jurisdiction of the ECCC.
475. The issue of narrow jurisdiction was raised by the representative of the Royal Government of Cambodia during a National Assembly session to debate and pass the draft Law on the Establishment of the ECCC, on the specific ground that “*the number of target persons must be limited and restricted to only senior leaders.*”¹³⁹⁰ *This stance was subsequently repeated.*”¹³⁹¹
476. The ECCC Law provides that voting is required for decisions to be made by the Pre-Trial Chamber, Trial Chamber and Supreme Court Chamber as well as those of the investigative bodies including the Office of the Co-Prosecutors and the Office of the Co-Investigating Judges where officials in each section shall work together. Any decision made in these sections absolutely requires participation from the Cambodian side. At the Trial Chamber, it requires the affirmative vote of at least 4 (four) out of 5 (five) judges while at the Supreme

Court Chamber, it requires at least 5 (five) out of 7 (seven) judges and at the Pre-Trial Chamber, it requires the affirmative vote of at least 4 (four) out of 5 (five) judges.¹³⁹² This shows the structure of the Chambers in which the number of national judges is greater, which is different from other international tribunals, hence reflecting its name “Extraordinary Chambers in the Courts of Cambodia.”¹³⁹³

477. A provision requires a work-together in the form of “Co-”. Not only does this mechanism provide an indirect sense of ownership, it also leaves room for disagreement between national and international judges concerning the proceedings, and solutions can be sought with appeals to the Pre-Trial Chamber. Based on the negotiation documents for the agreement, the issue of disagreement was actively debated and a solution mechanism via the Pre-Trial Chamber was adopted with the agreement as proposed by the national side that the national judges shall have a majority vote in each chamber where previously it was proposed that the international judges shall have the majority.¹³⁹⁴ This shows the intention of the national side to be the legislature. In general, the procedural system for decisions made by the Co-Prosecutors, the Co-Investigating Judges and Chambers provides an undeniable argument on the narrow jurisdiction in order to ensure national reconciliation and peace which is the main purpose of establishing the ECCC. The procedural system provided for in paragraph 476 highlights its feature distinct from other tribunals.
478. Finally, regarding the issue of any amnesty or pardon, the two sides agreed to include Article 40 new which vests the power in the Extraordinary Chambers to decide on any amnesty or pardon that may have been granted. This Article shows respect for the judiciary and may also indicate an intention not to let any suspects who are senior leaders such as IENG Sary get away with their responsibility. In addition, within its context, the prosecution of these senior leaders shall not extend to low-level cadres besides Duch whose name had already been considered by the legislature.
479. In March 1999, during the course of negotiation for the establishment of the ECCC, UNG Choeun *alias Ta Mok* was arrested in March 1999 on charges of committing criminal offence (genocide) in his position as a *Khmer Rouge leader*¹³⁹⁵ and Duch, *former Tuol Sleng Prison chief*, was arrested in May

1999 on charges of acting against the national security and committing crimes against humanity pursuant to the 2001 ECCC Law.¹³⁹⁶ During this period, in 2003, some former Khmer Rouge cadres including CHHOUK Rin was prosecuted by the national court on charges of terrorism for the execution of foreigners.¹³⁹⁷ The prosecution was held according to the national law and only for cadres who committed offences after 6 January 1979. This does not indicate an intention to deviate from a few target senior leaders who must be responsible for international crimes committed during the DK regime.

480. During the preparation of the negotiation on the ECCC Agreement, the Royal Government and the United Nations had a precise stance and commitment to emphasising and prioritising peace and national reconciliation as well as expressing concerns about possible insecurity resulting from prosecution during the proceedings of the ECCC that could affect the hard-attained national reconciliation.¹³⁹⁸
481. The United Nations passed a resolution on 27 February 2003, recognising the legitimate concern of the Royal Government and the people of Cambodia in the pursuit of justice that could impact stability, national reconciliation and peace.¹³⁹⁹ On balance, the two purposes of “justice” and “national reconciliation” were therefore agreed upon and included in the Agreement.¹⁴⁰⁰
482. In this regard, the purpose of the ECCC and the intention of the ECCC Agreement drafters were precise that the number of the persons who fall under the jurisdiction of the ECCC is limited, referring only to powerful senior leaders and those who were most responsible for participating actively in the commission of crimes or close to the commission through their de facto power and influence beyond their official authority.
483. Those target persons include NUON Chea, IENG Sary, KHIEU Samphan, IENG Thirith, Duch, and *Ta Mok*. *Ta Mok* who was a senior leader died in 2006; he was YIM Tith’s supervisor. Central Zone former secretary KE Pauk who died on 15 February 2002 was **AO An**’s supervisor. SON Sen and POL Pol passed away on 10 June 1997 and 15 April 1998, respectively.
484. In conclusion, after reviewing the history of searching for justice before establishing the ECCC, the positions of the parties during the course of drafting the ECCC Law and Agreement, the narrow interpretation of the

criminal law, the selective jurisdiction, the actual meaning of the ECCC Law and the position of parties, in particular, the national side before the establishment of the ECCC where it focused on national reconciliation and searching for justice, it requires the need to make a balance by concentrating on few senior leaders as narrow targets. The representative of the Royal Government showed such a position during the National Assembly debate on the legislation.¹⁴⁰¹ The National and International Co-Investigating Judges previously confirmed their respect for the spirit of the negotiating parties for the establishment of the ECCC.¹⁴⁰²

V. Evidentiary Considerations

A. Statements other than Written Records of Interviews (WRIs) generated by the Co-Investigating Judges

485. The vast majority of the evidence relied on in Case 004/2 consists of WRIs generated by the OCIJ during the investigation, which are prepared under judicial supervision and subject to specific legal and procedural safeguards, and are thus entitled to a presumption of relevance and reliability.¹⁴⁰³ We consider that transcripts of trial proceedings from other ECCC cases, and placed on Case File 004/2 because of their relevance to the allegations, enjoy the same presumption.
486. Statements or other evidence collected without judicial supervision by entities external to the ECCC enjoy no such presumption.¹⁴⁰⁴ 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* relevance and reliability.¹⁴⁰⁵ However, DC-Cam statements were generated without the judicial guarantees and formality that characterise WRIs.
487. Interviews conducted by the International Co-Prosecutor during his preliminary investigations, although prepared specifically for criminal proceedings, are not conducted under oath, and not signed and/or thumb-printed by the interviewees. They are prepared by the International Co-Prosecutor, 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 therefore, in principle, afforded higher probative value than evidence not collected specifically for that purpose (including DC-Cam evidence).¹⁴⁰⁶

488. Civil party applications enjoy no presumption of reliability and have been afforded little, if any, probative value if the circumstances in which they were recorded are not known.¹⁴⁰⁷ Civil party applications and victim complaints offering only general conclusions and therefore representing a “*common narrative*” as opposed to personal experiences have been treated as insufficient to establish relevant facts.¹⁴⁰⁸ Out-of-court statements by civil parties have been afforded low probative value.¹⁴⁰⁹
489. In conclusion, and balancing these considerations, WRIs generated by the OCIJ and trial transcript enjoy a higher reliability presumption and have been afforded a higher probative value than statements prepared by other entities. With regard 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.

B. Torture-tainted Evidence

490. Pursuant to Article 15 of the Convention against Torture, there is an absolute prohibition against relying on information contained in statements obtained under torture¹⁴¹⁰ and in using such statements in the questioning of witnesses.¹⁴¹¹ Confessions of prisoners detained in the S-21 Security Centre are presumed to have been made under torture. This is a rebuttable presumption.¹⁴¹²
491. Information contained in S-21 confessions that originates from persons other than the torture victim, for example annotations made by the torturer, does not fall under this prohibition.¹⁴¹³ Nor does Article 15 prohibit the use of information found in statements taken under torture during the DK to locate witnesses and possibly interview them.¹⁴¹⁴ There is thus no prohibition against the use of evidence of witnesses identified in torture-tainted statements such as S-21 confessions and subsequently interviewed by the OCIJ.¹⁴¹⁵

VI. Findings and Conclusion on Personal Jurisdiction over AO An

492. Our findings that **AO An** does not fall within the ECCC’s personal jurisdiction are made taking into account **AO An**’s role and participation, the general characteristics of the DK regime and its policies, the genuine intent of the negotiators of the agreement to establish the ECCC – the Royal Government of Cambodia and the United Nations. Concerning **AO An**’s involvement in the

regime, we will focus on the crime sites in relation to which **AO An** was charged through the ICP's Introductory and Supplementary Submissions even though eight facts have been excluded from the case by the OCIJ.

493. Based on the ICP's alleged factual findings, there were crime sites as security centres, detention centres and execution sites, district, sector or zone level worksites such as the purge in the Central Zone, Au Trakuon Security Centre, Baray Security Centre, Met Sop (Kor) Security Centre, Wat Phnom Pros Security Centre, Kok Pring Security Centre, Chamkar Svay Chanty Security Centre, Anlung Chrey Forced Labour Worksite, genocide in Kampong Cham Province, Wat Srange Security Centre, Tuol Ta Phlong Prison and Execution Site, Wat Kandal Security Centre, Baray Chan Dek Security Centre, Wat Ta Meak Security Centre, Kampong Siem Security Centre in Wat Angkuonh Dei, execution site in Tuol Beng Village, and forced marriage in Sector 41 (Kampong Siem and Prey Chhor districts). A number of crime sites were located in Sector 41 where **AO An** was Sector Secretary.

AO An's role and participation are not beyond the official authority over the implementation of [CPK] policies

494. The evidence found shows that **AO An** was a member of the Sector 25 Committee of the Southwest Zone after the liberation on 17 April 1975. Then **AO An** was transferred to Sector 35 of the Southwest Zone and held that position for a brief period. In mid-1977 **AO An** was transferred among the Southwest Zone cadres to the Central Zone in the framework of the implementation of the purge policy. Those cadres were deployed and occupied the positions of the Central Zone cadres who had been purged. A number of witnesses including KE Pauk asserted that, *"In June 1977 the first stage of capturing was over. By that time, only me (KE Pauk) remained and the Central Zone had no cadres left. The upper brothers decided to transfer the Southwestern Zone to fill the unoccupied positions. They sent about 200 from that Zone."*¹⁴¹⁶
495. Upon arrival at the Central Zone, **AO An** was appointed by Central Zone Secretary KE Pauk as the Sector 41 Secretary. After some time, Sreng, Zone Deputy Secretary, was purged and this position was vacant for a while, and **AO An** was also appointed as Deputy Secretary of the Central Zone. **AO An**

acknowledges his role as Sector 41 Secretary. However, no official DK record corroborates this official appointment.

496. As the Sector 41 Secretary, **AO An** controlled administrative work and general management (Section II, 4.6). Sector 41 was not autonomous. Therefore, **AO An** had no right to report directly to the Central Committee of the CPK or Office 870. As for the role of Deputy Secretary of the Central Zone, there is no evidence confirming **AO An** was responsible for any particular work, either military, security, or economy. What is clear is that **AO An** had to work through KE Pauk and under orders from KE Pauk without fail. Witness NHEM Chen, former bodyguard of **AO An**, stated that, *“I was close to **Ta An**, and I asked him whether or not he pitied the others. He told me, ‘If I do not obey orders, they will kill me too.’”*¹⁴¹⁷
497. Evidence shows that **AO An** might also have been involved in giving orders to arrest and execute a small number of people. For example, the arrest of *Ta Am* (PRAK Yuth’s spouse) who was chief of Sector 41 Office, and the order to arrest a man named Hum for committing a moral offence with **AO An**’s younger sister-in-law. The witness who was **AO An**’s bodyguard stated that, *“He (**AO An**) ordered that whatever necessary had to be done in accordance with 1977 plans; they all had to be killed because from 1978 onward there would not be any killing. By 1978 the situation would improve, the killing would cease, and there would be thick gruel for us to eat.”*¹⁴¹⁸ Similarly, as the Sector 41 Secretary, **AO An** chaired sector level meetings, laying out plans to visit worksites, security centres and held meetings to disseminate and strengthen the Party stance and hard work and not to conspire with enemies, etc.
498. Concerning the treatment of Cham people, evidence shows that **AO An** participated in leading the dissemination of the policy targeting on Cham people, continued implementing orders by instructing the district level to collect data on Cham people and to follow up work progress through the reporting regime, and received reports back from lower ranks. The treatment of Cham people occurred remarkably in the districts of Kang Meas and Kampong Siem of Sector 41 where there were more Cham people [than in other districts] and because of the Cham rebellion against DK policies. For this reason, Cham people were ruthlessly suppressed, for instances, the

burning of the Koran Bible, the ban on Cham religious practices and language, [and] coercion [by *Angkar*] to consume pork and dog meat. (para.140)

499. The treatment was seen in a consistent form with the participation of the cadres of all levels in line with CPK policies. Witness SALES Ahmat said that, *“The evacuation began since 1976 and continued until 1978 before the liberation. Such meeting was conducted to evaluate **the implementation of Cham race cleansing plan in order to assess a degree of their outcomes.**”*¹⁴¹⁹ Moreover, this witness added that, *“By the end of 1978, there was a meeting participated by sub-district, district, and sector levels and in the presence of **KE Pauk, with a question about how much percentage the party’s plan had been implemented.**”*¹⁴²⁰
500. With regard to forced marriage, **AO An** participated in and coordinated forced marriages within Sector 41. Forced marriage was the official policy intended to increase the population so that it would not be too outnumbered by neighbouring countries. A witness stated that, *“He (AO An) spoke about the marriage planning. They planned to raise new forces, to increase the population to 15 or 20 million in the next 15 or 20 years. This was the Asian plan, referring to POL Pot’s Plan.”*¹⁴²¹
501. In brief, **AO An**’s participation in the treatment of the Cham in Kampong Cham province, in the suppression or general mistreatment of the people of the Central Zone or, in particular, the people in Sector 41, including forced marriage in Kampong Siem and Prey Chhor districts, was shared in line with the CPK’s top-down systematic policy. Arrests and executions of so-called enemies had occurred in the Central Zone before **AO An** and the Southwest Zone group arrived there.
502. There is minimal evidence showing that **AO An** participated in the commission of certain acts; however, those allegations appear to be unreliable given the fact that the witness statements were likely to incriminate **AO An**, for instance, witness PRAK Yuth *alias Yeay* Yuth, former secretary of Kampong Siem district, Sector 41 who used to work under **AO An** and the other witness named KE Pich Vanak, who is the son of Central Zone Secretary KE Pauk.

503. The OCIJ has questioned PRAK Yuth *alias Yeay* Yuth, former secretary of Kampong Siem district, 10 (ten)¹⁴²² times. First, she said she did not know **AO An**. Later she asserted that she knew him since they worked in the Southwest Zone and were transferred to the Central Zone together. Concerning the suppression and the purge of the Cham people, this witness was directly involved in and actively participated [in these activities] as Kampong Siem district secretary. PRAK Yuth's statements given at a later stage appeared to lay the blame more and more squarely on **AO An**.
504. Remarkably, PRAK Yuth, former secretary of Kampong Siem district, gave statements with suffering and discontent with the DK regime. In her fourth and fifth interviews, PRAK Yuth clearly stated that, "*Since the arrest of my husband, I lost confidence in the Revolution because I loved my husband. I could not speak out then, but inside myself I felt hopeless*"¹⁴²³ and "*I am not satisfied with the Revolution due to the arrest and removal of my husband from his position.*"¹⁴²⁴
505. Witness KE Pich Vannak gave inculpatory statements concerning the order to kill people at Phnom Pros, claiming that according to the statement of TA Vey Reap, Central Zone Division Chairman, "**Bang An** was the one who ordered it." It was just hearsay and no corroborated testimony. In contrast, witness VORNG Sokun used to see KE Pauk standing and ordering to kill people. The presence of KE Pauk at Phnom Pros was supplemented by witness SA Nau and many other witnesses.¹⁴²⁵ It may be appropriate given the fact that Phnom Pros was a zone-level security centre under the supervision of KE Pauk who was Zone Secretary.¹⁴²⁶ KE Pauk's son named KE Pich Vannak may have given exculpatory statements in favour of his father. It is affirmed that the International Co-Investigating Judge removed Phnom Pros Security Centre from the Case File and ceased to continue investigation, and the International Co-Prosecutor did not contest.
506. To believe in any witness statement, either inculpatory or exculpatory **AO An** requires balancing several considerations, including the strict context of the Khmer Rouge regime, that is *mind your own business* and the fact that the events took place nearly 40 (forty) years ago, which may give rise to questions of memory. This does not include other matters that have not been taken into account through the scientific method. A witness noted that, "*This thing*

happened 36 to 37 years ago; no one recorded this story. Since I was just a small leader of the soldiers, how am I supposed to have known about it? I just know that the events did actually happen."¹⁴²⁷ This casts doubt on evidence concerning the participation and role of **AO An** in the alleged crimes.

507. **AO An** was not a member or candidate member of the Central Committee of the CPK. According to the CPK's top-down hierarchy, **AO An** may have come fortieth in the zone level or seventieth as the sector secretary among the members of the Central Committee of the CPK, the Standing Committee, all zone secretaries and all autonomous sector secretaries. He had no more than 40 (forty) subordinates in the Sector 41 Office.
508. **AO An**'s participation occurred in the context of purges in the Central Zone which were about to end. The statement of KHIEU Samphan *alias* Hem, the President of the State Presidium, about amnesty (stop the killings) clearly indicates the existence of the purges and arguably the number of arrests or executions actually decreased when **AO An** arrived at the Central Zone.
509. In addition, death rates still continued following the arrival of **AO An** at the Central Zone because at that time Cambodia faced a nationwide famine and starvation due to the implementation of DK policies, especially as the upper *Angkar* required people at the bases to produce "**three tons [of rice] per hectare**" in order to secure export markets, without providing sufficient nutrition to them and there were almost no healthcare services for them. This caused nationwide deaths from starvation and diseases, including in Sector 41 of the Central Zone where **AO An** served as the Sector Secretary.
510. **AO An** held the position of Sector 41 Secretary for about one year and Zone Deputy Secretary for a while before the collapse of the DK regime in early 1979. Many witnesses stated that they did not know **AO An**, his participation and responsibilities. While some witnesses said **AO An** just received orders from the upper echelon, which was referred to KE Pauk or the Central Committee of the CPK. In fact, Central Zone Secretary KE Pauk used to give the order to Sector 41 Secretary AO An that, "*At that sector, An observed and arrested all the enemies quickly, according their plan. He was forced to do so by the upper echelon.*"¹⁴²⁸

**KE Pauk had the authority and power to control the whole Central Zone
effectively even during his occasional absence**

511. Although Sector Secretary **AO An** did participate in the commission of crimes, his participation was not beyond orders and was under the authority and control of Zone Secretary KE Pauk.
512. The existing evidence does not clearly show that **AO An** took control in lieu of KE Pauk as Acting Zone Deputy Secretary during periods when KE Pauk was occasionally absent. Evidence from many witnesses' statements directly stated that they never saw **AO An** at the Central Zone Office working on behalf of KE Pauk when [he was] absent, except when **AO An** had to attend zone-level meetings.
513. In those days, as Zone Secretary, KE Pauk was rarely absent from the Zone. Witness SUON Kanil stated that, *"As I know, KE Pauk did not leave for anywhere during the period of 3 years, 8 months and 20 days. He was absent only when he went to battlefields, attended meetings in Phnom Penh or oversaw dam/dyke construction for a short period of time."*¹⁴²⁹ KE Pauk might have been absent from the Zone Office only for three main tasks: (1) paying field visits to the Zone, (2) attending meetings in Phnom Penh, and (3) standing by in the East Zone to monitor the situation and fight against Vietnam along the border.
514. From time to time, KE Pauk had to attend meetings in Phnom Penh, and the one who replaced him was Zone Office Chief. SUON Kanil, former chief of telegram group at the Office of the Central Zone Committee, stated that, *"In case KE Pauk was absent, people came to meet with the Chairperson of the Central Zone Office named Suor."*¹⁴³⁰ No witnesses asserted that **AO An** came to replace KE Pauk when he was absent. Such work arrangements were also applied in the East Zone. SAO Phim, East Zone Secretary, assigned the East Zone Office Chief to act on his behalf when he was absent.¹⁴³¹ Such a practice was an administrative norm applied in that regime. On the other hand, as a rule, each cadre had to take responsibility for his/her job.
515. KE Pauk had to move to the front line in the East Zone during the conflict with Vietnam. He would not be absent for long or not totally absent given that the Command Headquarters at which he was working was located in Ponhea

Kraek of the East Zone. It was to the east of the Mekong River, which divided the Central Zone and the East Zone. It was about 20 (twenty) kilometres away from the Central Zone. It took him about 20 (twenty) minutes by car, enabling him to return to the Central Zone easily. For this reason, monitoring important tasks from the East Zone Command Headquarters was not difficult. In case of urgencies, the Office might have assigned a messenger to take documents to KE Pauk in person.

516. Many witnesses stated that KE Pauk strictly controlled and gave orders regarding all work in the Zone. All work was required to go through him. He was the only person who had the authority to chair Zone meetings. Moreover, the witness testimony of former chief of telegram group at the Central Zone Office clearly showed that, *“Every outgoing and incoming telegram must be delivered to KE Pauk.”*¹⁴³² Therefore, when something needed an urgent decision-making, a messenger was assigned to send [reports] to him immediately.¹⁴³³
517. There are 225¹⁴³⁴ (two hundred and twenty-five) pieces of corresponding documentary telegram evidence in total, with the upper echelon, in which there are up to 13¹⁴³⁵ (thirteen) telegrams containing the name of KE Pauk. In fact, there is only one telegram highlighted the name of **An**, Sector 41 Secretary, from KE Pauk addressed to Office 870 concerning the arrest of 2 (two) soldiers in Sector 41.¹⁴³⁶ In addition, no confessions from S-21 Security Centre contain **AO An**'s annotations as Deputy Secretary of the Central Zone or Sector 41 Secretary. On the contrary, there are KE Pauk's annotations remaining on at least 4¹⁴³⁷ (four) among at least 160¹⁴³⁸ (one hundred and sixty) confessions at the S-21 Security Centre.
518. Many witnesses affirmed that **Ta An** only held the position of Zone Deputy Secretary but he had no authority to make decisions. All the decisions were made by KE Pauk alone at the zone level. In fact, **Ta An** only had the power to decide on the work within his Sector 41.¹⁴³⁹ KE Pauk received [orders] from POL Pot *alias* SALOTH Sar or *Ta Ti Muoy*, and **Ta An** received [orders] from KE Pauk.¹⁴⁴⁰
519. Among the 7 (seven) zone secretaries of the DK regime, KE Pauk was the second highly influential Zone Secretary after *Ta Mok*, Secretary of the Southwest Zone. He was the most powerful and influential man in the Central

Zone. Based on the power hierarchy in the Central Zone, **AO An** was under orders from KE Pauk who was Zone Secretary and Member of the CPK Central Committee. Moreover, KE Pauk also held the highest military rank and participated in leading the fight against Vietnam as well as purges in the East Zone in 1978. KE Pauk worked closely with the important leaders of the CPK Standing Committee, including SON Sen, *Ta Mok*, NUON Chea, and POL Pot.

520. Former President of the State Presidium of the DK regime KHIEU Samphan *alias* Hem stated that, “*The Zone Chief was the lord.*”¹⁴⁴¹ Duch also stated that zone secretaries had the authority to arrest and order execution, based on the decision dated 30 March 1976, which reads: “*The right to smash inside and outside the ranks, if in the base framework, to be decided by the Zone Standing [Committee].*”¹⁴⁴² Former S-21 Security Centre Chief KAING Guek Eav *alias* Duch clearly defined the phrase “the Zone Standing [Committee] as **“the Zone Secretary”**. Moreover, KE Pauk’s strong relationship with other senior leaders made him most influential and powerful in the Central Zone, in other word, “**KE Pauk was the person to be feared of**” and among the leaders of this Zone, KE Pauk was the only person who managed to escape the Central Zone purge.

The policy to suppress had to be implemented without fail, or otherwise the anti-policy cadres would be purged

521. To consider the jurisdiction, a number of factors will be examined at the judges’ discretion. The first factor is policies and the organizational structure where **AO An** was, especially with a view to knowing the level and influence of **AO An**. Policies and organizational structure are detailed in Section II above, Observation of Facts, and this section is only a summary.
522. After being in power on 17 April 1975, DK organized the military and civilian structure at national and sub-national levels. The civilian structure includes the Central Committee of the CPK; the Standing Committee of the Central Committee of the CPK; Zone; Sector; District, Cooperative. In addition, there were government, ministries and offices. DK had constitution, the judiciary and people’s representative assembly. However, both the judiciary and the assembly had no power and did not function at that time.

523. Based on the CPK Statute, the Central Committee of the CPK comprised 30 (thirty) members. It had more power, but as a matter of fact such power rested in the hands of the 7-member Standing Committee of the Central Committee of the CPK, namely, *Ta Mok* and *SAO Phim*, Zone Secretaries located at the base, *POL Pot*, *NUON Chea*, *IENG Sary*, *SON Sen*, and *VORN Vet*, who worked in Phnom Penh. **AO An** was not a member of the Central Committee nor of the Standing Committee. The 5 (five) leaders who had the authority and power over the country were *POL Pot*, *NUON Chea*, *IENG Sary*, *SON Sen*, and *VORN Vet*.
524. The DK regime was led by the system of collective leadership, following socialism and prioritising agriculture. To achieve the main goals, certain policies had been implemented before the liberation in 1975, namely, policies of forced movement, forced marriage, suppression of enemies and specific ethnic groups, etc. The forced movement was carried out in three phases: Phase One – in 1975 expulsion from Phnom Penh to rural areas across the country; Phase Two – expulsion from Kandal and Takeo provinces to Battambang and Pursat provinces. Besides security reasons, the expulsion was intended to increase agricultural workforces at the bases, producing higher quantities of rice for export as set out by the policy to produce “**three tons per hectare**”. It also included the identification of traitorous elements among the population. This was used to support the expulsion in Phase Three, from the East Zone to the Northwest Zone in late 1977 or early 1978, in order to search for traitorous networks conspiring with Vietnam.
525. People were classified as base people and new people (17 April 1975 people) who entered the locality after the liberation in 1975. Vietnamese and Kampuchea Krom people were ruthlessly suppressed. Base people had certain privileges, but later all of them were treated by cadres in the same way such as forced labour, punishment and sometimes execution if they failed to perform in line with *Angkar*'s policies or their relatives had been involved in groups the DK regime considered “enemies”.
526. Members of each family were separated to perform labour at worksites, near or far depending on the district or sector levels, which the Party had determined. Parents were separated from their children, and in some cases, the latter could not recognize the former, or called their mom auntie, thanks to the

ideology leading them to treat themselves as the children of *Angkar*. Spouses were separated and they rarely met. If there was no permission to have family gathering, those who violated [the rule] would be punished. The food ration was provided two times a day in a communal eating hall. It would be reduced or deprived as punishment if they committed any wrongdoing. People did not have private property, and even vegetables or fruits cultivated around their houses were considered collective property. All the property was considered communal property. Banknotes and markets were not available throughout the country.

527. People had no right to choose their spouses. The Party organized and implemented the policy of forced marriage. Religious practice was prohibited since the Party considered it reactionary religion that obstructed the development of the country. Buddhist monks were disrobed and pagodas were destroyed or transformed into warehouses or detention centres. Muslims were forced to consume pork, and the Koran was burned.
528. Such circumstance made people fearful and traumatised and did not dare to speak out. Everyone minded only their own business, hid their identities, kept a secret, and did not dare to ask about other people's job for fear that the *Angkar* with the eyes of pineapples would find fault with them and take them away for execution. Every second people lived in fear and were on the edge of death. The Party utilized the system of surveillance of every single activity every time and everywhere, every unit with dissemination of policies and did background checks in order to find weaknesses for improvement. Everyone had to work hard. They did not dare to take a rest because they had to follow the Party's plan without complaining. When sick they did not dare to stop working for fear of being sent out for re-education. In the DK regime, there were not any hospitals and sufficient medication, and, in short, healthcare services were provided without quality. These made people overworked, sick, starved, and hundreds/thousands of people died.
529. People enjoyed no security and personal safety in the context of suppression policy which existed prior to 1975. As a matter of fact, after the liberation in 1975, former civil servants and LON Nol soldiers, intellectuals and their relatives were arrested, disappeared, and executed for being enemies of the revolution or the network of reactionary CIA, KGB, etc.

530. The suppression began with arrests of a large number of zone leaders to be executed at S-21 Security Centre, namely, KOY Thuon *alias* Thuch, Minister of Commerce and Secretary of the North Zone; SAO Phim, Member of the [CPK] Standing Committee and Secretary of the East Zone; VORN Vet, Member of the [CPK] Standing Committee; RUOS Nhim, Secretary of the Northwest Zone; and KANG Chab *alias* Se, Secretary of the New North Zone.
531. The suppression became widespread across the country, particularly in 1976, after the Central Committee of the CPK's decision dated 30 June 1976, and coincided with the word "enemies" whose meaning was broadened and utilized widely, including those who woke up late for work; applied the brakes and the cars did not stop; caused ploughshares to break when ploughing; caused hoe edges to deform; transplanted wrong rice seedlings; broke bowls and spoons. They would be accused of being enemies and executed without justice sought and judicial process.
532. No less than 196 (one hundred and ninety-six) security centres were created throughout the country to detain, temper, interrogate, torture and execute traitorous elements throughout the country including senior cadres, civilians and soldiers. More than 60 (sixty) senior cadres and nearly 2,000,000 (two million) people died and were executed during the period of 3 years, 8 months and 20 days, starting from 17 April 1975 to 6 January 1979.
533. The above-mentioned policies and treatment were organized by senior cadres and disseminated widely to all places, further down to the bases through dissemination meetings. The work plan and direction were implemented by cadres based on their roles without argument. In case of complaint or failure to fulfil their tasks, or being undisciplined, the cadres of all levels would be tempered, and in a serious case, they would be arrested and executed. **AO An** asserted that he had to comply absolutely [with all orders] and feared for his life if he did not.
534. The DK regime followed a specific leadership style, as reflected in the policy of persecution at the national level, implemented throughout the country in the collective leadership structure, which cadres at all levels had to respect and follow. Enemies or enemies of the revolution largely dominated their own population. The facts about starvation and execution policies were objective, which was publicly known. The context of treatment and the form of ruling in

the DK regime were different from what happened in Yugoslavia, Rwanda, and Sierra Leone, which brought about the establishment of international criminal tribunals similar to the ECCC. This is different from the ethnic conflicts between Hutu and Tutsi, which led to genocide in Rwanda.¹⁴⁴³ This is different from genocide committed by Serbian nationalists, led by former President Slobodan Milosevic against Croats and Bosnians.¹⁴⁴⁴

535. As the Co-Investigating Judges already confirmed in the Closing Order in Case 004/1, in this context, although a cadre initiated a work plan, it may not deviate far from the policy line and cannot show that that cadre was powerful. *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 into the category of those most responsible.*¹⁴⁴⁵

Narrow personal jurisdiction showed during the negotiations to create the ECCC

536. In determining whether **AO An** was a senior leader or most responsible person besides examining participation activities, it is also necessary to examine the intent of the drafters of the ECCC Law and Agreement. It is appropriate when the contents of the Law and Agreement fail to define the terms “senior leaders” or “those most responsible”.
537. 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 truth and justice. Following the Paris Peace Agreement signed in France in 1991, the 1993 Cambodian general election was held 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 this group did not participate in the election and denied its results and continued to attack Cambodian people. For the sake of peace, Cambodia outlawed the DK group in 1994. This Law gave low-ranking armed forces 6 (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. Article 40 new of the [ECCC] Law does not grant an amnesty for those leaders.

538. In 2003, the Cambodian court tried former low-ranking cadres CHHOUK Rin and NUON Paet for national crimes. This does not mean that Cambodia targeted on low-level cadres who had committed international crimes. With the 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 Security Centre Chief (Tuol Sleng Prison) were arrested.
539. 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. Leaders Duch and *Ta Mok* who were held in detention were also targeted.
540. The creation 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 establishing the ECCC was to end the culture of impunity for international crimes. However, this process should not affect peace. As a matter of fact, the negotiations on personal jurisdiction were so intense. The Royal Government's intent was to focus mainly 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 referred to *Ta Mok* who was held in detention and other leaders. The phrase "**those most responsible**" was included later in the jurisdictional provisions after knowing 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.¹⁴⁴⁶
541. 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 is composed of Cambodian majority judges. For instance, the Pre-Trial Chamber consists of 3 (three) Cambodian judges and 2 (two) international judges. The structure of the

special court and method of participation by national and international judges clearly reflects undeniable most narrow selective jurisdiction. Therefore, although there are facts concerning the Charged Person, based on the interpretation of the law, 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 establishing the ECCC because Cambodia was well aware that IENG Sary had been granted a pardon. Article 40 new of the ECCC Law gives power to the Extraordinary Chambers to consider an amnesty or pardon. Eventually, during the discussion on the ECCC draft law, the 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**.¹⁴⁴⁷

542. In summary, the activities and intention of the Cambodian side before and during the negotiations to create 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 004/1, the Co-Investigating Judges asserted that the judges of the ECCC must respect political decision of the drafters.¹⁴⁴⁸

AO An's participation in criminal acts was inactive, indirect unlike Duch's participation

543. In the Closing Order in Case 004/1, the Co-Investigating Judges asserted about comparability between the suspect and other suspects in order to determine whether or not they fall under the ECCC jurisdiction,¹⁴⁴⁹ and so did both the Co-Prosecutors and the Charged Person.¹⁴⁵⁰ Such comparison will also help uniformity of decision.
544. **AO An**, Deputy Secretary of Sector 41, was more senior than KAING Guek Eav *alias* Duch who was just S-21 Security Centre Chief among approximately 196 (one hundred and ninety-six)¹⁴⁵¹ security centres across the country. However, the evidence collected, does not suggest the exact number of **AO An**'s subordinates and his direct activities in exercising his own inclusive power.

545. Duch had about 200 (two hundred) staff members under his direct supervision for daily operation. **AO An** was designated as Deputy Secretary of the Central Zone for a brief period and Secretary of Sector 41 for only more than one year. [**AO An**] had around 40 (forty) subordinates and did not have any military role. **AO An** was in charge of disseminating policies and instructing people to work hard with regard to agricultural production, as opposed to KAING Guek Eav *alias* Duch, former Chief of S-21 Security Centre, who was in charge of security concerning arrests, interrogation and execution. Moreover, Duch held the position of [S-21 Security] Centre chief for almost the entire DK period.
546. He was an individual of high status, but he seemed to have less power and influence. In fact, as the evidence above shows, **AO An** was under KE Pauk. **AO An** had no autonomy and no de facto authority. **AO An** could not communicate with the upper echelon directly whereas KAING Guek Eav *alias* Duch whose position was not senior but important enjoyed work autonomy and real de facto authority. In addition, S-21 Security Centre, as the central prison, had the authority to arrest prisoners throughout the country, regardless of their positions – civilian and military. With the authority [vested in him], Duch directly communicated first with SON Sen, Member of the Standing Committee and last with NUON Chea, Member of the Standing Committee and Party Deputy Secretary.
547. Duch initiated, directly participated and planned the implementation of instructions and follow-up. For instance, Duch reported to the upper echelon about exaggerated quantity of rice with intent to receive appreciation, despite shortages [of rice] at S-21, which caused prisoners to starve. Duch clearly created or made up administrative management at the S-21 Security Centre, showing highly effective work. For instance, sometimes Duch directly led the commission of crimes with his subordinates. As a consequence, up to 20,000 (twenty thousand) people died over the course of operation at S-21 Security Centre where Duch was the chief during the DK regime. Duch's activism included torture, interrogation, analysis, annotation, [and] written reports addressed directly to the upper echelon in order to continue to dig up the grass, but in no way did **AO An** do such things.
548. Duch's participation was direct and highly active in nature and thus clearly reflects the acts of Duch who was a barbarous prison chief in the history of

mankind in the late 20th century. This also reflects his key role which was just indispensable in the commission of crimes and his great eminence compared to other cadres who served as security centre chiefs like him or higher. To this end, the decision to hold him most responsible is absolutely correct and really appropriate, thus adding the phrase “**those most responsible**” to hold him responsible when he was known to be at large at that time.

549. **AO An** attended meetings on policies in the Central Zone, chaired meetings in Sector 41, and reached out to the labour worksites, disseminating policies and inspecting a number of the security centres. **AO An** played a rather more coordinating role, in relation to the treatment of Cham people and forced marriage. On the contrary, there is certainly very little evidence that shows orders to arrest and execute people were given by **AO An**.
550. An estimate drawn from the evidence shows that the number of victims from the crime sites where **AO An** is charged with is not as many as the ones raised by the International Co-Prosecutor, that is approximately 400,000 (four hundred thousand). The number of these victims was not those of direct acts of **AO An**. In addition, no forensic [evidence] suggests the death toll before or during periods when **AO An** took charge in the Central Zone, particularly in Sector 41. The number of the people who died from starvation and execution remains to be seen.
551. **AO An**'s activities does not show the outstanding nature beyond the work routine compared to those who were Sector Secretaries or Zone Deputy Secretaries like **AO An** in accordance with the principle of selective jurisdiction of the ECCC.

Conclusion

552. Having presented **AO An**'s role, authority, and participation, **AO An**'s relation to KE Pauk and the authority KE Pauk had as the Zone Secretary, having compared Duch's authority, role and participation to **AO An**'s, DK policies and authority structure and history and the intent of the parties to the Agreement and the ECCC Law, it is concluded that **AO An**'s role was not officially appointed. The participation in the activities was shared according to the role and responsibility, without de facto authority. He acted upon orders from and instructions of KE Pauk, who led the Central Zone on a regular,

direct or indirect basis, although he had missions in the East Zone occasionally or for a short period. KE Pauk had power and influence and was the only person at the zone level who survived in the context of the purges in the Central Zone.

553. **AO An** served as the Sector 41 Secretary of the Central Zone for a short period in the context of the Party purges in which cadres of all levels participated. Had [he] denied, [he] would not have escaped death. **AO An**'s participation in the commission of crimes was non-autonomous, inactive, non-creative, and indirect, which is far different from Duch's active, direct and creative participation. Moreover, **AO An** did not participate in making CPK policies.

For the foregoing reasons, we hereby decide¹⁴⁵²

554. The ECCC has no personal jurisdiction over **AO An**.
555. **DISMISS the charges** against **AO An**.

Phnom Penh, 16 August 2018

Judge YOU Bunleng

National Co-Investigating Judge

VII. ANNEX

A. Abbreviation

B. Documents used in the Closing Order

Abbreviation	Term
A	Answer
CIJs	Co-Investigating Judges
CPK	Communist Party of Kampuchea
CPs	Co-Prosecutors
DK	Democratic Kampuchea
ECCC	Extraordinary Chambers in the Courts of Cambodia
ICIJ	International Co-Investigating Judge
ICP	International Co-Prosecutor
NCIJ	National Co-Investigating Judge
OCIJ	Office of the Co-Investigating Judges
P	Page
Para	Paragraph
PP	Pages
PTC	Pre-Trial Chamber
RGC	Royal Government of Cambodia
RICIJ	Reserve International Co-Investigating Judge
SCC	Supreme Court Chamber
TC	Trial Chamber
UN	United Nations

¹ **D1**, Co-Prosecutors' Third Introductory Submission, Case No: 004/20-11-2008-ECCC/OCIJ, Filing Party: Office of the Co-Prosecutors, Type of Document: Confidential, 20 November 2008.

² **D1**, Co-Prosecutors' Third Introductory Submission, Case No: 004/20-11-2008-ECCC/OCIJ, Filing Party: Office of the Co-Prosecutors, Type of Document: Confidential, 20 November 2008, para. 117 of Introductory Submission, pp. 49-50.

³ **D1/1.3**, Annex I: Public Redacted Version, Considerations of the Pre-Trial Chamber regarding the Disagreement between the Co-Prosecutors pursuant to Internal Rule 76, 18 August 2009; **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.

⁴ **D1/1**, Acting International Co-Prosecutor's Notice of Filing of the Third Introductory Submission, Case No: 004/20-11-2008-ECCC/OCIJ, Filing Party: Acting International Co-Prosecutor, 7 September 2009.

⁵ **D41**, International Co-Prosecutor's Request for Investigative Action regarding Case 004 Crime Sites in Central Zone and Responsibility of Suspect **TA An**, Case No: 004/07-09-2009-ECCC/OCIJ, 16 [15] June 2011.

⁶ **D65**, Co-Prosecutors' Supplementary Submission regarding Sector 1 Crime Sites and Persecution of Khmer Krom, Case No: 004/07-09-2009-ECCC/OCIJ, Office of Co-Prosecutors, 18 July 2011.

⁷ **D191**, International Co-Prosecutor's Supplementary Submission regarding Forced Marriage and Sexual or Gender-based Violence, Case No: 004/07-09-2009-ECCC/OCIJ, Filing Party: Co-Prosecutors, 24 April 2014.

⁸ **D334**, Notice of Conclusion of Judicial Investigation against AO An, 16 December 2016.

⁹ **D334/1**, Order for Severance of **AO An** from Case 004, 16 December 2016.

¹⁰ **D340**, Request for Extension of Time Limit for Requesting Further Investigative Action following Rule 66 Notice, Filing Party: AO An, 21 December 2016.

¹¹ **D340/1**, Decision on **AO An**'s Request of Extension of Time Limit for Requesting Further Investigative Action following Rule 66 Notice, [issued by] the International Co-Investigating Judge, 26 December 2016.

¹² **D334/2**, Second Notice of Conclusion of Judicial Investigation against **AO An**, 29 March 2017.

¹³ **D351**, Forwarding Order pursuant to Internal Rule 66(4), 19 May 2017.

¹⁴ **D351/4**, Final Submission concerning **AO An** pursuant to Internal Rule 66, Filing Party: the National Co-Prosecutor, 18 August 2017.

¹⁵ **D351/5**, International Co-Prosecutor's Rule 66 Final Submission, Case No: 004/2/07-09-2009-ECCC/OCIJ, Filing Party: International Co-Prosecutor, 21 August 2017.

¹⁶ **D351/6**, **AO An**'s Response to the Co-Prosecutors' Rule 66 Final Submission, in which the Defence requests the CIJs to dismiss the case against **AO An**, Case No: 004/2/07-09-2009-ECCC/OCIJ, 24 October 2017.

¹⁷ **D350/1**, Decision on **AO An**'s application to annual an entire investigation, Case File: 004/2/07-09-2009, 8 May 2017, Para. 14, p. 4.

¹⁸ **F26/12**, Decision on Objections to Document Lists Full Reasons, 31 December 2015; **E350/8**, Decision on Evidence Obtained Through Torture, 5 February 2016.

¹⁹ **F26/12**, Decision on Objections to Document Lists Full Reasons, 31 December 2015.

²⁰ UN Doc. A/51/930-S/1997/488, Letter from the UN Secretary General addressed to the President of the UN Security Council and to the First and Second Prime Ministers of Cambodia, 24 June 1997. UN Doc. A/RES/52/135, Resolution adopted by the General Assembly, Situation of human rights in Cambodia, 27 February 1998, para. 16, ECCC website: <https://www.eccc.gov.kh/12278>.

²¹ The Agreement of 6 June 2003 between the Royal Government of Cambodia and the United Nations concerning the Prosecution under Cambodian Law of Crimes Committed during the Period of Democratic Kampuchea signed on 6 June 2003 and entered into force on 29 April 2005. UN Doc. A/RES/57/228B (dated 13 May 2003) approved the draft Agreement concerning the creation of the ECCC. UN Doc. A/60/565 (dated 13 May 2003), para. 4.

²² Law on "the Establishment of the Extraordinary Chambers in the Courts of Cambodia" dated 10 August 2001 for the Prosecution of Crimes Committed during the period of Democratic Kampuchea, modified by Kram dated 27 October 2004 (NS/RKM/1004/006) ("ECCC Law").

²³ ECCC Internal Rules, Rev.9, 16 January 2015, Internal 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.

²⁴ **D1**, Co-Prosecutors' Third Introductory Submission, Case No: 004/20-11-2008-ECCC/OCIJ, Filing Party: Office of the Co-Prosecutors, 20 November 2008.

²⁵ **D1/1.3**, Annex I: Public Redacted Version, Considerations of the Pre-Trial Chamber regarding the Disagreement between the Co-Prosecutors pursuant to Internal Rule 71, 18 August 2009.

²⁶ **D1/1**, Acting International Co-Prosecutor's Notice of Filing of the Third Introductory Submission, Case No: 004/20-11-2008-ECCC/OCIJ, 7 September 2009.

²⁷ OCIJ, CIJs's Press Release, 9 June 2010.

²⁸ **D3**, Case File No: 004/20-11-2008-ECCC/OCIJ, "Rogatory Letter issued by Marcel LEMONDE", 9 June 2010.

²⁹ The ECCC issued a press release regarding the appointment of Dr Siegfried BLUNK as the new International CIJ, stating that Judge Siegfried BLUNK took office from 1 December 2010.

³⁰ OCIJ, Press Release, 2 February 2011.

³¹ **D27**, Co-Prosecutors' Supplementary Submission regarding Sector 1 Crime Sites and Persecution of Khmer Krom, 15 June 2011.

³² **D41**, International Co-Prosecutor's Request for Investigative Action regarding Case 004 Crime Sites in Central Zone and Responsibility of Suspect **Ta An**.

- ³³ **D27/1**, Order on Co-Prosecutors' Supplementary Submission regarding Sector 1 Crime Sites and Persecution of Khmer Krom, Case No.: 004/2/07-09-09/ECCC-OCIJ, 17 June 2011.
- ³⁴ **D27/2**, Co-Prosecutors' Response to 17 June 2011 Order of Co-Investigating Judges regarding Supplementary Submission, Case No.: 004/2/07-09-09/ECCC-OCIJ, 21 June 2011.
- ³⁵ **D27/3**, Decision on Co-Prosecutors Supplementary Submission regarding Section 1 Crime Sites and Persecution of Khmer Krom, Case No.: 004/2/07-09-09/ECCC-OCIJ, 28 June 2011.
- ³⁶ **D65**, Co-Prosecutors' Supplementary Submission regarding Sector 1 Crime Sites and Persecution of Khmer Krom, Office of Co-Prosecutors, 18 July 2011.
- ³⁷ OCIJ, Press Release by the Co-Investigating Judges regarding Civil Parties in Case 004 (004/07-09-2009/ECCC/OCIJ), p. 1-5.
- ³⁸ Press Release by International CIJ, 6 December 2011.
- ³⁹ Press Release by International Reserve CIJ Laurent Kasper-Ansermet, 6 December 2011.
- ⁴⁰ Press Release by International CIJ, 6 December 2011.
- ⁴¹ **D110**, Notification of Suspect's Right [Rule 21(1)(D)] issued by International Reserve Co-Investigating Judge Laurent Kasper-Ansermet, 24 February 2012.
- ⁴² Press Statement by International Reserve CIJ Laurent Kasper-Ansermet, 19 March 2012, stating that, "he has tendered his resignation from the position of International Reserve CIJ to the UN Secretary General with effect from 4 May 2012."
- ⁴³ Press Statement by International Reserve CIJ Laurent Kasper-Ansermet, 4 May 2012.
- ⁴⁴ ECCC Press Release regarding the arrival of the ICIJ; the Supreme Council of Magistracy of the Kingdom of Cambodia appointed Mr Mark B. HARMON as the ICIJ, 20 June 2012.
- ⁴⁵ **D191**, International Co-Prosecutor's Supplementary Submission regarding Forced Marriage and Sexual or Gender-based Violence, Case No: 004/07-09-2009-ECCC/OCIJ, Filing Party: Office of Co-Prosecutors, 24 April 2014.
- ⁴⁶ Statement by the International CIJ, 7 July 2015.
- ⁴⁷ Press Release regarding the Appointment of New International CIJ and Reserve, 24 August 2015.
- ⁴⁸ **A497**, Summons to Further Appearance issued by the International Co-Investigating Judge, 25 February 2016.
- ⁴⁹ **D303**, Written Record of Further Appearance of **AO An**, 14 March 2016, pp. 01-18.
- ⁵⁰ **D307/4**, Notification pursuant to Internal Rule 66 *bis* (2) issued by the International Co-Investigating Judge (ICIJ), 9 November 2016.
- ⁵¹ **D337**, Decision to Reduce the Scope of Judicial Investigation pursuant to Internal Rule 66 *bis*, Case No.: 004/2/07-09-2009/ECCC-OCIJ, Classification: Confidential, 16 December 2016.
- ⁵² **D334**, The Co-Investigating Judges issued Notice of Conclusion of Judicial Investigation against **AO An**, 16 December 2016.
- ⁵³ **D334/1**, The Co-Investigating Judges issued Order for Severance of **AO An** from Case 004, 16 December 2016.
- ⁵⁴ **D334/2**, Second Notice of Conclusion of Judicial Investigation against **AO An**, issued by the Co-Investigating Judges, 29 March 2017.
- ⁵⁵ **D351**, Forwarding Order pursuant to Internal Rule 66(4), Case File No: 004/2/07-09-09/ECCC-OCIJ, 19 May 2017.
- ⁵⁶ **D351/4**, Final Submission concerning **AO An** pursuant to Internal Rule 66, Case File No: 004/2/07-09-09/ECCC-OCIJ, Filing Party: the National Co-Prosecutor, 18 August 2017.
- ⁵⁷ **D351/5**, International Co-Prosecutor's Rule 66 Final Submission, Case File No: 004/2/07-09-2009/ECCC-OCIJ, 21 August 2017.
- ⁵⁸ **D351/6**, **AO An**'s Response to the Co-Prosecutors' Rule 66 Final Submissions, in which the Defence requests the CIJs to dismiss the case against **AO An**, Case File No: 004/2/07-09-2009/ECCC-OCIJ, 24 October 2017.

⁵⁹ ECCC Internal Rule 7.4; Articles 26 and 27 of Law on the Establishment of the Extraordinary Chambers in Courts of Cambodia for the Prosecution of Crimes Committed during the Period of Democratic Kampuchea; Article 5(6) of 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.

⁶⁰ Extraordinary Chambers in the Courts of Cambodia Internal Rules (REV.9), 16 January 2015, p. 44.

⁶¹ **D427**, Closing Order, Case File No: 002/19-09-2007-ECCC-OCIJ, 15 September 2010, para. 1323, p. 329.

⁶² Ceag M. Bradley, *Criminal Procedure, A Worldwide Study*, 2nd ed., 2007, p. 289, Articles 80-1, para. 1 of the Code of Criminal Procedure;
<https://www.legifrance.gouv.fr/affichCodeArticle.do?cidTexte=LEGITEXT000006071154&idArticle=LEGIARTI000006575198>.

⁶³ Law on Amendments to Articles 2, 3, 9, 10, 11, 14, 17, 18, 20, 21, 22, 23, 24, 27, 29, 31, 33, 34, 35, 36, 37, 39, 40, 42, 43, 44, 45, 46 and 47 of the Law on the Establishment of the Extraordinary Chambers in the Courts of Cambodia for the Crimes Committed during the Period of Democratic Kampuchea, p. 9.

⁶⁴ Cour de Cassation, Chambre Criminelle, 27 November 1963, 63-91.516, published in the bulletin n° 338)

⁶⁵ Fair Trial Rights, Article 14 of the International Covenant on Civil and Political Rights, 1966.

⁶⁶ Article 14 of the International Covenant on Civil and Political Rights, 1966.

⁶⁷ **D117/36.1.21**, Third Year Anniversary of the Organization of “Peasant Cooperatives” from 20 May 1973 to 20 May 1976, pp. 1, 7-8; **D6.1.772**, “NUON Chea’s Speech at Army Anniversary Meeting”, 17 January 1977, Excerpts from broadcast extracts from speech by NUON Chea, Chairman of the People’s Representative Assembly Standing Committee and Acting Premier, at 16th January 1977 meeting marking the Cambodian Revolutionary Army anniversary, pp. 1-2; **D6.1.475**, Record of Witness Interview of Civil Party Mrs AFFONCO Denise, 3 June 2009, pp. 2-3; **D6.1.196**, Echange France-Asie, Special Report on Cambodia, Liberated Cambodia, Special Report No. 13, January 1976, by Mr François Ponchaud, p. 3; **D6.1.811 [D6.1.818]**, FBIS, Democratic Kampuchea Report dated 10 January 1978, KHIEU Samphan Receives Iraqi Ambassador’s Credentials, p. 57 (ERN 00169573); **D6.1.815**, FBIS, Democratic Kampuchea Report, 29 September 1977, Cambodia, Mass Meeting of 27 Sep 1977, Pol Pot Speech on the Occasion of the Celebration of the 17th Anniversary of the Founding of Our Cambodian Communist Party, p. 53, ERN 00168774; **D6.1.522**, Written Record of Witness Interview of HON Sang, 19 July 2009, pp. 2-3; **D6.1.698**, Written Record of Witness Interview of SOM Chhom, 10 December 2009, p. 2; **D6.1.702**, Written Record of Witness Interview of MAN Heang, 10 December 2009, p. 2; **D6.1.706**, Written Record of Witness Interview of HIM Horn, 18 December 2009, p. 3; **D6.1.1261**, Speech by IENG Sary *alias* Vann, Deputy Premier for Foreign Affairs of Democratic Kampuchea, to the meeting of nonaligned nations at Lima, Peru, 8 September 1975, p. 1; **D6.1.1258**, Documentation Centre of Cambodia, Searching for the Truth, Special English Edition, First Quarter 2004, “Second Open Letter of KHIEU Samphan”, December 29, 2003, p. 2; **D6.1.1257**, Speech, Agenda Item 9, by IENG Sary in the name of the President, delegation of Democratic Kampuchea, United Nations General Assembly, Thirty-second Session, 28th Plenary Meeting, p. 2.

⁶⁸ **D1.3.20.2**, DK Constitution, 6 January 1976, p. 1; **D1.3.20.1**, Communist Party of Kampuchea Statute, January 1976, p. 1; **D6.1.1139**, Document on Conference I of Legislature I of The People’s Representative Assembly of Kampuchea, 11-13 April 1976; **D6.1.772**, “NUON Chea’s Speech at Army Anniversary Meeting”, 17 January 1977, Excerpts from broadcast extracts from speech by NUON Chea, Chairman of the People’s Representative Assembly Standing Committee and Acting Premier, at 16th January 1977 meeting marking the Cambodian Revolutionary Army anniversary, pp. 1-2, 4; **D6.1.532**, Considerations on the History of Cambodia from the Early Stage to the Period of Democratic Kampuchea, printed by Printing Service Reahou, by KHIEU Samphan, October 2007; **D6.1.899**, Note takings (KHIEU Samphan and NUON Chea) Pailin, Cambodia, June 9-11, 2006, Meng-Try and Sopheak Loeung, pp. 3-5; **D6.1.746**, Revolutionary Flag, Special Issue, October-November 1975, page 15; **IS6.4** [CPK Standing Committee Meeting Minutes entitled] the “Party’s Draft of a Four-Year Plan for the Construction of Socialism in all Domains, 1977-1980;” **D6.1.115**, Written Record of Witness Interview of Chuch Punlork *alias* Punlork, 26 August 2008, p. 3, 4; **D6.1.100**, Revolutionary Flag, Issue 7, July 1976; **D6.1.460**, DK Map, published by the Ministry of Education in 1976, p. 1; **D6.1.1073**, the Submission of KAING Guek-Eav’s response to the Co-Investigating Judges’ written questions, 21 October 2008, pp. 2, 13; **D1.3.27.3**, DK Report from May

4, 1977 until May 29, 1977, p. 4; **D322/8.1.6**, Brief Study of the History of the Kampuchean Revolutionary Movement under the Leadership of the Communist Party of Kampuchea, pp. 2, 7, 8, 9, 10, 11,12; **D117/36.1.21**, Third Year Anniversary of the Organization of “Peasant Cooperatives” from 20 May 1973 to 20 May 1976, pp. 1, 7, 11-12; **D6.1.579**, Telegraph No. 202, Report: Dear Beloved Comrade Police of Tram Kak District, dated 1 March 1978, from Ar Som, p. 1; **D132.1.97**, Revolutionary Army Adopts Resolution on SRV Dispute, Phnom Penh Domestic Service in Cambodia, 4 January 1978, pp. 1, 2; **D6.1.196**, Echange France-Asie, Special Report on Cambodia, Liberated Cambodia, Special Report No. 13, January 1976, by François Ponchaud, p. 3; **D6.1.811 [D6.1.818]**, FBIS, Democratic Kampuchea Report dated 10 January 1978, KHIEU Samphan Receives Iraqi Ambassador’s Credentials, p. 57 (ERN 00169573); **D6.1.815**, FBIS, DK Report, 29 September 1977, 27 Sep Mass Meeting Pol Pot Speech Mark KCP Anniversary, p. 51 (ERN 00168772), p. 54 (ERN 00168775); **D1.3.15.1**, Written Record of Analysis by Craig C.Etcheson, dated 18 July 2007, pp. 5, 23; **D6.1.1260**, The True Fact about POL Pot’s Dictatorial Regime during Democratic Kampuchea from 1975 to 1978, The Research and Documentation Centre of The Democratic National Union Movement, 8 September 1996, pp. 3-4; **D6.1.745**, Revolutionary Flag, Issue 9, September 1978, pp. 2-3, 8; **D1.3.16.1**, Central Zone Former Secretary Ke Pauk’s Autobiography from 1957 to the present, p. 5 (ERN 00089712).

⁶⁹ **D6.1.675**, Written Record of Witness Interview of IENG Chham *alias* Chhi, 8 November 2009, pp. 5-6; **D6.1.899**, Note takings (KHIEU Samphan and NUON Chea) Pailin, Cambodia, June 9-11, 2006, Meng-Try and Sopheak Loeung, p. 3.

⁷⁰ **D117/36.1.21**, Third Year Anniversary of the Organization of “Peasant Cooperatives” from 20 May 1973 to 20 May 1976, p. 9; **D6.1.196**, Echange France-Asie, Special Report on Cambodia, Liberated Cambodia, Special Report No. 13, January 1976, by Mr François Ponchaud, p. 4; **D6.1.813**, FBIS, DK Report, dated 23 July 1977, Revolutionary Organisation Gives Awards to Three Districts, p. 31, (ERN00168509); **D1.3.15.1**, Written Record of Analysis by Craig C.Etcheson, dated 18 July 2007, p. 8; **D6.1.1262**, Speech by IENG Sary, Deputy Premier for Foreign Affairs of Democratic Kampuchea, to the UN General Assembly on 25 October 1977, p. 5.

⁷¹ **D6.1.837**, Document Number 3, Examination of Control and Implementation of the Policy Line on Restoring the Economy and Preparations to Build the Country in Every Sector-This document concerns Economy, Finance, Culture and Social Affairs- p. 1; **D6.1.899**, Note takings (KHIEU Samphan and NUON Chea) Pailin, Cambodia, June 9-11, 2006, Meng-Try and Sopheak Loeung, pp. 2-3; **D6.1.118**, Written Record of Interview of Witness DUCH Phleu, 28 August 2008, p. 3; **D6.1.127**, Written Record of Interview of Witness SUN Nat *alias* Ta Nat, 18 November 2008, p. 4; **D6.1.811**, FBIS, DK Report, 23 May 1977, (ERN-00168146), p. 26; **D6.1.231**, Comrade Sem’s Contents of Personal Outlook on Life, 6 December 1976, p. 3.

⁷² **D6.1.811**, FBIS, DK Report dated 4 May 1977, Interview with Cambodian Deputy Premier in Charge of Foreign Affairs Ieng Sary conducted by Italian Journalist Tiziano Terzani, ERN-00168127, p. 7; **D6.1.196**, Echange France-Asie, Special Report on Cambodia, Liberated Cambodia, Special Report No. 13, January 1976, by François Ponchaud, pp. 3-4; **D6.1.1261**, Speech by IENG Sary *alias* Vann, Deputy Premier for Foreign Affairs of Democratic Kampuchea, to the meeting of nonaligned nations at Lima, Peru, 8 September 1975, pp. 1-2; **D322/8.1.6**, Brief Study of the History of the Kampuchean Revolutionary Movement under the Leadership of the Communist Party of Kampuchea, pp. 6,11; **D6.1.813**, FBIS, DK Report, dated 23 July 1977, Revolutionary Organisation Gives Awards to Three Districts, p. 31, (ERN00168509); **D6.1.1257**, Speech, Agenda Item 9, by IENG Sary in the name of the President, delegation of Democratic Kampuchea, United Nations General Assembly, Thirty-second Session, 28th Plenary Meeting, p. 3; **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. 6.

⁷³ **D6.1.1073**, the Submission of KAING Guek-Eav’s response to the Co-Investigating Judges’ written questions, 21 October 2008, p. 2; **D322/8.1.6**, Brief Study of the History of the Kampuchean Revolutionary Movement under the Leadership of the Communist Party of Kampuchea, pp. 2,4,8, 12; **D132.1.97**, Revolutionary Army Adopts Resolution on SRV Dispute, Phnom Penh Domestic Service in Cambodia, 4 January 1978, p. 2; **D6.1.1260**, The True Fact about POL Pot’s Dictatorial Regime during Democratic Kampuchea from 1975 to 1978, The Research and Documentation Centre of The Democratic National Union Movement, 8 September 1996, pp. 3-4; **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. 2.

⁷⁴ **D6.1.975**, DK Ministry of Education, “Political Geography of Democratic Kampuchea,” First Edition, 1977, p. 2.

- ⁷⁵ **D117/36.1.21**, Third Year Anniversary of the Organization of “Peasant Cooperatives” from 20 May 1973 to 20 May 1976, p. 21; **D6.1.815**, FBIS, DK Report, 29 September 1977, 27 Sep Mass Meeting Pol Pot Speech Mark KCP Anniversary, p. 51 (ERN 00168772); **D6.1.836**, Handwritten English Translation of Mr BEN Kiernan’s Interview with Mr Ouch Bun Chhoeun, Phnom Penh, 30 September 1980, p. 6.
- ⁷⁶ **D322/8.1.6**, Brief Study of the History of the Kampuchean Revolutionary Movement under the Leadership of the Communist Party of Kampuchea, p. 3; **D6.1.815**, FBIS, DK Report, 29 September 1977, 27 Sep Mass Meeting Pol Pot Speech Mark KCP Anniversary, p. 51 (ERN 00168772); **D6.1.702**, Written Record of Witness Interview of MAN Heang, 10 December 2009, p. 3.
- ⁷⁷ **D6.1.975**, DK Ministry of Education, “Political Geography of Democratic Kampuchea,” First Edition, 1977, ERN-00814503, p. 4; **D322/8.1.6**, Brief Study of the History of the Kampuchean Revolutionary Movement under the Leadership of the Communist Party of Kampuchea, p. 2; **D6.1.196**, Echange France-Asie, Special Report on Cambodia, Liberated Cambodia, Special Report No. 13, January 1976, by François Ponchaud, p. 3.
- ⁷⁸ **D6.1.195**, Written Record of Witness Interview of Mr FRANÇOIS Ponchaud, 13 February 2009, p. 4; **D6.1.746**, Revolutionary Flag, Special Issue, October-November 1975, pp. 12, 13; **D1.3.27.5**, Interviews with Kampuchean Refugees at Thai-Cambodia Border, prepared for Ishiyama Committee, Annual Report 1980, February-March 1980, pp. 12 and 23-24; **D6.1.717**, Written Record of Interview of Witness IN Sopheap, revolutionary name Mi, 28 September 2009, pp. 5-6; **D6.1.1059**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 1 April 2008, pp. 2-3.
- ⁷⁹ **D322/8.1.6**, Brief Study of the History of the Kampuchean Revolutionary Movement under the Leadership of the Communist Party of Kampuchea, p. 8; **D117/36.1.21**, Third Year Anniversary of the Organization of “Peasant Cooperatives” from 20 May 1973 to 20 May 1976, p. 3; **D117/71**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (the 6th interview), 19 June 2013, pp. 8-9 (A49).
- ⁸⁰ **D322/8.1.6**, Brief Study of the History of the Kampuchean Revolutionary Movement under the Leadership of the Communist Party of Kampuchea, p. 9.
- ⁸¹ **D6.1.503**, Written Record of Interview of Witness NORNG Sophang *alias* NORNG Seng Chim, 28 March 2009, p. 7; **D6.1.786**, Written Record of Interview of Witness IEP Duch, 27 November 2007, pp. 2-3; **D117/36.1.22**, Directive of the Central Committee of the Communist Party of Kampuchea, 11 July 1977, p. 1; **D6.1.473**, Guidance of the Central Committee of the Communist Party of Kampuchea, 20 June 1978, p. 4.
- ⁸² **D1.3.36.1**, Written Record of Interview of Charged Person KHIEU Samphan *alias* Hem (Former President of the State Presidium of Democratic Kampuchea), 13 December 2007, pp. 10-11; **D1.3.20.1**, Communist Party of Kampuchea Statute, Articles 21-25, pp. 23-24; **D6.1.985**, Written Record of Witness Interview of SAO Phen, 5 April 2010, pp. 3-4.
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¹⁶⁰ **D6.1.984**, Written Record of Witness Interview of SEK Sam At *alias* Rim or *Yeay* Rim, 23 March 2010, pp. 4-5.

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²⁵⁸ **D6.1.99**, Written Record of Witness Interview of CHHOUK Rin *alias* Sokh, 29 July 2008, pp. 6-8; **D6.1.1067**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 2 October 2007, pp. 2-3; **D1.3.27.5**, Interviews with Kampuchean Refugees at Thai-Cambodia Border, prepared for Ishiyama Committee, Annual Report 1980, February-March 1980, pp. 47-48 and 59; **D6.1.532**, Considerations on the History of Cambodia from the Early Stage to the Period of Democratic Kampuchea, printed by Printing Service Reahou, by KHIEU Samphan, October 2007, pp. 16-17; **D1.3.36.1**, Written Record of Interview of Charged Person KHIEU Samphan *alias* Hem (former President of the State Presidium of Democratic Kampuchea), 13 December 2007, pp. 4-5; **D1.3.29.7**, Interview with KAING Guek-Eav, AKA Duch, Chairman of S-21, 18 June 1999, p. 2; **D6.1.512**, Written Record of Witness Interview of KIM Vun *alias* Chaom, 25 July 2009, pp. 5-6; **D6.1.641**, Written Record of Witness Interview of SAU Hau, 13 March 2009, p. 2; **D6.1.734**, Written Record of

Witness Interview of SOKH Chhien, 19 August 2009, p. 8; **D6.1.1057**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 28 March 2008, p. 4; **D6.1.96**, Written Comments and Answers of Charged Person KAING Guek-Eav *alias* Duch, Chairman of S-21, to Written Questions of the Co-Investigating Judges, 20 November 2009, p. 6; **D6.1.152**, Written Record of Witness Interview of KOY Mon, 29 May 2008, p. 3; **D6.1.350**, Written Record of Witness Interview of SUM Sakhan *alias* Sreang, 13 February 2009, pp. 4-5; **D1.3.11.15**, ECCC, Interviewee HENG Teav, pp. 3-4; **D6.1.53**, Khmer bodies with Vietnamese minds, Kampuchea's Eastern Zone, 1975-1978, Ben Kiernan, Centre of Southeast Asian Studies, Monash University, pp. 17-18; **D6.1.811 [D6.1818]**, FBIS, DK Report, 3 January 1978, p. 1 (ERN 00169517); **D6.1.815**, FBIS, DK Report, 29 September 1977, 27 Sep 1977 Mass Meeting, Pol Pot Speech Mark KCP Anniversary, p. 1 (ERN 00168724); **D1.3.15.1**, Written Record of Analysis by Craig C. Etcheson, 18 July 2007, pp. 5, 33; **D6.1.93**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 25 November 2008, p. 8; **D6.1.705**, Written Record of Witness Interview of MEAS Soeun, 18 December 2009, pp. 10-12; **D6.1.1260**, The True Fact about POL Pot's Dictatorial Regime during Democratic Kampuchea from 1975 to 1978, The Research and Documentation Center of The Democratic National Union Movement, 8 September 1996, p. 2; **D6.1.1071**, Written Record of Interview of Charged Person KAING Guek-Eav, 3 June 2008, pp. 5-6; **D6.1.774**, Presentation by Comrade Party Secretary Pol Pot during the session of the first meeting of the Council of Ministers, 22 April 1976, p. 2.

²⁵⁹ **D1.3.27.5**, Interviews with Kampuchean Refugees at Thai-Cambodia Border, prepared for Ishiyama Committee, Annual Report 1980, February-March 1980, pp. 47-48; **D1.3.36.1**, Written Record of Interview of Charged Person KHIEU Samphan *alias* Hem (former President of the State Presidium of Democratic Kampuchea), 13 December 2007, p. 10; **D1.3.29.7**, Interview with KAING Guek-Eav, AKA Duch, Chairman of S-21, 18 June 1999, p. 2; **D6.1.494**, Written Record of Initial Appearance of NUON Chea, 19 September 2007, pp. 4-5; **D6.1.512**, Written Record of Witness Interview of KIM Vun *alias* Chaom, 25 July 2009, pp. 5-6; **D6.1.726**, Written Record of Witness Interview of KHUM Kim *alias* NUON Pet, 30 November 2009, pp. 4-5; **D6.1.1052**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 24 January 2008, p. 3; **D6.1.1057**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 28 March 2008, p. 4; **D6.1.152**, Written Record of Witness Interview of KOY Mon, 29 May 2008, p. 3; **D6.1.811 [D6.1818]**, FBIS, DK Report, 3 January 1978, p. 1 (ERN 00169517); **D1.3.15.1**, Written Record of Analysis by Craig C. Etcheson, 18 July 2007, p. 5; **D6.1.705**, Written Record of Witness Interview of MEAS Soeun, 18 December 2009, pp. 10-12; **D6.1.1260**, The True Fact about POL Pot's Dictatorial Regime during Democratic Kampuchea from 1975 to 1978, The Research and Documentation Center of The Democratic National Union Movement, 8 September 1996, pp. 3-4; **D6.1.1071**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 3 June 2008, pp. 1-2.

²⁶⁰ **D6.1.96**, the Written Comments and Answers of Former S-21 Chairman KAING Guek-Eav *alias* Duch, to Written Questions by the CIJs, 20 November 2009, p. 6; **D6.1.1068**, Written Record of Witness Interview of KAING Guek-Eav *alias* Duch, 22 November 2007, p. 6.

²⁶¹ **D6.1.1051**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 4 December 2007, p. 5; **D6.1.477**, Written Record of Witness Interview of THIOUNN Prasith, 8 June 2009, p. 4; **D6.1.1073**, the submission of KAING Guek Eav's response to the Co-Investigating Judges' written questions, 21 October 2008, p. 4; **D6.1.1071**, Written Record of Interview of Charged Person KAING Guek Eav *alias* Duch, 3 June 2008, p. 2 and pp. 3-4; **D6.1.1065**, Written Record of Interview of Charged Person KAING Guek Eav *alias* Duch, 23 August 2007, pp. 8-9.

²⁶² **D219/672**, Written Record of Witness Interview of KAING Guek-Eav *alias* Duch, 1 February 2016, p. 10; **D1.3.15.1**, Written Record of Analysis by Craig C. Etcheson, dated 18 July 2007, pp. 3, 5; **D6.1.635**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 20 October 2009, pp. 5,6; **D6.1.899**, Note takings (KHIEU Samphan and NUON Chea) Pailin, Cambodia, June 9-11, 2006, Meng-Try and Sopheak Loeung, p. 5; **D6.1.1073**, the Submission of KAING Guek-Eav's response to the Co-Investigating Judges' written questions, 21 October 2008, p. 3.

²⁶³ **D219/672**, Written Record of Witness Interview of KAING Guek-Eav *alias* Duch, 1 February 2016, p. 10.

²⁶⁴ **D6.1.1073**, the Submission of KAING Guek-Eav's response to the Co-Investigating Judges' written questions, 21 October 2008, p. 12; **D6.1.815**, FBIS, DK Report, 29 September 1977, Cambodia, 27 Sept Mass Meeting, Pol Pot Speech Mark KCP Anniversary, p. 50 (ERN-00168771); **D6.1.836**, Handwritten English Translation of Mr BEN Kiernan's Interview with Mr Ouch Bun Chhoeun, Phnom Penh, 30 September 1980, p. 30; **D1.3.16.1**, Former Central Zone Secretary Ke Pauk's Autobiography from 1957 to the present, p. 1 (ERN 00089708).

²⁶⁵ **D6.1.98**, Written Record of Witness Interview of Chhouk Rin *alias* Sokh, 21 May 2008, pp. 3, 7; **D1.3.27.5**, Interviews with Kampuchean Refugees at Thai-Cambodia Border, prepared for Ishiyama Committee, Annual Report 1980, February-March 1980, pp. 46-47; **D1.3.20.1**, Communist Party of Kampuchea (CPK) Statute, Article 30, p. 26; **D6.1.434**, Written Record of Interview of Witness Sreng Ti, 6 January 2009, p. 3; **D6.1.815**, FBIS, DK Report, 29 September 1977, Cambodia, 27 Sept Mass Meeting, Pol Pot Speech Mark KCP Anniversary, p. 50 (ERN-00168771).

²⁶⁶ **D6.1.100**, Revolutionary Flag, Issue 7, July 1976, p. 30; **D1.3.11.15**, ECCC, Interviewee: Heng Teav, p. 3; **D6.1.53**, Khmer bodies with Vietnamese minds, Kampuchea's Eastern Zone, 1975-1978, Ben Kiernan, Centre of Southeast Asian Studies, Monash University, pp. 34-35.

²⁶⁷ **D219/673**, Written Record of Witness Interview of KAING Guek-Eav *alias* Duch, 2 February 2016, p. 6; **D1.3.20.1**, Communist Party of Kampuchea Statute, Article 30, p. 26; **D1.3.27.5**, Interviews with Kampuchean Refugees at Thai-Cambodia Border, prepared for Ishiyama Committee, Annual Report 1980, February-March 1980, pp. 8-9, 9-12, and 58; **D6.1.141**, Written Record of Witness Interview of SAO Saun (the 1st interview), 17 December 2008, pp. 2-3 and 5-6; **D1.3.16.1**, Former Central Zone Secretary Ke Pauk's Autobiography from 1957 to the present, p. 8 (ERN 00089715).

²⁶⁸ **D6.1.899**, Note takings (KHIEU Samphan and NUON Chea) Pailin, Cambodia, June 9-11, 2006, Meng-Try and Sopheak Loeung, pp. 3-5.

²⁶⁹ **D219/672**, Written Record of Witness Interview of KAING Guek-Eav *alias* Duch, 1 February 2016, p. 10; **D1.3.27.5**, Interviews with Kampuchean Refugees at Thai-Cambodia Border, prepared for Ishiyama Committee, Annual Report 1980, February-March 1980, pp. 5-7, 10-11, and 20-22.

²⁷⁰ **D1.3.24.1**, Record of the Standing [Committee's] Visit to the Northwest Zone, 20-24 August 1975; **D1.3.24.2**, Meeting of the Standing Committee, 9 October 1975; **D6.1.1**, Standing Committee Meeting, 2 November 1975, 7:00 P.M.; **D6.1.1160**, Minutes of the Meeting of the Standing Committee 9 January 1976; **D6.1.1164**, Minutes of the Meeting of the Standing Committee on the evening of 22 February 1976; **D6.1.1165**, Minutes of the Meeting of the Standing Committee on the evening of 22 February 1976; **D6.1.791**, Minutes of the Meeting of the Standing Committee 28 February 1976; **D6.1.1101**, Minutes of the Meeting of Propaganda Work, 8 March 1976; **D6.1.1166**, Minutes of the Meeting on Base Work, 8 March 1976; **D6.1.1167**, Minutes of the Meeting of the Standing Committee, the Front, 11 March 1976; **D6.1.1136**, Record of the Meeting of the Standing Committee, 11 March 1976; **D6.1.1137**, Minutes of the Meeting of the Standing Committee, 13 March 1976; **D6.1.1138**, Minutes of the Meeting of the Standing Committee, 26 March 1976; **D6.1.1850**, Decision of the Standing Committee, 19-20-21 April 1976; **D6.1.1140**, Record of Standing Committee Meeting, 7 May 1976; **D6.1.1142**, Examination of the Reaction of Vietnam during the Fifth Meeting on the morning of 14 May 1976; **D6.1.1144**, Minutes of the Standing Committee Meeting, 30 May 1976; **D6.1.1147**, Minutes of the Meeting on Health and Social Affairs, 10 May 1976; **D219/672**, Written Record of Witness Interview of KAING Guek-Eav *alias* Duch, 1 February 2016, p. 10; **D6.1.532**, Considerations on the History of Cambodia from the Early Stage to the Period of Democratic Kampuchea, printed by Printing Service Reahou, by KHIEU Samphan, October 2007, (the 9 October 1975 meeting of the Standing Committee), pp. 53-54; **D1.3.36.1**, Written Record of Interview of Charged Person KHIEU Samphan *alias* Hem (Former Chairman of the State Presidium of Democratic Kampuchea), 13 December 2007, p. 11; **D6.1.1.1259** [**D6.1.1259**], SOAS/HRW, Statement of Suspect KHIEU Samphan *alias* Hem, Former Chairman of the State Presidium of Democratic Kampuchea, 17 August 2005, p. 1; **D6.1.899**, Note takings (KHIEU Samphan and NUON Chea) Pailin, Cambodia, June 9-11, 2006, Meng-Try and Sopheak Loeung, pp. 3-5; **D6.1.715**, Written Record of Witness Interview of SALOT Ban *alias* LOT Nitya, revolutionary name SAU Hong, 22 July 2009, p. 3; **D1.3.15.1**, Written Record of Analysis by Craig C. Etcheson, dated 18 July 2007, pp. 3, 5; **D6.1.1259**, SOAS/HRW, Statement of Suspect KHIEU Samphan *alias* Hem, Former Chairman of the State Presidium of Democratic Kampuchea, 17 August 2005, p. 1.

²⁷¹ **D1.3.15.1**, Written Record of Analysis by Craig C. Etcheson, dated 18 July 2007, pp. 3-5, 24; **D6.1.522**, Written Record of Witness Interview of HON Sang, 19 July 2009, pp. 2-4; **D6.1.723**, Written Record of Interview of Witness Lonh Dos, 20 November 2009, pp. 4-6; **D6.1.1259**, SOAS/HRW, Statement of Suspect KHIEU Samphan *alias* Hem, Former Chairman of the State Presidium of Democratic Kampuchea, 17 August 2005, p. 1; **D6.1.1069**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 29 November 2007, p. 8; **D6.1.1036**, Written Record of Interview of Charged Person KHIEU Samphan *alias* Hem (Former Chairman of the State Presidium of Democratic Kampuchea), 14 December 2007, p. 5; **D6.1.520**, Written Record of Witness Interview of Leng Chhoeung, 17 July 2009, pp. 3-5; **D6.1.521**, Written Record of Witness Interview of Noem Sem, 18 July 2009, pp. 4-5.

²⁷² **D6.1.1036**, Written Record of Interview of Charged Person KHIEU Samphan *alias* Hem (Former Chairman of the State Presidium of Democratic Kampuchea), 14 December 2007, p. 5; **D6.1.899**, Note takings (KHIEU Samphan and NUON Chea) Pailin, Cambodia, June 9-11, 2006, Meng-Try and Sopheak Loeung, p. 5; **D6.1.1259**, SOAS/HRW, Statement of KHIEU Samphan *alias* Hem (Former Chairman of the State Presidium of Democratic Kampuchea), 17 August 2005, p. 1.

²⁷³ **D6.1.1051**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 4 December 2007, p. 5; **D6.1.1055**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 19 February 2008, p. 4; **D6.1.373**, Written Record of Witness Interview of PON Ol, 7 May 2009, p. 3; **D6.1.1073**, the Submission of KAING Guek-Eav's response to the Co-Investigating Judges' written questions, 21 October 2008, pp. 6,7; **D6.1.646**, Written Record of Interview of Witness Suon Kanil, whose revolutionary name was Neang, 21 August 2009, p. 4; **D1.3.30.16**, Telegram 10, Band [Radio 393], *To Believed and Missed Committee 870*, **Comrade Pauk**, 4 May 1978 at 10.00; **D1.3.30.5**, Telegram 69, 560 [Radio Band], *To beloved M [Office] 870*, we would like to report on the situation in the battlefield of National Road 1 as follows, dated 6 November 1977 at 13:35; **D132.1.135**, Telegram 68, 324 [Radio] Band, To Comrade Yi through [Office] 870, dated 22 December 1977 from Comrade Kuon; **D219/702.1.60**, Telegram: 236, 134: [Radio] Band, To beloved 870 Com[mittee], it is requested that Siem Reap and Banteay Srey districts are merged as one because they are adjacent, dated 11 December 1977, from Se; **D322/8.1.29**, Instructions of 870, Raised issue: View, position, and line to victoriously attack the Yuon enemy invader and territory swallower, dated 3 January 1978, from Committee 870; **D6.1.1266**, Telegram 14, [Radio] Band: 556, Dear respected and beloved M 870, the Vietnamese situation on the evening of 30 and the morning of 31 December 1977, dated 31 December 1977 at 23:15, from Phuong; **D6.1.1267**, Telegram No: 254, Band: 745, To respected and beloved 870 Committee About the situation of the enemy along the border in January 1978, dated 10 January 1978, from Sae; **D6.1.1265**, Telegram 52, 874 [Radio] Band, Dear missed and beloved Com[mittee] 870, dated 23 August 1977, from Zone 801, Se; **D322/8.1.32**, Telegram, Dear Brother(s), dated 1 April 1978, from Office 870; **D219/702.1.65**, Telegram 53, 1122 [Radio Bands], To beloved and missed Com[mittee] 870, according to the decision of the party, I had been assigned to work in Region 103 for a period of time; dated 23 August 1977, From Zone 801, Se; **D219/702.1.66**, Telegram: 53, Characters: 1122, 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, dated 23 August 1977, from Zone 801, Se; **D219/702.1.3**, Telegram 33, To Beloved and Missed Office 870, dated 26 November 1976, from Chhan; **D219/702.1.31**, Telegram 313; Band 502, Respectfully presented to Beloved Committee 870, dated 19 March 1978, from Se; **D219/702.1.59**, Telegram No. 225, Radio Band 127, Dear Beloved Committee 870, dated 10 December 1977, from Se; **D219/702.1.62**, Telegram: 60, 1473 characters, To missed and beloved Committee 870, dated 5 September 1977, from Zone 801, Se; **D132.1.36**, Telegram 57, 273 [Radio] Band, Dear respected and beloved M 870, dated 27 October 1977 at 5 p.m. from Chhon; **D132.1.39**, Telegram 84, 126 characters, to respected Angkar 870, dated 20 October 1977, from Nhim; **D132.1.4**, Telegram: 238, 195: [Radio] Band, Dear believed M 870, dated 13 December 1977, from Se; **D132.1.47**, Facsimile No. 15, Radio band 191, Dear Respected and Believed M-870, dated 16 December 1977, from Yi; **D132.1.48**, Telegram: 08, 275 [Radio] Band, Dear respected and beloved M 870, dated 24 December 1977, from Phuong; **D132.1.55**, Telegram 92, [Radio] Band: 320, Dear beloved M 870, we would like to make an additional report on the situation in Region 24 and Route No. 22 as follows, dated 12 December at 10.30 p.m., from Chhon; **D132.1.56**, Telegram 85, [Radio band] 332, Dear respected and beloved M 870, dated 7 December 1977 at 10 hrs, from Chhon; **D132.1.57**, Telegram: 46, Characters: 246, To Comrade Yi via Office 870, dated 5 November 1977, from Comrade Kuon; **D132.1.60**, Telegram 96, 674 [Radio] Band, Dear beloved and missed M 870, dated 13 December 1977 at 8.30 p.m., from Chhon; **D132.1.36**, Telegram 4, radio bands 123, Dear Beloved Committee 870, 10 April 1978, at 8:30 p.m., from Sè; **D132.1.68**, Telegram 56, 348 [Radio] Band, Dear respected and beloved M 870, dated 26 October 1977 at 8.30 p.m., from Chhon; **D132.1.73**, Telegram 78, To Brother Mo.870 [Office 870] and Brother Y with respect, we would like to report about the result of the 24 January Meeting with a Vietnamese [delegation]; **D132.1.133**, Telegram, Characters: 218, To respected and beloved Office 870, dated 27 October 1977 at 8.30 p.m. from Chhon; **D132.1.139**, Telegram 95, 139 [Radio] Band, Dear beloved and missed M 870, dated 13 December 1977 at 24.30, from Chhon; **D132.1.140**, Telegram No. 17, Band 1297, To be loved and respected M-870, dated 15 January 1978, from Phuong; **D132.1.144**, Telegram 61, 137 [Radio Band] To respected and beloved M [Office] 870, dated 29 October 1977 at 2.00 p.m., from Chhon; **D132.1.149**, Telegram No. 11, Radio band 271, Respectfully sent to Beloved and Missed M-870, I would like to report on the situation at the boundary of Sector 23 as follows, dated 10 September 1976, from Chhon; **D132.1.152**, Telegram 06, 285 [Radio] Band, Dear respected and beloved M 870, dated 23 December 1977, from Phuong; **D132.1.156**, Telegram 07, [Radio] Band: 269, Dear respected and

beloved M 870, dated 23 December 1977 at 7.30 p.m., from Phuong; **D132.1.162**, Telegram 91, 262 [Radio Band], Dear beloved M 870, dated 10 December at 10 o' clock, from Chhon; **D132.1.165**, Telegram 313, 502 characters, Respectfully presented to beloved Committee 870, dated 19 March 1978, from Se; **D132.1.167**, Telegram, To beloved and missed Mo [Office] 870, dated 14 August 1977, from Comrade Lin; **D132.1.18**, Telegram 11, 271 [Radio Band], To beloved and missed M-870, dated 10 September, from Chhon; **D132.1.2**, Telegram 54, Band 274, To Beloved and Missed Mo-870, dated 20 May 1977, from Chhon; **D132.1.98**, Telegram 11, 251 [Radio] Band, Dear respected and beloved M 870, dated 27 December 1977, from Phuong; **D132.1.107**, Telegram 15, 416 [Radio] Band, Dear respected and beloved M 870, 1 January 1978, from Phuong; **D132.1.110**, Telegram 54, 642 [Radio] Band, Dear respected, beloved and missed M 870; **D132.1.114**, Telegram 60, 378 [Radio] Band, To respected and beloved M [Office] 870, dated 29 October, from Chhon; **D132.1.122**, Telegram 76, 601 [Radio Band], To respected and beloved M [870], dated 12 November 1977 at 5.00 p.m., from Chhon; **D132.1.13**, Telegram 59, 684 [Radio Band], To respected and beloved M [Office] 870, We would like to report more on Sathngak battle and new situation concerning Region 23, dated 28 October at 8.30; **D132.1.130**, Telegram 55, 403 [Radio] Band, Dear respected and beloved M 870, dated 27 October, from Chhon; **D1.3.30.10**, Telegram Number 00, Band 354, Respectfully presented to Committee Mo-870, dated 31 December 1977, from Mut; **D1.3.30.13**, Telegram 02, 680 [Radio Band], To Respected Committee 870, I would like to give an additional report on the situation of the battlefield around Road Number 7. Comrade Commanders-in-chief in each prong have come to the Meeting held in the west battlefield from Prek Chor to Kampong Roka, dated 12 April 1978, from Comrade Pauk; **D1.3.30.15**, Telegram 09, 586 [Radio Band], Respected Committed 870, I would like to give an additional report to Angkar on the result of both the west battlefield and the east battlefield on April 28, 1978, from Comrade Pauk; **D1.3.30.18**, Telegram 13, 330 [Radio Band], To missed Committee 870, I would like to report to you about the results of destroying the enemy on 8 May 1978 in comrade Tat and comrade Van's prongs, dated 9 May 1978, at 11.00 a.m. from Comrade Pauk; **D1.3.30.20**, Telegram 63, 200 [Radio Band], Dear beloved and missed Angkar 870, dated 15 June 1978, from Nhim; **D1.3.30.21**, Telegram, Instructions of Office 870, Raised issue: View, position, and line to victoriously attack the Yuon enemy invader and territory swallower; **D1.3.30.3**, Telegram No. 16, To respected and loved chief of 870, dated 30 April 1977, from Comrade Pauk; **D1.3.30.4**, Telegram 48, 100 [Radio Bands], To respected Angkar 870, dated 27 August 1977, from Nhim; **D1.3.30.6**, Telegram 05, [Radio] Band: 160, Dear respected and beloved M 870, dated 22 December 1977, from Phuong; **D1.3.30.7**, Telegram 22, 362 [Radio] Band, [We would like to report to M 870 as follows, dated 22 December 1977, from Nhim and Hem; **D1.3.30.8**, Telegram: 25, 184 [Radio] Band, Dear respected Angkar 870, dated 24 December 1977, from Nhim; **D1.3.30.9**, Telegram 09, 550 Band, Greetings to respected and beloved Office 870, dated 24 December 1977, from Phuong; **D1.3.30.1**, Telegram 32, Band 295, Dear Committee 870, I would like to report to *Angkar* on 27 March 1978, at 4 p.m., Sector 41 Military held two combatants: Chhon and Ry with brown Kaki clothes from Air Base Unit 512; there is one motorbike, 29 March 1978, from Comrade Pauk; **D6.1.464**, Telegram 09, 587 [Radio Band], Respected Committee 870; **D6.1.465**, Telegram: 10, Characters: 393, Dear beloved Com 870, 4 September 1978, from Comrade Pauk; **D6.1.493**, Telegram: 29, Band: 92, To Beloved M 870, *On 10 September, three Cham fled from Mil village of Kh'sem commune. They were fleeing to Vietnam*, dated 14 September 1977, from Yi; **D6.1.497**, Telegram: 13, Characters: 330, Dear Com 870, I would like to report further about the results of smashing the enemy on 08 May 1978 at the spearheads of Comrade Tat and Comrade Van, dated 9 May 1978 at 11.00 a.m., from Comrade Pauk; **D6.1.499**, Telegram: 324, 1230: bands, Respectfully sent to Beloved Committee 870, dated 10 April 1978, from Se; **D6.1.499**, Telegram 47, Radio Band 267, To Respected and Beloved M 870, dated 1 January 1978, from Sarun; **D6.1.51**, Telegram No. 05, Dear Beloved and Missed Committee 870, I would like to report to you about the enemy's activities at the battlefield along Route No. 7 as follows, dated 18 April 1978, at 7.00 p.m., from Comrade Pauk; **D6.1.516**, Telegram 47, Characters 267, To: Respected and beloved Brothers of Office 870, dated 1 January 1978, from Sarun; **D6.1.517**, Telegram No. 46, 243, Numbers of Code Signals, To respected M-870, dated 9 April 1978, from Sarun; **D6.1.52**, Telegram No. 31, 265 characters, To Beloved and Missed Office 870, dated 9 March, from Nhim; **D6.1.547**, Telegram 34, Dear respected and beloved M870, dated 4 December, from Chhan; **D6.1.56**, Summary of the situation from 15 July to 31 August 1976, Division 164, West, Division 703, Northwest, Siem Reap, Northeast, Division 920, Southwest, Railways, East; **D6.1.58**, Telegram: 95, 326 [Radio Band], Dear beloved Office 870, dated 11 May 1977, from Yi; **D6.1.59**, Telegram: 38, Band: 248, To Respected Angkar 870, dated 12 August 1977, from Nhim; **D6.1.60**, Telegram: 32, Band: 463, To: Beloved and Missed Office 870, dated 14 September, from Phim; **D6.1.764**, Telegram No. 32, 295 characters, Dear Missed Committee 870, dated 29 March 1978, from Comrade Pauk; **D6.1.973**, Telegram: 21, 74 characters, To Respected Angkar 870, dated 21 December 1977, from Nhim; **D6.1.972**, Telegram: 89, 278 Code Cluster, To Beloved Office 870, dated 1 May 1977, from Yi; **D6.1.973**, Telegram: 21, 74 characters,

To Respected Angkar 870, 21 December 1977, from Nhim; **D6.1.974**, Telegram 3, 267 characters, To Beloved and Missed Office 870, dated 12 April 1978, from Comrade Pauk; **D117/36.1.18**, Written Record of Interview of Witness Suong Sikoeun *alias* Kung or Thorn, 6 May 2009, p. 8; **D6.1.730**, Written Record of Interview of Witness Prak Yut *alias* Yeay Yut, (first interview), 21 July 2009, p. 9; **D6.1.1**, Standing Committee Meeting, dated 2 November 1975, at 7.00 p.m., p. 3; **D6.1.49**, Telegram 31, 265 [Radio Band], Dear beloved and missed Mo. 870 [Office 870], dated 9 March, sent by Him, pp. 1-2; **D1.3.15.1**, Written Record of Analysis by Craig C. Etcheson, dated 18 July 2007, pp. 3, 5, 36; **D6.1.93**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, dated 25 November 2008, p. 3; **D6.1.729**, Written Record of Witness Interview of SENG Kimoeun, revolutionary name Ol, 17 December 2009, pp. 3-4; **D6.1.723**, Written Record of Interview of Witness Lonh Dos, 20 November 2009, p. 8; **D6.1.520**, Written Record of Witness Interview of Leng Chhoeung, 17 July 2009, p. 7; **D6.1.642**, Written Record of Witness Interview of Sieng Seng, 17 March 2009, p. 6.

²⁷⁴ **D6.1.91**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 19 November 2008, p. 3; **D6.1.1073**, the Submission of KAING Guek-Eav's response to the Co-Investigating Judges' written questions, 21 October 2008, p. 3.

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³¹⁹ **D6.1.1254**, Interview with Krem Imran conducted at Khoa I Dang Camp along the Cambodian-Thai border, p. 5; **D6.1.120**, Written Record of Witness Interview of Soh Kamrei, 10 September 2008, p. 3; **D6.1.413**, Written Record of Interview of Witness Hok Hoeun *alias* Hoeun, 23 November 2008, p. 7; **D6.1.408**, Written Record of Interview of Witness Van Sorn, 19 November 2008, p. 5; **D6.1.1231**, United Nations Economic and Social Council, No: E/CN.4/1335, 30 January 1979, Original: English, Commission on Human Rights, Thirty-fifth Session, Item 12 of the provisional agenda, titled “Question of the Violation of Human Rights and Fundamental Freedoms in Any Party of the Word, with Particular Reference to Colonial and Other Dependent Countries and Territories, p. 20; **D6.1.176**, Annex, Interview with Ismael Maisam, 1 May 2004, p. 2; **D6.1.53**, Khmer bodies with Vietnamese minds, Kampuchea’s Eastern Zone, 1975-1978, Ben Kiernan, Centre of Southeast Asian Studies, Monash University, pp. 25-26; **D6.1.182**, Written Record of Witness Interview of It Sen, 9 July 2008, pp. 2-3.

³²⁰ **D6.1.1254**, Interview with Krem Imran conducted at Khoa I Dang Camp along the Cambodian-Thai border, 7 June 1985, p. 9.

³²¹ **D6.1.375**, Interview with Res Tort in the Cham Rebellion, *Survivors’ Stories from the Villages*, by Ysa Osman, Documentation Series No. 9, Documentation Center of Cambodia (DC-Cam), 2006-The interview conducted on 13 November 1999 and 19 February 2000, p. 1.

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³²⁵ **D6.1.185**, Written Record of Interview of Witness Suf Somly *alias* Ly, 10 July 2008, p. 5.

³²⁶ **D219/120**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut, (the 9th interview), 30 September 2014, p. 6; **D117/73**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (the 8th interview), 27 October 2013, p. 3 (A4).

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³²⁹ **D117/32**, Written Record of Witness Interview of NHEM Kol, 12 November 2013, pp. 6-8; **D117/33**, Written Record of Witness Interview of POV Sarom, 14 November 2013, pp. 3-4.

³³⁰ **D117/33**, Written Record of Witness Interview of POV Sarom, 14 November 2013, pp. 3-4; **D219/712**, Written Record of Witness Interview of SOK Horn, 29 February 2016, pp. 5-6; **D117/71**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (the 6th interview), 19 June 2013, pp. 8-9 (A48).

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³⁵² **D117/66**, Written Record of Witness Interview of Orn Kim Eng, 27 August 2014, p. 4; **D117/50**, Written Record of Witness Interview of Im Pon, 23 May 2014, p. 13.

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³⁸⁷ **D6.1.518**, Written Record of Witness Interview of SAO Sarun (the 3rd interview), 30 June 2009, pp. 3-4; **D6.1.675**, Written Record of Witness Interview of IENG Chham *alias Chhi*, 8 November 2009, p. 6; **D6.1.676**, Written Record of Witness Interview of CHEANG Sreimom, 11 November 2009, pp. 3-4; **D6.1.795**, Written Record of Interview of Charged Person KAING Guek-Eav *alias Duch*, 2 December 2009, pp. 2-3; **D6.1.984**, Written Record of Witness Interview of SEK Sam At *alias Rim or Yeay Rim*, 23 March 2010, p. 9; **D219/18**, Written Record of Interview of Civil Party Applicant PHAN Chhean, 29 September 2014, pp. 10-11.

³⁸⁸ **D219/511.1.2**, Written Record of Witness Interview of Chhouk Rin *alias Sokh*, 16 June 2015, pp. 11-12.

³⁸⁹ **D219/502**, Written Record of Interview of Civil Party Applicant MUOK Sengly, 14 September 2015, p. 11 (A38).

³⁹⁰ **D6.1.795**, Written Record of Interview of Charged Person KAING Guek-Eav *alias Duch*, 2 December 2009, pp. 2-3.

³⁹¹ **D6.1.364**, Written Record of Witness Interview of CHHOEUN Sem, 21 April 2009, p. 3.

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³⁹⁵ **D219/217**, Written Record of Interview of Civil Party Applicant CHHEN Ham, 11 March 2015, p. 12; **D219/582**, Written Record of Witness Interview of TOY Meach, 2 September 2015, pp. 19-20 and 22-23.

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⁵²⁸ **D191.2**, DC-Cam interview with *Ta An*, 1 August 2011, by LONG Dany and Vanthan Peou Dara, p. 56; **D6.1.192**, Written Record of Witness Interview of SENG Srun, 11 August 2008, p. 6; **D1.3.27.5**, Interviews with Kampuchean Refugees at Thai-Cambodia Border, prepared for Ishiyama Committee, Annual Report 1980, February-March 1980, p. 30.

⁵²⁹ **D6.1.147**, Written Record of Witness Interview of CHHÈM Hoeung, 31 May 2009, p. 3; **D6.1.384**, Written Record of Witness Interview of TEP Poch, 4 July 2009, p. 4; **D117/66**, Written Record of

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⁵³⁰ **D6.1.91**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 19 November 2008, p. 5; **D6.1.697**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 18 August 2009, pp. 5-6; **D1.3.15.1** Report of Expert Craig C. Etcheson, 18 July 2007, pp. 11 and 18; **D1.3.4.2**, S-21 Confession of CHAN Sam *alias* Chap *alias* Sè, New North zone secretary, arrested on 11 October 1978, p. 1; **D6.1.636**, Written Record of Witness Interview of KAING Guek-Eav *alias* Duch, 21 October 2009, p. 6; **D6.1.1.1259**, SOAS/HRW, Statement of suspect KHIEU Samphan *alias* Hèm, former President of State Presidium of Democratic Kampuchea, 17 August 2005, p. 2; **D6.1.729**, Written Record of Witness Interview of SENG Kimoeun, revolutionary name Ol, 17 December 2009, p. 3; **D6.1.724**, Written Record of Witness Interview of PRUM Sou (Sun Loeun), revolutionary name Sou, 24 November 2009, p. 4.

⁵³¹ **D6.1.697**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 18 August 2009, pp. 5-6.

⁵³² **D6.1.697**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 18 August 2009, pp. 5-6; **D1.3.15.1**, Report of Expert Craig C. Etcheson, 18 July 2007, p. 18.

⁵³³ **D219/427**, Written Record of Witness Interview of HIM Huy, 22 July 2015, p. 3; **D219/774**, Written Record of Witness Interview of OUM Seng *alias* Chhorn, 7 June 2016, p. 5; **D6.1.92**, Written Record of Witness Interview of KAING Guek-Eav *alias* Duch, 20 November 2008, p. 5; **D219/802**, Written Record of Witness Interview of HOK Heng, 21 July 2016, p. 8; **D6.1.384**, Written Record of Witness Interview of TEP Poch, 4 July 2009, p. 4; **D117/66**, Written Record of Witness Interview of ORN Kim Eng, 27 August 2014, p. 3; **D6.1.690**, Written Record of Witness Interview of PECH Chim, 6 December 2009, p. 6; **D6.1.697**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 18 August 2009, p. 10; **D219/855**, Written Record of Witness Interview of NHEM Chen, 27 October 2016, p. 7; **D219/870**, Written Record of Witness Interview of Ry Nhor, 10 November 2016, p. 4; **D6.1.147**, Written Record of Witness Interview of CHHÈM Hoeung, 31 May 2009, p. 3; **D1.3.27.5**, Interviews with Kampuchean Refugees at Thai-Cambodia Border, prepared for Ishiyama Committee, Annual Report 1980, February-March 1980, p. 30; **D219/833.1.4**, S-21 Confession of PRUM Tèm *alias* Chhon, former monk, before arrest: member of Chamkar Leu District, Sector 42, Central zone, pp. 1-2; **D6.1.635**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 20 October 2009, p. 6; **D6.1.495**, Written Record of Witness Interview of SENG Mon, 14 February 2009, p. 19; **D117/18**, Written Record of Witness Interview of PECH Chim, 28 February 2013, p. 3.

⁵³⁴ **D191.2**, DC-Cam interview with Ta An, 1 August 2011, by LONG Dany and Vanthan Peou Dara, pp. 45-46; **D29**, Written Record of Witness Interview of SUON Kanil revolutionary name Neang, 10 June 2011, p. 3; **D6.1.697**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 18 August 2009, p. 6; **D118/209**, Written Record of Witness Interview of UL Hoeun, 19 March 2014, pp. 20-21; **D117/35**, Written Record of Witness Interview of BAN Siek *alias* HANG Phos and HANG Sunhau, 24 March 2014, p. 5; **D219/178**, Written Record of Witness Interview of KUCH Ra, 5 February 2015, p. 4; **D219/355**, Written Record of Witness Interview of BAN Siek *alias* HANG Phos and HANG Sunhau, 29 May 2015, p. 3; **D219/802**, Written Record of Witness Interview of HOK Heng, 21 July 2016, p. 8; **D6.1.379**, Written Record of Witness Interview of KE Pich Vannak, revolutionary names: Vannak, Tha and Yuth (Son of KE Pauk), 4 June 2009, p. 5; **D219/249**, Written Record of Witness Interview of SUON Kanil revolutionary name Neang, 28 March 2015, p. 3; **D219/855**, Written Record of Witness Interview of NHEM Chen, 27 October 2016, p. 3; **D6.1.637**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 22 October 2009, p. 6; **D6.1.675**, Written Record of Witness Interview of IENG Chham *alias* Chhi, 8 November 2009, pp. 9-10; **D6.1.373**, Written Record of Witness Interview of PON Ol, 7 May 2009, p. 3; **D6.1.407**, Written Record of Witness Interview of AU Hau, 18 November 2008, p. 4; **D117/20**, Written Record of Witness Interview of LIM Seng, 5 March 2010, p. 3; **D6.1.460**, Map of Democratic Kampuchea, published by Ministry of Education, 1976, p. 1.

⁵³⁵ **D191.2**, DC-Cam interview with *Ta An*, 1 August 2011, by LONG Dany and Vanthan Peou Dara, pp. 45-46; **D29**, Written Record of Witness Interview of SUON Kanil revolutionary name Neang, 10 June 2011, p. 3; **D6.1.697**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 18 August 2009, p. 6; **D118/209**, Written Record of Witness Interview of UL Hoeun, 19 March 2014, pp. 20-21; **D117/35**, Written Record of Witness Interview of BAN Siek *alias* HANG Phos and HANG Sunhau, 24 March 2014, p. 5; **D219/178**, Written Record of Witness Interview of KUCH Ra, 5 February 2015, p. 4; **D219/802**, Written Record of Witness Interview of HOK Heng, 21 July 2016, p. 8; **D219/249**, Written Record of Witness Interview of SUON Kanil revolutionary name Neang, 28 March 2015, p. 3; **D219/855**, Written Record of Witness Interview of NHEM Chen, 27 October 2016, p. 3; **D219/876**, Written Record of Witness Interview of CHHEAN Heang, 30 November 2016, p. 6; **D6.1.637**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 22 October 2009, p. 6; **D6.1.675**, Written Record of Witness Interview of IENG Chham *alias* Chhi, 8 November 2009, pp. 9-10; **D6.1.373**, Written Record of Witness Interview of PON Ol, 7 May 2009, p. 3; **D6.1.460**, Map of Democratic Kampuchea, published by Ministry of Education, 1976, p. 1; **D6.1.407**, Written Record of Witness Interview of AU Hau, 18 November 2008, p. 4; **D117/20**, Written Record of Witness Interview of LIM Seng, 5 March 2010, p. 3; **D117/71**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (6th interview), 19 June 2013, p. 6 (A27 and A28).

⁵³⁶ **D191.2**, DC-Cam interview with *Ta An*, 1 August 2011, by LONG Dany and Vanthan Peou Dara, pp. 45-46; **D29**, Written Record of Witness Interview of SUON Kanil revolutionary name Neang, 10 June 2011, p. 3; **D6.1.697**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 18 August 2009, p. 6; **D118/209**, Written Record of Witness Interview of UL Hoeun, 19 March 2014, pp. 20-21; **D117/35**, Written Record of Witness Interview of BAN Siek *alias* HANG Phos and HANG Sunhau, 24 March 2014, pp. 4-6; **D219/178**, Written Record of Witness Interview of KUCH Ra, 5 February 2015, p. 4; **D219/355**, Written Record of Witness Interview of BAN Siek *alias* HANG Phos and HANG Sunhau, 29 May 2015, p. 3; **D219/249**, Written Record of Witness Interview of SUON Kanil revolutionary name Neang, 28 March 2015, p. 3; **D219/855**, Written Record of Witness Interview of NHEM Chen, 27 October 2016, p. 3; **D1.3.24.1**, S-21 Confession of Tol, Sector 42 of the Central Zone, Kampong Cham Leu, p. 1; **D6.1.637**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 22 October 2009, p. 6; **D6.1.675**, Written Record of Witness Interview of IENG Chham *alias* Chhi, 8 November 2009, pp. 9-10; **D6.1.444**, Written Record of Witness Interview of KHIEU Sokh, 15 January 2009, p. 3; **D6.1.373**, Written Record of Witness Interview of PON Ol, 7 May 2009, p. 3; **D6.1.443**, Written Record of Witness interview of UT Seng, 14 January 2009, pp. 4-5; **D6.1.460**, Map of Democratic Kampuchea, published by Ministry of Education, 1976, p. 1; **D6.1.407**, Written Record of Witness Interview of AU Hau, 18 November 2008, p. 4; **D107/15**, Written Record of Witness Interview of BAN Siek *alias* HANG Phos and HANG Sunhau, 1 April 2012, p. 3; **D117/19**, Written Record of Witness Interview of TEP Poch, 4 March 2013, p. 3; **D117/20**, Written Record of Witness Interview of LIM Seng, 5 March 2010, p. 3; **D117/71**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (6th interview), 19 June 2013, p. 5 (A20).

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⁵⁴⁰ **D6.1.126**, Written Record of Witness Interview of SIM Hao, 29 October 2008, p. 4.

⁵⁴¹ **D6.1.697**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 18 August 2009, pp. 4-6; **D1.3.15.1**, Report of Expert Craig C. Etcheson, 18 July 2007, p. 18; **D76**, Written Record of Witness Interview of SENG Srun, 25 August 2011, p. 3; **D117/35**, Written Record of Witness Interview of BAN Siek *alias* HANG Phos and HANG Sunhau, 24 March 2014, p. 4; **D6.1.700**, Written Record of Witness Interview of SENG Srun, 9 December 2009, p. 2; **D219/427**, Written Record of Witness Interview of HIM Huy, 22 July 2015, p. 3; **D219/537**, Written Record of Witness Interview of SEM Hoern, 8 October 2015, p. 4; **D6.1.700**, Written Record of Witness Interview of SENG Srun, 9 December 2009, p. 2; **D6.1.91**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 19 November 2008, p. 3; **D6.1.93**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 25 November 2008, p. 10; **D6.1.198**, Written Record of Witness Interview of SUONG Sikoeun *alias* Kung *alias* Thorn, 17 March 2009, p. 3; **D6.1.1063**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 5 May 2008, p. 75; **D6.1.1085**, Written Record of Witness Interview of THA Sot, 19 January 2008, p. 2; **D6.1.141**, Written Record of Witness Interview of SAO Sarun (first interview), 17 December 2008, p. 3; **D6.1.714**, Written Record of Witness Interview of TOCH Vannarith, 22 December 2009, p. 6; **D1.3.27.5**, Interviews with Kampuchean Refugees at Thai-Cambodia Border, prepared for Ishiyama Committee, Annual Report 1980, February-March 1980, pp. 5, 22, 30, 38 and 67; **D6.1.532**, Considerations on the History of Cambodia from the Early Stage to the Period of Democratic Kampuchea, printed by Printing Service Reahou, by KHIEU Samphan, October 2007, pp. 52-53; **D6.1.435**, Written Record of Witness Interview of LAY Ean *alias* Oeun, 7 January 2009, p. 3; **D6.1.512**, Written Record of Witness Interview of KIM Vun *alias* CHHAOM, 25 July 2009, pp. 5-6; **D6.1.716**, Written Record of Witness Interview of YUNG Yem *alias* YUNG Moeun, 31 August 2009, p. 5; **D6.1.718**, Written Record of Witness Interview of YUNG Yem *alias* YUNG Moeun, 21 October 2009, p. 8; **D6.1.125**, Written Record of Witness Interview of THING Leap *alias* TING Lanh, 28 October 2008, p. 2; **D6.1.126**, Written Record of Witness Interview of SIM Hao, 29 October 2008, p. 4; **D6.1.355**, Written Record of Witness Interview of KHOEM Sâmhuon *alias* Tauch and Aun, 6 March 2009, p. 3.

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⁵⁴⁵ **D1.3.27.5**, Interviews with Kampuchean Refugees at Thai-Cambodia Border, prepared for Ishiyama Committee, Annual Report 1980, February-March 1980, p. 40; **D6.1.532**, Considerations on the History of Cambodia from the Early Stage to the Period of Democratic Kampuchea, printed by Printing Service Reahou, by KHIEU Samphan, October 2007, p. 52; **D6.1.854**, Written Record of Witness Interview of PHAN Thi *alias* Thi, 23 July 2009, p. 2; **D6.1.125**, Written Record of Witness Interview of THING Leap *alias* TING Lanh, 28 October 2008, p. 3; **D6.1.126**, Written Record of Witness Interview of SIM Hao, 29 October 2008, p. 4; **D76**, Written Record of Witness Interview of SENG Srun, 25 August 2011, p. 3; **D1.3.16.1**, Hand-written document about the history of struggle of KE Pauk, former Secretary of Central Zone, from 1957 to Present, p. 10 (ERN 00164127).

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⁵⁴⁹ **D6.1.697**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 18 August 2009, pp. 5-6; **D107/13**, Written Record of Witness Interview of LONG Sokhai, 15 March 2012, p. 3; **D1.3.15.1**, Report of Expert Craig C. Etcheson, 18 July 2007, p. 18; **D6.1.532**, Considerations on the History of Cambodia from the Early Stage to the Period of Democratic Kampuchea, printed by Printing Service Reahou, by KHIEU Samphan, October 2007, pp. 20-21; **D1.3.29.7**, Taped interview of KAING Guek-Eav *alias* Duch, former Khmer Rouge chief of S-21 Security Center, 18 June 1999, p. 4; **D6.1.410**, Written Record of Witness interview of MEAS Laihuo, 20 November 2008, pp. 4-5.

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⁵⁵⁷ **D118/259**, Written Record of Witness Interview of PECH Chim, 19 June 2014, p. 24; **D219/353**, Written Record of Witness Interview of SARAY Hean, 22 May 2015, p. 4.

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⁵⁷⁰ **D117/26**, Written Record of Witness Interview of PUT Kol, 25 September 2013, p. 3; **D117/24**, Written Record of Witness Interview of PEOU Sarom, 7 August 2013, p. 3; **D118/209**, Written Record of Witness Interview of UL Hoeun, 19 March 2014, pp. 3-4 and 20-21.

⁵⁷¹ **D117/26**, Written Record of Witness Interview of PUT Kol, 25 September 2013, p. 4.

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⁵⁹⁵ **D6.1.437**, Written Record of Witness Interview of KE Un *alias Aok* (KE Pauk's nephew and driver), 13 January 2009, pp. 6-7.

⁵⁹⁶ **D6.1.1.1259**, SOAS/HRW, Statement of suspect KHIEU Samphan *alias Hèm*, former President of State Presidium of Democratic Kampuchea, 17 August 2005, p. 1; **D1.3.15.1**, Report of Expert Craig C. Etcheson, 18 July 2007, pp. 20-21-25.

- ⁵⁹⁷ **D1.3.29.7**, Taped interview of KAING Guek-Eav *alias* Duch, former DK chief of S-21 Security Center, 18 June 1999, p. 4.
- ⁵⁹⁸ **D6.1.690**, Written Record of Witness Interview of PECH Chim, 6 December 2009, pp. 5-6; **D117/18**, Written Record of Witness Interview of PECH Chim, 28 February 2013, pp. 3-4; **D6.1.650**, Written Record of Witness Interview of PECH Chim, 25 August 2009, pp. 5-7; **D107/13**, Written Record of Witness Interview of LONG Sokhai, 15 March 2012, p. 4.
- ⁵⁹⁹ **D6.1.690**, Written Record of Witness Interview of PECH Chim, 6 December 2009, pp. 2-3; **D117/18**, Written Record of Witness Interview of PECH Chim, 28 February 2013, p. 3.
- ⁶⁰⁰ **D6.1.690**, Written Record of Witness Interview of PECH Chim, 6 December 2009, p. 3.
- ⁶⁰¹ **D117/26**, Written Record of Witness Interview of PUT Kol, 25 September 2013, p. 5; **D29**, Written Record of Witness Interview of SUON Kanil revolutionary name Neang, 10 June 2011, p. 4.
- ⁶⁰² **D107/19.1**, Written Record of Witness Interview of VORNG Sokun *alias* Akun, 17 February 2012, pp. 4-5.
- ⁶⁰³ **D191.2**, DC-Cam interview with *Ta An*, 1 August 2011, by LONG Dany and Vanthan Peou Dara, p. 44; **D29**, Written Record of Witness Interview of SUON Kanil revolutionary name Neang, 10 June 2011, p. 4; **D74**, Written Record of Witness Interview of ROTH Peou, 25 August 2011, p. 3; **D6.1.379**, Written Record of Witness Interview of KE Pich Vannak, revolutionary names Vannak, Tha and Yuth, 4 June 2009, pp. 5 and 14; **D6.1.975**, Book “Political Geography of Democratic Kampuchea”, Ministry of Education, first publication 1977, p. 10; **D6.1.675**, Written Record of Witness Interview of IENG Chham *alias* Chhi, 8 November 2009, pp. 8-10 and 11-12; **D6.1.385**, Written Record of Witness Interview of SOU Soeun *alias* Soeun, 5 July 2009, p. 11; **D6.1.444**, Written Record of Witness Interview of KHIEU Sokh, 15 January 2009, p. 7; **D6.1.722**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (4th interview), 19 November 2009, p. 5; **D6.1.365**, Site Identification Report, 1st and 6th January Dams, 23 February 2009; **D6.1.366**, Written Record of Witness interview of POUK Pon, 7 October 2008, p. 3; **D6.1.370**, Written Record of Witness Interview of YEAN Lun, 23 April 2009, p. 4; **D6.1.437**, Written Record of Witness Interview of KE Un *alias* Aok, 13 January 2009, pp. 4-7; **D6.1.443**, Written Record of Witness interview of UT Seng, 14 January 2009, p. 9; **D6.1.396**, Written Record of Witness Interview of VANN Thēng, 8 October 2008, p. 4; **D6.1.405**, Written Record of Witness Interview of CHUOP Non, 17 November 2008, p. 6; **D6.1.407**, Written Record of Witness Interview of AU Hau, 18 November 2008, p. 4; **D6.1.384**, Written Record of Witness Interview of TEP Poch, 4 July 2009, p. 3; **D6.1.410**, Written Record of Witness interview of MEAS Laihuo, 20 November 2008, pp. 4-5; **D6.1.412**, Written Record of Witness Interview of CHOEU Saing, 21 November 2008, p. 6; **D1.3.16.1**, Hand-written document about the history of struggle of KE Pauk, former Secretary of Central Zone, from 1957 to Present, p. 8 (ERN 00164135).
- ⁶⁰⁴ **D78**, Written Record of Witness Interview of CHIN Sinal, 26 August 2011, p. 4.
- ⁶⁰⁵ **D6.1.690**, Written Record of Witness Interview of PECH Chim, 6 December 2009, pp. 2-3.
- ⁶⁰⁶ **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 7-8.
- ⁶⁰⁷ **D6.1.385**, Written Record of Witness Interview of SOU Soeun *alias* Soeun, 5 July 2009, p. 9.
- ⁶⁰⁸ **D6.1.367**, Written Record of Witness Interview of OV Yae, 21 April 2009, pp. 2-4.
- ⁶⁰⁹ **D6.1.437**, Written Record of Witness Interview of KE Un *alias* Aok (KE Pauk’s nephew and driver), 13 January 2009, p. 4; **D6.1.438**, Written Record of Witness Interview of OV Yae *alias* Yān, 13 January 2009, p. 3.
- ⁶¹⁰ **D117/20**, Written Record of Witness Interview of LIM Seng, 5 March 2010, p. 2.
- ⁶¹¹ **D1.3.4.6**, S-21 Confession of KUNG Sophal *alias* Keo, former teacher, 51, Northwest zone, 15 November 1978, pp. 1-2; **D131/2.1.132**, S-21 Confession of RAN Chet *alias* Kou, deputy secretary of Sector 2, Northwest Zone, 48, arrested on 18 November 1977, pp. 1-2; **D131/2.1.139**, S-21 Confession of Khon, 27, deputy secretary of Kratie sector, arrested on 3 December 1978; **D131/2.1.147**, S-21 Confession of PHIN Phan, 34, chief of Sector 3 Economics, Northwest Zone, arrested on 19 January 1975, 16 February 1978, pp. 1-2; **D6.1.1004**, S-21 Confession of KUNG Sambok *alias* An, secretary of Battalion 17, Regiment 70, Division 2, Northwest zone, 8 November 1977, pp. 1-2; **D6.1.1013**, S-21 Confession of KHĒK Bin *alias* Sou, on history of betrayal of the Party, extracted on 26 July 1977, pp. 1-2; **D6.1.1026**, S-21 Confession of TUOT Ret, chief of natural fertilizer group, Sector 5, Northwest zone, on history of traitorous activities of TUOT Ret, 13 October 1977; **D6.1.1032**, S-21 Confession of

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VU Heousek (corporal, Battalion 7, Regiment 3, Division 341A, arrested in Kampot battlefield on 7 April 1978), 2). VIENG Ngoksun, (corporal sergeant, Battalion 8, Regiment 666, Division 341A, arrested in Kampot battlefield on 7 April 1978), 3). CHAO Kung (Khmer Krom, arrested in Veal Angkunh on 7 April 1978), 4). NGIEV Lavthreuk (Yuon villager arrested in Vinhlok village in April 1978), 2 May 1978, pp. 1-3 and 18; **D131/2.1.133**, S-21 Confession of CHAN Oeun, secretary of Mongkul Borey District, Sector 3, Northwest zone, arrested on 21 october 1977, 15 November 1977, pp. 1-2; **D131/2.1.134**, S-21 Confession of ĒM Nut *alias* Song, 34, deputy security secretary, Northwest Zone, arrested on 15 January 1978, 11 March 1978, pp. 1-2 and 103; **D131/2.1.135**, S-21 Confession of LUN En, secretary of Battalion 705, Regiment 601, Division 174, arrested in September 1977, 20 October 1977, pp. 1-2; **D131/2.1.136**, S-21 Confession of PHENG Sun *alias* Chey, Chief of Commerce, Central zone, arrested on 3 October 1977, 31 October 1977, pp. 1-2; **D131/2.1.137**, S-21 Confession of CHEA Huon *alias* Vanh, 36, secretary of Sector 1, Northwest zone, arrested on 4 August 1977, 18 August 1977, pp. 1 and 427; **D131/2.1.138**, S-21 Confession of CHEA Pheav *alias* Kây, deputy security chief, Northwest zone, arrested on 17 May 1978, 30 July 1978, pp. 1-2; **D131/2.1.140**, S-21 Confession of AN Seangheang *alias* Chun, cadre in Regiment 13, Division 310, arrested on 3 February 1977, 16 February 1977, pp. 1-2; **D131/2.1.141**, S-21 Confession of DUONG Treng *alias* Hean, secretary of Mesang district, Sector 20, East zone, arrested on 1 July 1978, 5 July 1978, pp. 1-3; **D131/2.1.142**, S-21 Confession of CHAP Hoeun, Battalion chief, Division 177, Central Zone, arrested on 6 January 1979, 6 January 1979, pp. 1 and 4; **D131/2.1.143**, S-21 Confession of ĒM Min *alias* Sèn, membre of Baray district, Sector 42, Central Zone, arrested on 30 March 1977, 11 May 1977, pp. 1 and 127 **D131/2.1.144**, S-21 Confession of KONG Sok, Regiment solidar, Division 117, Central zone, arrested on 31 March 1977, 27 April 1977, pp. 1 and 51; **D131/2.1.145**, S-21 Confession of LIM Ly, 29, chief of economics, Northwest Zone, arrested on 31 July 1978, 10 August 1978, pp. 1-3; **D131/2.1.146**, S-21 Confession of PRUM Lor *alias* Lon, Company Chief, State Sewing, arrested in July 1977, 13 February 1978, pp. 1 and 50; **D131/2.1.148**, S-21 Confession of NHEAN Chong, assistant at Say Samân worksite, Mobile unit, Northwest zone, arrested on 1 November 1977, 5 February 1978, pp. 1-2; **D131/2.1.149**, S-21 Confession of PHÔK Khân *alias* Kheng, deputy secretary

of Stong district, North zone, arrested on 20 February 1977, 24 April 1977, pp. 1 and 415; **D131/2.1.150**, S-21 Confession of SUONG Kèm, 28, combatant in Office 15, animal husbandry, Foreign Affairs, arrested in April 1977, 9 December 1977, pp. 1-2; **D131/2.1.151**, S-21 Confession of VÈK Moeuk, 48, Regiment secretary, Sector 3, Northwest Zone, arrested on 24 October 1977, 21 January 1978, pp. 1-2; **D131/2.1.152**, S-21 Confession of VING Phal, deputy of Company 4, Battalion 55, arrested on 5 October 1977, 27 January 1978, pp. 1-2; **D131/2.1.162**, S-21 Confession of NHIM Chhon *alias* Hâng (deputy security chief, Sector 41, Central Zone), and Chin (Sandèk commune committee, Batheay district, Kampong Cham province, Sector 41, Central zone), undated; **D131/2.1.103**, S-21 Confession of KAO Neal, 46, deputy cooperative chief, Bak Angrek village, Khpob commune, Bakprea district, Sector 4, Northwest zone, arrested on 14 October 1977, 23 January 1978, pp. 1 and 3; **D131/2.1.121**, S-21 Confession of KOAM Chăn, Secretary of Sector 43, Central Zone, arrested on 19 September 1977, 21 October 1977, pp. 1-2; **D131/2.1.122**, S-21 Confession of HÂNG Bo, 36, chief of Division 174, Central zone, arrested on 17 September 1977, 3 November 1977, pp. 1-3; **D131/2.1.123**, S-21 Confession of CHUT Nhê, 24, member of Battalion 701, Regiment 601, Division 174, arrested in September 1977, 19 October 1977, pp. 1 and 37; **D131/2.1.124**, S-21 Confession of CHAO Savân, chief of Company 3, Battalion 102, Sector 3, arrested on 22 November 1977, 13 January 1978, pp. 1-2; **D131/2.1.125**, S-21 Confession of SNGUON Voeun, chief of vehicle repairs section, Sector 1, Northwest zone, arrested in July 1977, 17 August 1977, pp. 1 and 6; **D131/2.1.126**, S-21 Confession of YAN Balât, chief of security worksite, Northwest zone, arrested in late 1977, 14 February 1978, pp. 1-2; **D131/2.1.127**, S-21 Confession of Tol, secretary of Sector 32 of the North Zone, arrested on 22 November 1977, 30 August 1977, p. 52; **D131/2.1.128**, S-21 Confession of TAING An *alias* Ēn, military chief of Battalion 709, Regiment 602, Division 174, Central zone, arrested on 2 October 1977, 21 October 1977, pp. 1-2; **D131/2.1.129**, S-21 Confession of OEU Moch, 52, Company chief, Rong cooperative, Sangkè district, Battambang province, Sector 1 of the Northwest Zone, arrested on 25 October 1977, 30 March 1978, pp. 1-2; **D131/2.1.130**, S-21 Confession of UK Sam-oeun, Sector 1 member, Northwest zone, arrested in August 1977, 9 August 1977, pp. 1 and 35; **D131/2.1.131**, S-21 Confession of ROS Khchoung *alias* Rân, 45, Company chief in Samraing commune cooperative, transferred to sugar cane plantation, Sangkè district, Sector 1, Northwest Zone, arrested on 4 August 1977, 17 August 1977, pp. 1-3; **D1.3.4.1**, S-21 Confession of CHÂM Tol (excerpt), Sector 42 of the Central Zone, Kampong Cham province, 31 August 1977, p. 1; **D1.3.4.1**, S-21 Confession of ÂN Moang, secretary of Preah Neatr Preah district, Sector 5, Northwest Zone, arrested on 28 June 1977, 3 July 1977, pp. 1 and 58; **D1.3.4.10**, S-21 Confession of RUOS Mao *alias* Say, member of Northwest zone, arrested on 27 June 1977, dated 3 January 1978, pp. 1-2; **D1.3.4.11**, S-21 Confession of SUN Hoeun *alias* Im, 34, security chief, Central Zone, arrested on 6 July 1978, 3 September 1978, pp. 1-3; **D1.3.4.12**, S-21 Confession of TEP Rom, chief of Kanhgât dam, Sector 1, Northwest Zone, arrested on 13 September 1977, 16 October 1977, pp. 1-2; **D1.3.4.3**, S-21 Confession of CHUN Chhum *alias* Taing, chief of Sector 1 of the North Zone, arrested on 15 March 1977, 8 March 1977, pp. 1-2 and 31; **D1.3.4.4**, S-21 Confession of HENG Rin *alias* Mey, 28, Company deputy, Fire Brigade, arrested on 8 May 1977, 8 May 1977, pp. 1 and 8; **D1.3.4.5**, S-21 Confession of KHOEM Chhun, deputy secretary of Sector 43, Central zone, arrested on 13 August 1978, 18 September 1978, pp. 1-2; **D1.3.4.7**, S-21 Confession of NÈN Tuy *alias* Heut, secretary of Battalion 513, Sector 5, Northwest zone, arrested on 28 June 1977, 16 July 1977, pp. 1 and 95; **D1.3.4.8**, S-21 Confession of PHÔK Sary *alias* Tom, Sector 3 Secretary, Northwest Zone, arrested on 28 June 1978, 25 August 1978, pp. 1-2.

D1.3.18.3, S-21 Confession of YIM Sam-ol *alias* Nhâ, 37, secretary of Battalion 44, Division 502, arrested on 9 December 1978, p. 1; **D1.3.18.1**, S-21 Confession of CHAN Phat *alias* Phôk, security chief, Central zone, personal activities of Phôk, 24 November 1977, p. 1; **D1.3.18.2**, S-21 Confession of MOUL Un *alias* MOUL Sambat *alias* Nhim, 56, former secretary of Northwest zone, 14 June 1978, pp. 1-2; **D6.1.334**, S-21 Confession of PRAK Phon *alias* Keat, 35, secretary of Cheung Prey district, North zone, pp. 1-2 **D6.1.335**, S-21 Confession of RAN Chet *alias* Kou, deputy secretary of Sector 3, Northwest Zone, 48, former Khmer Issarak resistant, arrested on 18 November 1977, 6 January 1978, pp. 1-2; **D6.1.336**, S-21 Confession of RIT Neal *alias* Tra, 41, secretary of Ampï district, Sector 3 of the Northwest Zone, arrested on 23 November 1977, 19 January 1978, pp. 1-2; **D6.1.337**, S-21 Confession of SEAT Chhè *alias* Tum, former secretary of Sector 22, East zone, on traitorous activities against the Party, 27 August 1977, pp. 1-2; **D6.1.338**, S-21 Confession of SUON Sân, 27, secretary of Serei Sophoan district, Sector 5, Northwest zone, arrested on 26 June 1977, p. 1; **D6.1.339**, S-21 Confession of TEOK Mân *alias* Rai, secretary of Bakprea district (41), Sector 4, Northwest Zone, 19 November 1977, pp. 1-2; **D6.1.340**, S-21 Confession of UON Thuon *alias* Pan, secretary of Sandan district, Sector 43, Central Zone, 20 June 1977, pp. 1-2; **D6.1.341**, S-21 Confession of CHIN Chhâm, membre of Kamping Puoy water reservoir construction, 7 February 1978, pp. 1-2; **D6.1.541**, S-21 Confession of CHAN Sam *alias* Chap *alias* Sè, New North zone secretary, arrested on 15 August 1978,

10 September 1978, p. 1; **D6.1.545**, S-21 Confession of MEAS Òm, Ministry document keeper, Northwest security, 4 February 1978, pp. 1-2; **D6.1.66**, S-21 Confession of Phan, 8 November 1976, p. 1; **D6.1.876**, S-21 Confession of SIENG Poy *alias* Sean, former company secretary, Battalion 45, Sector 4, Northwest zone, before arrest: combatant in Dauntri district office (secretary 42) Sector 4, Northwest zone, 28 October 1977, pp. 1-2; **D6.1.879**, S-21 Confession of SUOS Noeu *alias* Chhouk, secretary of Sector 24, East zone, arrested on 31 August 1976, pp. 1-3; **D6.1.881**, S-21 Confession of KONG Cheasin *alias* Sun, deputy cooperative chief, 5 June 1978, pp. 1-2.

⁶¹² **D6.1.1109**, S-21 Confession of YUNG Peou, security chief, Sector 106, on plan to hide Sreng's military officers, North zone. **There is an annotation: one copy to Comrade Pauk**, 24 April 1977, p. 1; **D6.1.1010**, S-21 Confession of KOAM Chăn *alias* Chăn, Secretary of Sector 43, Central Zone, Chăn's activities after 17 April 1975. **There is a written annotation: Extracted names for Comrade Pauk**, 21 October 1977, pp. 1-2; **D6.1.1015**, S-21 Confession of SÈM Min *alias* Sèn, member of Batheay District, Sector 42, Central zone. **There is an annotation: one copy to Comrade Pauk, 14 May 1977**, pp. 1-2; **D6.1.1022**, S-21 Confession of LY Hak, chief of Russey Keo technical school, on history and traitorous activities of LY Hak. **There is an annotation: one copy to Comrade Pauk, 4 May 1977**, pp. 1-2.

⁶¹³ **D6.1.1109**, S-21 Confession of YUNG Peou, security chief, Sector 106, on plan to hide Sreng's military officers, North Zone. **There is an annotation: one copy to Comrade Pauk**, 24 April 1977, p. 1; **D6.1.1015**, S-21 Confession of SÈM Min *alias* Sèn, member of Batheay District, Sector 42 of the Central Zone. **There is an annotation: one copy to Comrade Pauk, 14 May 1977**, pp. 1-2; **D6.1.1022**, S-21 Confession of LY Hak, chief of Russey Keo technical school, on history and traitorous activities of LY Hak. **There is an annotation: one copy to Comrade Pauk, 4 May 1977**, pp. 1-2.

⁶¹⁴ **D6.1.1010**, S-21 Confession of KOAM Chăn *alias* Chăn, Secretary of Sector 43, Central Zone, Chăn's activities after 17 April 1975. **There is a written annotation: extracted names for Comrade Pauk**, 21 October 1977, pp. 1-2.

⁶¹⁵ **D1.3.30.11**, Telegram, radio bands 207, Respected Angkar 870, I would like to present more report on situation of Khmer-Thai border at boundary post 44 near Thmei village, west of our land. They came to do farming two kilometres inland Cambodia. This place is captured by our forces. Our forces are occupying the area opposite Thai Thmei village; **D1.3.30.16**, Telegram 10, radio bands 393, Dear Beloved and Missed Committee 870, from Comrade Pauk, 4 May 1978, at 10:00; **D1.3.30.5**, Telegram 69, radio bands 560, Dear Beloved Office 870, I would like to report about the battle field situation along national road 1, 6 November 1977, at 13:35; **D119/87.1**, Telegram 5, 29 May 1977, Division 164, Political section, Dear Respected Brother 89; **D118/206.1**, Telegram, report through secret telephone call, 12 August 1977, at 7:27 p.m., from Mut; **D132.1.108**, Telegram through Koulam to Uncle 89, 23 January 1976, from 05; **D132.1.111**, Telegram 16, radio bands 598, Dear Beloved Brother 009, 20 March 1978, at 10:30 a.m., from 47; **D132.1.127**, Telegram 32, 24 August 1977, West Division, Dear Beloved and Missed Brother, 24 August 1977, at 9:45 p.m., from Soeung; **D132.1.135**, Telegram 68, radio bands 324, To Comrade Yi through 870, 22 December 1977, from Comrade Kuon; **D132.1.14**, Telegram 25, Dear Respected Brother, 7 March 1976, from Ya; **D132.1.143**, Telegram 43, 23 April 1977, Division 801, Political section, Dear Beloved Brother Roeun, 23 April 1977, from Leu; **D132.1.157**, Telegram, Sector 23 (Svay Rieng, Brasaut and Chantrea districts), situation along the border from, 14 June 1977 to 18 June 1977, Yuon has continuously committed a raid at every prong at the border; **D132.1.40**, Telegram 18, radio bands 208, Respected and Beloved Brother, The enemies that pushed into Sector 24 in Trapeang Peam and Baray were defeated and driven back by us completely, 8 April 1978, from 47; **D132.1.53**, Report on the source from the people at O Vay target on the afternoon of 16 February 1976, 17 February 1976, from Ya; **D132.1.99**, Telegram 66, radio bands 520, We would like to report to Brother about our meeting with a Swedish journalist on 7 April 1978. He said that before he went to Yuon, he requested a meeting with the Cambodian embassy in order to understand Cambodia's current situation, 12 April 1978, at 5:00, from Roth; **D219/702.1.60**, Telegram 236, radio bands 137, Dear Beloved Committee 870, It is requested that Siem Reap and Banteay Srey districts are merged as one because they are adjacent, 11 December 1977, from Sè; **D219/702.1.63**, Telegram 81, Dear Respected Brother, We would like to report the following issues: Situations at 010D: at spearhead 2, point 1120 of the mountainous area; Situations of the people who were evacuated from Laos; and Situations of the people in Saop village, 29 January, from But; **D322/8.1.29**, Instruction from Committee 870, issues raised, views and standpoints, strategy to attack and defeat the invading and territory-swallowing Yuon enemy, 3 January 1978, from Committee 870; **D6.1.1266**, Telegram 14, radio bands 556, Dear Beloved Office 870, Regarding the Yuon enemy situation during the afternoon of 30 and morning of 31 December 1977, 31 December 1977, at 23:15, from Phuong;

D6.1.1269, Telegram 16, radio bands 634, Dear Respected and Missed Brother Pâ, I would like to report about all the situations along Road 22, 23 January 1978, from Chhon; **D6.1.1267**, Telegram 284, radio bands 745, Dear Beloved Committee 870, About the enemy situation along the border in January 1978, 10 January 1978, from Sè; **D6.1.1268**, Telegram 15, radio bands 791, Dear Respected and Missed Brother Pâ, I would like to report about the situation in Sector 23 and Sector 24, and the battle field along Road 22, 19 January 1978, from Chhon; **D6.1.1263**, Telegram 54, radio bands 290, Dear Respected Brother, About the situation of the outside enemy: Yuon spies, 23 April 1978, from Sarun; **D6.1.1264**, Telegram 14, radio bands 273, Dear Beloved Angkar, 25 May 1977, from Office 401; **D6.1.1265**, Telegram 52, radio bands 874, Dear Beloved and Missed Committee 870, 23 August 1977, from Sè, Zone 801; **D6.1.491**, Telegram on arrival, To Diplomatie Paris, Visit by President Sohphanouvong to Kampuchea seen by Hsinhua, 23 December 1977; **D6.1.1266**, Telegram 15, Dear Beloved Comrade Brother Pol, 30 November 1975, from Chhon; **D325/2.1.2**, Telegram 15, Dear Beloved Comrade Brother Pol, 30 November 1975, from Chhon; **D322/8.1.32**, Telegram, Dear Brother, 1 April 1978, from Office 870; **D219/702.1.65**, Telegram 53, radio bands 1122, Dear Beloved and Missed Committee 870, According to the decision of the Party, I had been assigned to work in Sector 103 for a period of time, 23 August 1977, from Sè, Zone 801; **D219/702.1.66**, Telegram 53, radio bands 1122, Dear Beloved and Missed Committee 870, According to the Party's decision to have me go to work in Sector 103 for a while, 23 August 1977, from Sè, Zone 801; **D219/702.1.26**, Telegram 11, radio bands 477, Dear Respected and Missed Brother, I would like to report about the enemy situation on 5 May 1977, 6 May 1978, **from Comrade Pauk**; **D219/702.1.3**, Telegram 33, Dear Beloved and Missed Committee 870, 26 November 1976, from Chhan; **D219/702.1.30**, Telegram 33, 5 April 1977, Division 801, Political section, Dear Beloved Brother Roeun, from Sam-on; **D219/702.1.31**, Telegram 313, radio bands 502, Dear Beloved Committee 870, 19 March 1978, from Sè; **D219/702.1.40**, To Angkar through K-7, Urgent!, 26 March 1978, from Pâl; **D219/702.1.59**, Telegram 225, radio bands 127, Dear Beloved Committee 870, 10 December 1977, from Sè; **D219/702.1.12**, Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review, 6 July 2006; **D219/702.1.61**, Telegram 46, radio bands 660, Dear Beloved Brother, 20 July 1977, from Chhean; **D219/702.1.62**, Telegram 60, radio bands 1473, Dear Beloved and Missed Committee 870, 5 September 1977, from Sè, Zone 801; **D219/370.1.15**, Revolutionary male and female youth magazine, No. 10, October 1978; **D219/370.1.4**, Ministry of Foreign Affairs: "Life inside Kampuchea", 31 March 1976; **D132.1.33**, Telegram 55, radio bands 163, Respected Brother, 24 April 1978, from Sarun; **D132.1.35**, Telegram, Division 164, Political section, report through secret telephone call on 1 April 1978, 1 April 1978, from Mut; **D132.1.36**, Telegram 57, radio bands 273, Dear Beloved Committee 870, 27 October 1977, at 5:00 p.m., from Chhon; **D132.1.38**, Telegram 67, radio bands 114, To Comrade Khy, 22 December 1977, at 5:30, from Kuon; **D132.1.39**, Telegram 84, radio bands 126, Dear Respected Angkar 870, 20 October 1977, from Nhim; **D132.1.4**, Telegram 238, radio bands 195, Dear Beloved Committee 870, 13 December 1977, from Sè; **D132.1.41**, Telegram 61, radio bands 761, Respected Brother, 1 April 1978, from Roth; **D132.1.43**, Telegram 67, radio bands 380, I would like to report to Brother as follows, 12 April 1978, at 4:00, from Roth; **D132.1.46**, Telegram 79, Respected Brother, We would like to report to you about the decision of the meeting between the delegation of the Military Region 5 of Vietnam and the north-east Military Zone of Kampuchea on 24 January 1976, 27 January 1976, from But; **D132.1.47**, Telegram 15, radio bands 191, Dear Beloved Office 870, 16 December 1977, from Yi; **D132.1.48**, Telegram 8, radio bands 275, Dear Beloved Office 870, 24 December 1977, from Phuong; **D132.1.49**, Telegram 62, radio bands 1474, Dear Beloved Office 81, 12 August 1977, from Chhean; **D132.1.5**, Telegram 63, radio bands 755, Dear Beloved Brother, 4 April 1978, from Roth; **D132.1.54**, Telegram 62, radio bands 563, Dear Beloved Brother Pâ, I would like to make additional report on battle field situation along old Road 27, from Chhon; **D132.1.55**, Telegram 92, radio bands 320, Dear Beloved Office 870, I would like to make additional report on situation in Sector 24 and along Road 22, 12 December, at 09:00 p.m., from Chhon; **D132.1.56**, Telegram 85, radio bands 332, Dear Beloved Office 870, 7 December 1977, at 10:00., from Chhon; **D132.1.57**, Telegram 46, radio bands 246, To Comrade Yi through Office 870, 5 November 1977, from Kuon; **D132.1.6**, Telegram 11, radio bands 353, Dear Beloved and Missed Brother, 14 February 1978, from 47; **D132.1.60**, Telegram 96, radio bands 674, Dear Beloved and Missed Office 870, 13 December 1977, at 8:30 p.m., from Chhon; **D132.1.36**, Telegram 4, radio bands 123, Dear Beloved Committee 870, 10 April 1978, at 8:30 p.m., from Sè; **D132.1.64**, Telegram 8, radio bands 371, Dear Respected Brother, 21 April 1978, from Vy; **D132.1.66**, Telegram 71, radio bands 334, Dear Respected Brother, 13 January 1978, from Vy; **D132.1.68**, Telegram 56, radio bands 348, Dear Beloved Office 870, 26 October 1977, at 8:30 p.m., from Chhon; **D132.1.69**, Telegram 157, radio bands 1155, Dear Respected Office 81, 4 March 1978, from Tho; **D132.1.71**, Telegram 20, radio bands 448, Dear Beloved and Missed Brother, 26 April 1978, from 47; **D132.1.73**, Telegram 78, Dear Respected Office 870 and Brother Ry, I would like to report result of the meeting with the Vietnamese,

24 January 1976; **D132.1.79**, Telegram 2, radio bands 191, Dear Beloved Brother Pol, 8 April 1978, from Mok; **D132.1.8**, Telegram 20, Dear Respected Brother, 3 March 1976, from Ya; **D132.1.80**, Telegram 85, radio bands 379, Dear Beloved and Missed Brother Pol, 19 November 1977, at 4:00 p.m., from Chhon; **D132.1.83**, Telegram, Dear Respected Brother 89, 8 February 1976, at 14:00, from Chhin; **D132.1.84**, Telegram 12, radio bands 343, Dear Beloved Brother Pol, 15 January 1978, at 9:00, from Chhon; **D132.1.86**, Telegram 2, radio bands 343, Report to Respected Brother, 22 December 1977, at 14:00, from Chhon; **D132.1.87**, Telegram, Dear Beloved and Missed Brother, 22 April 1978, at 9:00, from 47; **D132.1.90**, Telegram 63, radio bands 253, Dear Respected Brother, 1 January 1978, from Ry; **D132.1.131**, Telegram 11, Dear Brother Mut, 24 September 1976, from Comrade Dim; **D132.1.133**, Telegram, radio bands 218, Dear Beloved Office 870, 27 October 1977, at 8:30 p.m., from Chhon; **D132.1.137**, Telegram, Dear Beloved and Missed Brother 89, 3 March 1976, from Chhin; **D132.1.139**, Telegram 95, radio bands 139, Dear Beloved and Missed Office 870, 13 December 1977, at 24:30 p.m., from Chhon; **D132.1.140**, Telegram 17, radio bands 1297, Dear Beloved Office 870, 15 January 1978, from Phuong; **D132.1.141**, Telegram 47, radio bands 1175, Dear Beloved Brother, 12 March 1978 at 12:30., from Roth; **D132.1.144**, Telegram 61, radio bands 137, Dear Beloved Office 870, 29 October 1977 at 2:00 p.m., from Chhon; **D132.1.146**, Telegram 82, radio bands 328, Dear Beloved and Missed Brother Pol, I would like to report on battle field situation in Sector 23, 18 November 1977, from Chhon; **D132.1.149**, Telegram 11, radio bands 271, Dear Beloved and Missed Office 870, I would like to report on border situation at Sector 23, 10 September 1976, from Chhon; **D132.1.15**, Telegram 11, radio bands 353, Dear Beloved and Missed Brother, 14 February 1978, from 47; **D132.1.151**, Telegram 548, radio bands 620, Dear Beloved Brother, 13 March 1978, at 3:00., from Roth; **D132.1.152**, Telegram 6, radio bands 285, Dear Beloved Office 870, 23 December 1977, from Phuong; **D132.1.153**, Telegram 30, radio bands 325, Dear Beloved Angkar Representative, 24 March 1978, from Comrade Peam; **D132.1.91**, Telegram 3, radio bands 303, Dear Beloved Brother Pâ, 24 December 1977, at 12:30., from Chhon; **D132.1.92**, Telegram 68, radio bands 410, Dear Beloved and Missed Brother Pâ, 6 November 1977, at 8:00 p.m., from Chhon; **D132.1.93**, Telegram 40, radio bands 221, Dear Beloved Brother, 21 February 1978, from Roth; **D132.1.155**, Telegram 68, radio bands 1630, Dear Beloved and Missed Office 870, 30 August, from Chhean; **D132.1.156**, Telegram 7, radio bands 269, Dear Beloved Office 870, 23 December 1977, at 7:30 p.m., from Phuong; **D132.1.158**, Telegram 39, radio bands 240, Dear Beloved and Missed Brother Pol, 24 September 1977, from Chhon; **D132.1.159**, Telegram 21, radio bands 676, Dear Beloved and Missed Brother Pol, 21 March, from Chhon; **D132.1.160**, Telegram 45, Dear Beloved and Missed Brother Pol, November 1975, from Chhon; **D132.1.162**, Telegram 91, radio bands 262, Dear Beloved Committee 870, 10 December, at 10:00, from Chhon; **D132.1.163**, Telegram 1, 31 March 1978, Western Division, Political section, Report; **D132.1.164**, Telegram 306, radio bands 764, Dear Beloved Brother Van, 12 March 1978, from Kân; **D132.1.165**, Telegram 313, radio bands 502, Dear Beloved Committee 870, 19 March 1978, from Sè; **D132.1.166**, Telegram, Dear Respected Brother 89, the situation observed on radars at Bokor and Pochentong, 17 June 1977; **D132.1.167**, Telegram, Dear Beloved and Missed Office 870, 14 August 1977, from Comrade Lin; **D132.1.170**, Telegram 28, radio bands 305, Dear Beloved Angkar Representative, 23 March 1978, from Peam; **D132.1.18**, Telegram 11, radio bands 271, Dear Beloved and Missed Office 870, 10 September, from Chhon; **D132.1.19**, Telegram 35, 5 April 1978, Division 801, Political section, Dear Beloved and Missed *Uncle* 89, 5 April 1978, from Roeun; **D132.1.2**, Telegram 54, radio bands 274, Dear Beloved and Missed Office 870, 20 May 1977, from Chhan; **D132.1.23**, Telegram 67, radio bands 380, We would like to inform Brother as follows, 12 April 1978, at 4:00, from Roth; **D132.1.26**, Telegram 445, radio bands 265, Dear Beloved Brother, 1 March 1978, from Roth; **D132.1.95**, Telegram 34, radio bands 1313, Dear Beloved Brother, 29 April 1977, from Chhean; **D132.1.98**, Telegram 11, radio bands 251, Dear Beloved Office 870, 27 December 1977, from Phuong; **D132.1.101**, Telegram 157, radio bands 1155, Dear Respected Brother 81, 4 March 1978, from Tho; **D132.1.107**, Telegram 15, radio bands 416, Dear Beloved Office 870, 1 January 1978, from Phuong; **D132.1.110**, Telegram 54, radio bands 642, Dear Beloved and Missed Office 870; **D132.1.112**, Telegram 7, radio bands 545, Dear Respected Brother, 15 June 1977, from Vy; **D132.1.114**, Telegram 60, radio bands 378, Dear Beloved and Missed Office 870, 29 October, from Chhon; **D132.1.115**, Telegram 16, radio bands 318, Dear Beloved Brother 009, 20 March 1978 at 10:00 p.m., from 47; **D132.1.119**, Telegram, Dear Beloved Brother 89, 3 March 1976, from Chhin; **D132.1.120**, Telegram 5, radio bands 123, Dear Beloved Brother, 21 March 1978, from Ry; **D132.1.122**, Telegram 76, radio bands 601, Dear Beloved Office 870, 12 November 1977 at 5:00 p.m., from Chhon; **D132.1.29**, Telegram 34, radio bands 825, Dear Beloved Brother, 11 February 1978, from Roth; **D132.1.30**, Telegram 46, radio bands 600, Dear Beloved Brother, 15 May 1977, from Chhean; **D132.1.31**, Telegram 17, radio bands 274, Dear Beloved and Missed Brother Pâ, 27 January 1978, from Chhon; **D132.1.124**, Telegram, Dear Beloved Brother 89, 29 February 1976, from Comrade Chhin; **D132.1.125**, Telegram, Division 117, Political section, Telegram 6, 2 March 1978, Report to Staff

Office, from Rom; **D132.1.126**, Telegram 27, radio bands 451, Dear Beloved Brother, 17 March 1978, from Yèm; **D132.1.128**, Telegram, Office S-21, Dear Respected Angkar, Subject: Border situation in Sector 25 of the East Zone, 23 March 1976, from Office S-21; **D132.1.129**, Telegram 85, radio bands 379, Dear Beloved and Missed Brother Pol, I would like to make additional report on Road 13 battle field, 19 November 1977 at 4:00 a.m., from Chhon; **D132.1.13**, Telegram 59, radio bands 684, Dear Beloved and Missed Office 870, I would like to make additional report on Srork battle field and new situation surrounding Sector 23 of the East Zone, 28 October, at 8:30; **D132.1.130**, Telegram 55, radio bands 403, Dear Beloved Office 870, 26 October 197..., from Chhon; **D132.1.51**, Telegram dated 3 January 1979, from the deputy prime minister in charge of foreign affairs of Democratic Kampuchea addressed to the president of the security council on Vietnam further intensifying its war of aggression against Democratic Kampuchea which threatens peace, security, independence and stability in South-East Asia and throughout the world; **D119/87.1**, Telegram 5, 29 May 1977, Division 164, Political section, Dear Respected Brother 89, 29 May 1977, from Thuch; **D118/206.1**, Telegram, Division 164, Political section, report through secret telephone call, 12 August 1977, from Mut; **D119/107.1**, Telegram, Division 164, Political section, report through secret telephone call, 1 April 1978, from Mut; **D119/107.2**, Telegram, Division 164, Political section, report through secret telephone call, 15 September 1977, Dear Beloved Division, 15 September 1977, from Sim; **D118/207.1**, Telegram, Division 164, Political section, report through secret telephone call, 1 April 1978, from Mut; **D118/207.2**, Telegram, Division 164, Political section, report through secret telephone call, 15 September 1977, Dear Beloved Division, 15 September 1977, from Sim; **D1.3.30.10**, Telegram 200 radio bands 354, Dear Office Committee 870, 31 December 1977, from Mut; **D1.3.30.12**, Telegram 2, radio bands 191, Dear Respected Brother Pol, 8 April 1978, from Mok; **D1.3.30.13**, Telegram 2, radio bands 680, Dear Beloved and Missed Committee 870, I would like to make additional report on the situation at Road 7 battle field. Command Committees of each battle field spearhead attended meeting at the western battle field extending from Preak Phâr to Kampong Rokar, 12 April 1978, **from Comrade Pauk**; **D1.3.30.14**, Telegram 20, radio bands 448, Dear Beloved and Missed Brother, 26 April 1978, from 47; **D1.3.30.15**, Telegram 9, radio bands 586, Dear Beloved and Missed Committee 870, I would like to make additional report to Angkar on the result of the western and eastern battle fields on 28 April 1978, 29 April 1978, **from Comrade Pauk**; **D1.3.30.18**, Telegram 13, radio bands 330, Dear Missed Committee 870, I would like to make additional report on the smashing of enemy on 8 May 1978 at spearheads of Comrades Tat and Vann, 9 May 1978 at 11 a.m., **from Comrade Pauk**; **D1.3.30.2**, Telegram 44, radio bands 100, Dear Respected Brother Pol, I would like to report on enemy situation, the masses' situation and the production situation in the North zone, 2 April 1976, from Comrade Pauk; **D1.3.30.20**, Telegram 63, radio bands 200, Dear Beloved and Missed Angkar 870, 15 June 1978, from Nhim; **D1.3.30.21**, Telegram, Instruction from Office 870, issues raised, views and standpoints, strategy to attack and defeat the invading and territory-swallowing Yuon enemy; **D1.3.30.3**, Telegram 16, radio bands 355, Dear Beloved Committee 870, 30 April 1977, **from Comrade Pauk**; **D1.3.30.4**, Telegram, radio bands 100, Dear Respected Angkar 870, 27 December 1977, from Nhim; **D1.3.30.6**, Telegram 5, radio bands 160, Dear Beloved Office 870, 22 December 1977, from Phuong; **D1.3.30.7**, Telegram 22, radio bands 362, Report to Office 870, 22 December 1977, from Nhim and Hèm; **D1.3.30.8**, Telegram 25, radio bands 184, Dear Respected Angkar 870, 24 December 1977, from Nhim; **D1.3.30.9**, Telegram 9, radio bands 550, Dear Beloved Office 870, 24 December 1977, from Phuong; **D1.3.13.1**, Telegram 32, radio bands 295, Dear Missed Committee 870, I would like to report to Angkar: on 27 March 1978 at 4 p.m. Soldiers in Sector 41 detained two combatants: Chhân and Ry of Air Unit 512. They are in grey kaki clothes driving a motorcycle, 29 March 1978, **from Comrade Pauk**; **D6.1.464**, Telegram 9, radio bands 586, Dear Beloved and Missed Committee 870; **D6.1.465**, Telegram 10, Dear Respected and Beloved Committee 870, 4 September 1978, **from Comrade Pauk**; **D6.1.466**, Telegram 54, radio bands 240, Dear Respected Brother, 23 April 1978, from Sarun; **D6.1.479**, Confidential document of Department of State, Info: AMCONCEN Hong Kong, AMEMBASSY PARIS, AMEMBASSY COPENHEGEN, AMEMBASSY TOKYO, AMEMBASSY VIETIANE, Cambodia Today: Part One: Life Inside Cambodia, pp. 1-23; **D6.1.480**, Ministry of Foreign Affairs, Republic of France, Political Affairs Directorate, Asia-Oceania, Paris, 15 October 1976, Cambodian Review (September 1976), pp. 1-6; **D6.1.485**, Ministry of Foreign Affairs, received telegram, Geneva 22 April 1975, at 12:00, No. 1488/89, Message for the International Red Cross in Phnom Penh; **D6.1.486**, Ministry of Foreign Affairs, received telegram, Hanoi 23 May 1975, at 17:43, No. 654, Subject: Chinese Aircraft in Kampuchea; **D6.1.487**, Ministry of Foreign Affairs, received telegram, Hanoi 28 April 1975, at 13:12, Situation of Refugees from Phnom Penh **D6.1.489**, Ministry of Foreign Affairs, received telegram, Peking 5 December 1977, at 12:00, Chen Yung-Kuei's Visit to Kampuchea; **D6.1.493**, Telegram 29, radio bands 92, Dear Beloved Office 870, on 10 September there are 3 Cham villagers fleeing from Mil village, Khsem commune. They fled to Yuon. 14 September 1977, from Yi; **D6.1.496**, Telegram 18, radio bands 208, Dear Beloved Brother, 8 April

1978, from 47; **D6.1.497**, Telegram 13, radio bands 330, Dear Committee 870, I would like to make additional report on the smashing of enemy on 8 May 1978 at spearheads of Comrades Tat and Vann, 9 May 1978 at 11 a.m., from Comrade Pauk; **D6.1.499**, Telegram 324, radio bands 1230, Dear Beloved Committee 870, 10 January 1978, from Sè; **D6.1.500**, Telegram 47, radio bands 267, Dear Respected and Beloved Office 870, 1 January 1978, from Sarun; **D6.1.504**, Telegram 8, radio bands 371, Dear Respected Brother, 21 April 1978, from Ry; **D6.1.508**, Telegram 9, radio bands 326, Dear Respected Brother, 25 April 1978, from Ry; **D6.1.509**, Telegram 18, radio bands 208, Dear Beloved Brother, 8 April 1978, from 47; **D6.1.51**, Telegram 5, Dear Beloved and Missed Committee 870, I would like to report on enemy situation along Road 7 battle field, 18 April 1978, at 7 p.m., from Comrade Pauk; **D6.1.515**, Telegram 54, radio bands 290, Dear Respected Brother, 23 April 1978, from Sarun; **D6.1.516**, Telegram 47, radio bands 267, Dear Beloved Office 870, 1 January 1978, from Sarun; **D6.1.517**, Telegram 46, radio bands 243, Dear Respected Office 870, 9 April 1978, from Sarun; **D6.1.519**, Telegram 55, radio bands 163, Dear Respected Brother, 24 April 1978, from Sarun; **D6.1.52**, Telegram 31, radio bands 265, Dear Beloved and Missed Office 870, 9 March 197..., from Nhim; **D6.1.547**, Telegram 34, Dear Beloved Office 870, 4 December 197..., from Chhan; **D6.1.56**, Summary of the situation from 15 July to 31 August 1976, Division 164, West, Division 703, the Northwest Zone, Siem Reap, Northeast, Division 920, Southwest, Railways, East; **D6.1.58**, Telegram 95, radio bands 326, Dear Beloved Office 870, 11 May 1977, from Yi; **D6.1.588**, List of enemies to be interrogated by hot group, 2 February 1978; **D6.1.589**, List of enemies to be interrogated by documentation group, 2 February 1978; **D6.1.59**, Telegram 38, radio bands 248, Dear Respected Angkar 870, 12 August 1977, from Nhim; **D6.1.60**, Telegram 32, radio bands 463, Dear Beloved and Missed Office 870, 14 September, from Phim; **D6.1.764**, Telegram 32, radio bands 295, Dear Missed Committee 870, 29 March 1978, **from Comrade Pauk**; **D6.1.770**, Telegram 23, 20 May 1976, Division 920, Dear Beloved Brother 89, 16 May 1976; **D6.1.792**, Telegram 61, radio bands 1174, Dear Beloved Brother, undated, from Kân; **D6.1.793**, Telegram 21, radio bands 74, Dear Respected Angkar 870, 21 December 1977, from Nhim; **D6.1.794**, Telegram 100, radio band 292, Dear Brother Nhim, 6 November 1977, from San Office 560; **D6.1.972**, Telegram 89, radio bands 278, To Beloved Office 870, 1 May 1977, from Yi; **D6.1.973**, Telegram 21, radio bands 74, Dear Respected Angkar 870, 21 December 1977, from Nhim; **D6.1.974**, Telegram 3, radio bands 267, Dear Missed Office 870, 12 April 1978, **from Comrade Pauk**; **D132.1.161**, Telegram from IENG Sary to the United Nations, NCNA in English at 11:35 gmt, 7 February 1979. Report of telegram IENG Sary sent to Kurt Waldheim on 5 February; **D132.1.81**, Telegram 330, radio bands 374, Dear Beloved Committee 870, 7 May 1978, from Sè; **D219/702.1.28**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 16 August 1977, From Chan, 17 August 1977; **D6.1.552**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 18 August 1977, From Chan, 19 August 1977; **D6.1.584**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 23 August 1977, From Chan, 24 August 1977; **D6.1.550**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 23 August 1977, From Chan, 24 August 1977; **D219/702.1.27**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 26 August 1977, From Chan, 27 August 1977; **D6.1.574**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 28 August 1977, From Chan, 29 August 1977. **D6.1.565**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 30 August 1977, From Chan, 31 August 1977; **D6.1.579**, Telegram 202, report: dear beloved comrade police of Tram Kak District, 1 March 1978, from Ar Soam, pp. 1-2; **D6.1.560**, Telegram 227, Meng. According to the confession of A Chorn, A Meng CIA agent at 109 fled from Sre Ronong commune on 26 January 1978 and was recaptured by our comrades in Kampot on 6 February 1978, p. 1; **D6.1.585**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 5 September 1977, From Chan, 6 September 1977, p. 1; **D6.1.582**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 7 September 1977, From Chan, 8 September 1977, pp. 1-2; **D6.1.577**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 7 September 1977, From Chan, 8 September 1977, pp. 1-2; **D6.1.553**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 12 September 1977, From Chan, September 1977, p. 1; **D6.1.581**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 13 September 1977, 15 September 1977, p. 1; **D6.1.575**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 15 September 1977, 16 September 1977, p. 1; **D6.1.567**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 17 September 1977, from Chan, 18 September 1977, pp. 1-3; **D6.1.570**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 23 September 1977, from Chan, 24 September 1977, p. 1; **D6.1.573**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 25 September 1977, from Chan, 26

September 1977, pp. 1-2; **D6.1.566**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 27 September 1977, from Chan, 28 September 1977, p. 1; **D6.1.569**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 3 October 1977, from Chan, 4 October 1977, pp. 1-2; **D6.1.571**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 5 October 1977, from Chan, 6 October 1977, p. 1; **D6.1.557**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 7 October 1977, from Chan, 8 October 1977, pp. 1-3; **D6.1.558**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 15 October 1977, from Chan, 16 October 1977, p. 1; **D6.1.580**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 19 October 1977, from Chan, 20 October 1977, pp. 1-2; **D6.1.568**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 23 October 1977, from Chan, 24 October 1977, pp. 1-3; **D6.1.576**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 24 October 1977, from Chan, 25 October 1977, pp. 1-3; **D6.1.583**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 26 October 1977, from Chan, 27 October 1977, pp. 1-3; **D6.1.556**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 8 November 1977, from Chan, 9 November 1977, p. 1; **D6.1.563**, Letter to comrade of District 105 Police Office requesting to send two prisoners (1. CHIM Hok and 2. TOUCH Lun), 1 March 1978, from Thân, Angkor Chey District Education Office, p. 1; **D132.1.147**, Telegram 41, Radio Bands 818, To beloved and missed Brother Pol, We would like to add more information on the situation of the battle field north of Route No. 1, 26 September 1977, from Comrade Chhon, pp. 1-2; **D132.1.97**, Revolutionary Army adopts resolutions on SRV dispute, Phnom Penh Domestic Service in Cambodia, 4 January 1978, pp. 1-3; **D6.1.587**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 16 October 1977, from Chan, 17 October 1977, p. 1.

⁶¹⁶ **D1.3.30.16**, Telegram 10, radio bands 393, Dear Beloved and Missed Committee 870, **from Comrade Pauk**, 4 May 1978, at 10:00; **D219/702.1.26**, Telegram 11, radio bands 477, Dear Respected and Missed Brother, I would like to report about the enemy situation on 5 May 1977, 6 May 1978, **from Comrade Pauk**; **D1.3.30.13**, Telegram 2, radio bands 680, Dear Beloved and Missed Committee 870, I would like to make additional report on the situation at Road 7 battle field. Command Committees of each battle field spearhead attended meeting at the western battle field extending from Preak Phâr to Kampong Rokar, 12 April 1978, **from Comrade Pauk**; **D1.3.30.15**, Telegram 9, radio bands 586, Dear Beloved and Missed Committee 870, I would like to make additional report to Angkar on the result of the western and eastern battle fields on 28 April 1978, 29 April 1978, **from Comrade Pauk**; **D1.3.30.18**, Telegram 13, radio bands 330, Dear Missed Committee 870, I would like to make additional report on the smashing of enemy on 8 May 1978 at spearheads of Comrades Tat and Vann, 9 May 1978 at 11 a.m., **from Comrade Pauk**; **D1.3.30.2**, Telegram 44, radio bands 100, Dear Respected Brother Pol, I would like to report on enemy situation, the masses' situation and the production situation in the North zone, 2 April 1976, **from Comrade Pauk**; **D1.3.30.3**, Telegram 16, radio bands 355, Dear Beloved Committee 870, 30 April 1977, **from Comrade Pauk**; **D1.3.13.1**, Telegram 32, radio bands 295, Dear Missed Committee 870, I would like to report to Angkar: on 27 March 1978 at 4 p.m. Soldiers in Sector 41 detained two combatants: Chhân and Ry of Air Unit 512. They are in grey kaki clothes driving a motorcycle, 29 March 1978, **from Comrade Pauk**; **D6.1.465**, Telegram 10, Dear Respected and Beloved Committee 870, 4 September 1978, **from Comrade Pauk**; **D6.1.497**, Telegram 13, radio bands 330, Dear Committee 870, I would like to make additional report on the smashing of enemy on 8 May 1978 at spearheads of Comrades Tat and Vann, 9 May 1978 at 11 a.m., **from Comrade Pauk**; **D6.1.51**, Telegram 5, Dear Beloved and Missed Committee 870, I would like to report on enemy situation along Road 7 battle field, 18 April 1978, at 7 p.m., **from Comrade Pauk**; **D6.1.764**, Telegram 32, radio bands 295, Dear Missed Committee 870, 29 March 1978, **from Comrade Pauk**; **D6.1.974**, Telegram 3, radio bands 267, Dear Missed Office 870, 12 April 1978, **from Comrade Pauk**.

⁶¹⁷ **D1.3.13.1**, Telegram 32, radio bands 295, Dear Missed Committee 870, I would like to report to Angkar: on 27 March 1978 at 4 p.m. Soldiers in Sector 41 detained two combatants: Chhân and Ry of Air Unit 512. They are in grey kaki clothes driving a motorcycle, 29 March 1978, **from Comrade Pauk**.

⁶¹⁸ **D191.2**, DC-Cam interview with *Ta An*, 1 August 2011, by LONG Dany and Vanthan Peou Dara, p. 38; **D219/27**, Written Record of Witness Interview of PRAK Ny, 14 October 2014, p. 9; **D117/62**, Written Record of Witness Interview of KONG Yoeun, 4 August 2014, p. 3; **D118/259**, Written Record of Witness Interview of PECH Chim, 19 June 2014, pp. 12-13; **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 4-6; **D219/609**, Written Record of Witness Interview of SAMRITH An, 17 November 2015, pp. 5-6; **D219/541**, Written Record of Witness

Interview of KIM Thoeurn *alias* KIM Koeurn, 5 October 2007, p. 4; **D219/731**, Written Record of Witness Interview of NHEM Chen, 18 March 2016, pp. 3-4; **D6.1.690**, Written Record of Witness Interview of PECH Chim, 6 December 2009, p. 4; **D219/862**, Written Record of Witness Interview of LOEP Srul, 8 November 2016, p. 5; **D117/31**, Written Record of Witness Interview of YOU Vann, 11 November 2013, p. 5; **D117/71**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (6th interview), 19 June 2013, pp. 5-6 (A25).

⁶¹⁹ **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 4-6; **D219/609**, Written Record of Witness Interview of SAMRITH An, 17 November 2015, pp. 5-6; **D219/541**, Written Record of Witness Interview of KIM Thoeurn *alias* KIM Koeurn, 5 October 2007, p. 4 (A16); **D219/731**, Written Record of Witness Interview of NHEM Chen, 18 March 2016, pp. 3-4; **D6.1.690**, Written Record of Witness Interview of PECH Chim, 6 December 2009, p. 4; **D219/862**, Written Record of Witness Interview of LOEP Srul, 8 November 2016, p. 5; **D219/870**, Written Record of Witness Interview of Ry Nhor, 10 November 2016, p. 4; **D6.1.454**, Written Record of Interview of Civil Party Applicant KOEMM Sei, 15 February 2009, p. 3; **D117/71**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (6th interview), 19 June 2013, pp. 5-6 (A25).

⁶²⁰ **D117/32**, Written Record of Witness Interview of NHEM Kol, 12 November 2013, pp. 3-4; **D117/70**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (5th interview), 28 May 2013, pp. 5-6; **D219/331**, Written Record of Witness Interview of PHAN Sophal, 27 May 2015, p. 4; **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 4-6; **D219/459**, Written Record of Witness Interview of YOU Oeun, 6 August 2015, p. 4; **D6.1.379**, Written Record of Witness Interview of KE Pich Vannak, revolutionary names: Vannak, Tha and Yuth (Son of KE Pauk), 4 June 2009, p. 7; **D107/19.1**, Written Record of Witness Interview of VORNG Sokun *alias* Kun, 17 February 2012, p. 2; **D219/862**, Written Record of Witness Interview of LOEP Srul, 8 November 2016, p. 5; **D74**, Written Record of Witness Interview of ROTH Peou, 25 August 2011, p. 2.

⁶²¹ **D219/27**, Written Record of Witness Interview of PRAK Ny, 14 October 2014, p. 9; **D117/62**, Written Record of Witness Interview of KONG Yoeun, 4 August 2014, p. 3; **D117/35**, Written Record of Witness Interview of BAN Siek *alias* HANG Phos and HANG Sunhau, 24 March 2014, p. 8; **D219/138**, Written Record of Witness Interview of YOU Vann, 8 January 2015, p. 12; **D219/284**, Written Record of Witness Interview of PEOU Sarom, 9 April 2015, p. 5; **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 4-6; **D219/609**, Written Record of Witness Interview of SAMRITH An, 17 November 2015, pp. 5-6; **D219/541**, Written Record of Witness Interview of KIM Thoeurn *alias* KIM Koeurn, 5 October 2007, p. 4; **D219/731**, Written Record of Witness Interview of NHEM Chen, 18 March 2016, pp. 3-4; **D6.1.690**, Written Record of Witness Interview of PECH Chim, 6 December 2009, p. 4; **D117/71**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (6th interview), 19 June 2013, pp. 5-6 (A25).

⁶²² **D219/870**, Written Record of Witness Interview of Ry Nhor, 10 November 2016, p. 4.

⁶²³ **D219/541**, Written Record of Witness Interview of KIM Thoeurn *alias* KIM Koeurn, 5 October 2007, p. 4; **D219/609**, Written Record of Witness Interview of SAMRITH An, 17 November 2015, pp. 5-6; **D219/541**, Written Record of Witness Interview of KIM Thoeurn *alias* KIM Koeurn, 5 October 2007, p. 4.

⁶²⁴ **D219/731**, Written Record of Witness Interview of NHEM Chen, 18 March 2016, pp. 3-4.

⁶²⁵ **D191.2**, DC-Cam interview with *Ta* An, 1 August 2011, by LONG Dany and Vanthan Peou Dara, p. 38; **D117/62**, Written Record of Witness Interview of KONG Yoeun, 4 August 2014, p. 3; **D117/35**, Written Record of Witness Interview of BAN Siek *alias* HANG Phos and HANG Sunhau, 24 March 2014, p. 8; **D219/138**, Written Record of Witness Interview of YOU Vann, 8 January 2015, pp. 14-15; **D219/541**, Written Record of Witness Interview of KIM Thoeurn *alias* KIM Koeurn, 5 October 2007, p. 5 (A16).

⁶²⁶ **D219/870**, Written Record of Witness Interview of Ry Nhor, 10 November 2016, p. 4; **D219/472**, Written Record of Interview of Civil Party Applicant SUM Chanthol, 24 August 2015, p. 11; **D117/32**, Written Record of Witness Interview of NHEM Kol, 12 November 2013, pp. 3-4.; **D117/43**, Written Record of Witness Interview of SBONG Yann, p. 4 (A7).

⁶²⁷ **D6.1.346**, Written Record of Witness Interview of TUM Son, 5 February 2009, p. 3.

⁶²⁸ **D117/32**, Written Record of Witness Interview of NHEM Kol, 12 November 2013, pp. 3-4.

⁶²⁹ **D74**, Written Record of Witness Interview of ROTH Peou, 25 August 2011, p. 4; **D6.1.636**, Written Record of Witness Interview of KAING Guek-Eav *alias* Duch, 21 October 2009, p. 7; **D6.1.637**,

- Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 22 October 2009, p. 5; **D1.3.15.1**, Report of Expert Craig C. Etcheson, 18 July 2007, p. 20.
- ⁶³⁰ **D74**, Written Record of Witness Interview of ROTH Peou, 25 August 2011, p. 4.
- ⁶³¹ **D74**, Written Record of Witness Interview of ROTH Peou, 25 August 2011, p. 4; **D6.1.636**, Written Record of Witness Interview of KAING Guek-Eav *alias* Duch, 21 October 2009, p. 6; **D6.1.646**, Written Record of Witness Interview of SUON Kanil revolutionary name Neang, 21 August 2009, p. 3; **D117/71**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (6th interview), 19 June 2013, p. 5 (A25); **D1.3.15.1**, Report of Expert Craig C. Etcheson, 18 July 2007, p. 20.
- ⁶³² **D118/259**, Written Record of Witness Interview of PECH Chim, 19 June 2014, p. 27; **D6.1.636**, Written Record of Witness Interview of KAING Guek-Eav *alias* Duch, 21 October 2009, p. 6; **D117/71**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (6th interview), 19 June 2013, p. 5 (A25).
- ⁶³³ **D219/731**, Written Record of Witness Interview of NHEM Chen, 18 March 2016, p. 7.
- ⁶³⁴ **D6.1.689**, Written Record of Witness Interview of NUT Nouv, 1 December 2009, p. 6.
- ⁶³⁵ **D6.1.1063**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 5 May 2008, p. 3.
- ⁶³⁶ **D118/259**, Written Record of Witness Interview of PECH Chim, 19 June 2014, p. 27.
- ⁶³⁷ **D6.1.700**, Written Record of Witness Interview of SENG Srun, 9 December 2009, p. 2.
- ⁶³⁸ **D117/26**, Written Record of Witness Interview of PUT Kol, 25 September 2013, p. 7.
- ⁶³⁹ **D6.1.438**, Written Record of Witness Interview of OV Yae *alias* Yǎn, 13 January 2009, p. 5; **D107/5**, Written Record of Witness Interview of ORN Kim Eng *alias* Theng, 18 February 2012, pp. 3-4.
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- ⁶⁴⁴ **D219/178**, Written Record of Witness Interview of KUCH Ra, 5 February 2015, p. 5; **D6.1.4**, Written Record of Witness Interview of OEUN Tan, 9 October 2008, p. 4; **D6.1.1085**, Written Record of Witness Interview of THA Sot, 19 January 2008, p. 4; **D6.1.1076**, Written Record of Witness

Interview of SAO Run, 11 December 2007, pp. 2-3; **D117/20**, Written Record of Witness Interview of LIM Seng, 5 March 2010, p. 3.

⁶⁴⁵ **D29**, Written Record of Witness Interview of SUON Kanil revolutionary name Neang, 10 June 2011, p. 4; **D219/178**, Written Record of Witness Interview of KUCH Ra, 5 February 2015, p. 5; **D6.1.4**, Written Record of Witness Interview of OEUN Tan, 9 October 2008, p. 4; **D117/26**, Written Record of Witness Interview of PUT Kol, 25 September 2013, p. 5; **D191.2**, DC-Cam interview with *Ta An*, 1 August 2011, by LONG Dany and Vanthan Peou Dara, p. 44; **D29**, Written Record of Witness Interview of SUON Kanil revolutionary name Neang, 10 June 2011, p. 4; **D74**, Written Record of Witness Interview of ROTH Peou, 25 August 2011, p. 3; **D6.1.379**, Written Record of Witness Interview of KE Pich Vannak, revolutionary names: Vannak, Tha and Yuth (Son of KE Pauk), 4 June 2009, pp. 5 and 14; **D78**, Written Record of Witness Interview of CHIN Sinal, 26 August 2011, p. 4; **D6.1.1070**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 2 June 2008, p. 7; **D6.1.1085**, Written Record of Witness Interview of THA Sot, 19 January 2008, p. 4; **D6.1.1076**, Written Record of Witness Interview of SAO Run, 11 December 2007, pp. 2-3; **D1.3.27.5**, Interviews with Kampuchean Refugees at Thai-Cambodia Border, prepared for Ishiyama Committee, Annual Report 1980, February-March 1980, pp. 14-15; **D6.1475**, Record of Witness Interview of Civil Party AFFONCO Denise, 3 June 2009, p. 8.

⁶⁴⁶ **D6.1.437**, Written Record of Witness Interview of KE Un *alias* Aok (KE Pauk's nephew and driver), 13 January 2009, pp. 4-5.

⁶⁴⁷ **D219/511.1.1**, Written Record of Witness Interview of CHHOUK Rin *alias* Sokh, 4 March 2011, p. 5.

⁶⁴⁸ **D117/20**, Written Record of Witness Interview of LIM Seng, 5 March 2010, p. 3.

⁶⁴⁹ **D117/18**, Written Record of Witness Interview of PECH Chim, 28 February 2013, p. 3.

⁶⁵⁰ **D219/353**, Written Record of Witness Interview of SARAY Hean, 22 May 2015, p. 4; **D117/50**, Written Record of Witness Interview of IM Pon, 23 May 2014, p. 6.

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⁶⁵⁴ **D6.1.836**, Handwritten English translation of interview of BEN Kiernan with OUK Bunchhoeun, Phnom Penh, 30 September 1980, p. 12.

⁶⁵⁵ **D107/15**, Written Record of Witness Interview of BAN Siek *alias* HANG Phos *alias* HANG Sunhau, 1 April 2012, p. 4.

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- ⁶⁶⁶ **D6.1.697**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 18 August 2009, p. 8.
- ⁶⁶⁷ **D6.1.697**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 18 August 2009, p. 9; **D6.1.646**, Written Record of Witness Interview of SUON Kanil revolutionary name Neang, 21 August 2009, p. 3; **D6.1.1.1259**, SOAS/HRW, Statement of suspect KHIEU Samphan *alias* Hèm, former President of State Presidium of Democratic Kampuchea, 17 August 2005, p. 1; **D6.1.437**, Written Record of Witness Interview of KE Un *alias* Aok (KE Pauk's nephew and driver), 13 January 2009, pp. 4-5; **D1.3.15.1**, Report of Expert Craig C. Etcheson, 18 July 2007, p. 23.
- ⁶⁶⁸ **D6.1.514**, Written Record of Witness Interview of SAO Sarun (second interview), 29 June 2009, p. 4; **D117/50**, Written Record of Witness Interview of IM Pon, 23 May 2014, p. 12.
- ⁶⁶⁹ **D6.1.495**, Written Record of Witness Interview of SENG Mon, 14 February 2009, pp. 4, 8-10 and 14; **D6.1.498**, Written Record of Witness Interview of NORNG Sophâng *alias* NORNG Seng Chim, 18 February 2009, pp. 3-4 and 6-7; **D6.1.501**, Written Record of Witness Interview of PHAN Sovăn Han *alias* BOU Phăn, 11 March 2009, p. 4; **D6.1.982**, Written Record of Witness Interview of SOVĂN Han *alias* BOU Phăn, 16 March 2010, p. 3; **D6.1.373**, Written Record of Witness Interview of PON Ol, 7 May 2009, p. 4; **D117/20**, Written Record of Witness Interview of LIM Seng, 5 March 2010, p. 2; **D117/50**, Written Record of Witness Interview of IM Pon, 23 May 2014, p. 12.
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D6.1.705, Written Record of Witness Interview of MEAS Soeun, 18 December 2009, p. 3; **D6.1.708**, Written Record of Witness Interview of PREAP Vãn, 21 December 2009, p. 7.

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⁶⁸⁰ **D219/249**, Written Record of Witness Interview of SUON Kanil revolutionary name Neang, 28 March 2015, p. 3; **D6.1.697**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 18 August 2009, pp. 5-6.

⁶⁸¹ **D6.1.697**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 18 August 2009, pp. 5-6.

⁶⁸² **D6.1.697**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 18 August 2009, pp. 5-6.

⁶⁸³ **D6.1.697**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 18 August 2009, pp. 6 and 10.

⁶⁸⁴ **D6.1.697**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 18 August 2009, pp. 6 and 10.

⁶⁸⁵ **D6.1.697**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 18 August 2009, p. 10.

⁶⁸⁶ **D6.1.646**, Written Record of Witness Interview of SUON Kanil revolutionary name Neang, 21 August 2009, p. 4.

⁶⁸⁷ **D1.3.30.11**, Telegram, radio bands 207, Respected Angkar 870, I would like to present more report on situation of Khmer-Thai border at boundary post 44 near Thmei village, west of our land. They came to do farming two kilometres inland Cambodia. This place is captured by our forces. Our forces are occupying the area opposite Thai Thmei village; **D1.3.30.16**, Telegram 10, radio bands 393, Dear Beloved and Missed Committee 870, **from Comrade Pauk**, 4 May 1978, at 10:00; **D1.3.30.5**, Telegram 69, radio bands 560, Dear Beloved Office 870, I would like to report about the battle field situation along national road 1, 6 November 1977, at 13:35; **D119/87.1**, Telegram 5, 29 May 1977, Division 164, Political section, Dear Respected Brother 89; **D118/206.1**, Telegram, 12 August 1977, report through secret telephone call, 12 August 1977, at 7:27 p.m., from Mut; **D132.1.108**, Telegram through Koulam to Uncle 89, 23 January 1976, from 05; **D132.1.111**, Telegram 16, radio bands 598, Dear Beloved Brother 009, 20 March 1978, at 10:30 a.m., from 47; **D132.1.127**, Telegram 32, 24 August 1977, West Division, Dear Beloved and Missed Brother, 24 August 1977, at 9:45 p.m., from Soeung; **D132.1.135**, Telegram 68, radio bands 324, To Comrade Yi through 870, 22 December 1977, from Comrade Kuon; **D132.1.14**, Telegram 25, Dear Respected Brother, 7 March 1976, from Ya; **D132.1.143**, Telegram 43, 23 April 1977, Division 801, Political section, Dear Beloved Brother Roenun, 23 April 1977, from Leu; **D132.1.157**, Telegram, Sector 23 (Svay Rieng, Brasaut and Chantrea districts), situation along the border from, 14 June 1977 to 18 June 1977, Yuon has continuously committed a raid at every prong at the border; **D132.1.40**, Telegram 18, radio bands 208, Respected and Beloved Brother, The enemies that pushed into Sector 24 in Trapeang Peam and Baray were defeated and driven back by us completely, 8 April 1978, from 47; **D132.1.53**, Report on the source from the people at O Vay target on the afternoon of 16 February 1976, 17 February 1976, from Ya; **D132.1.99**, Telegram 66, radio bands 520, We would like to report to Brother about our meeting with a Swedish journalist on 7 April 1978. He said that before he went to Yuon, he requested a meeting with the Cambodian embassy in order to understand Cambodia's current situation, 12 April 1978, at 5:00, from Roth; **D219/702.1.60**, Telegram 236, radio bands 137, Dear Beloved Committee 870, It is requested that Siem Reap and Banteay Srey districts are merged as one because they are adjacent, 11 December 1977, from Sè; **D219/702.1.63**, Telegram 81, Dear Respected Brother, We would like to report the following issues: Situations at 010D: at spearhead 2, point 1120 of the mountainous area; Situations of the people who were evacuated from Laos; and Situations of the people in Saop village,

29 January, from But; **D322/8.1.29**, Instruction from Committee 870, issues raised, views and standpoints, strategy to attack and defeat the invading and territory-swallowing Yuon enemy, 3 January 1978, from Committee 870; **D6.1.1266**, Telegram 14, radio bands 556, Dear Beloved Office 870, Regarding the Yuon enemy situation during the afternoon of 30 and morning of 31 December 1977, 31 December 1977, at 23:15, from Phuong; **D6.1.1269**, Telegram 16, radio bands 634, Dear Respected and Missed Brother Pâ, I would like to report about all the situations along Road 22, 23 January 1978, from Chhon; **D6.1.1267**, Telegram 284, radio bands 745, Dear Beloved Committee 870, About the enemy situation along the border in January 1978, 10 January 1978, from Sè; **D6.1.1268**, Telegram 15, radio bands 791, Dear Respected and Missed Brother Pâ, I would like to report about the situation in Sector 23 and Sector 24, and the battle field along Road 22, 19 January 1978, from Chhon; **D6.1.1263**, Telegram 54, radio bands 290, Dear Respected Brother, About the situation of the outside enemy: Yuon spies, 23 April 1978, from Sarun; **D6.1.1264**, Telegram 14, radio bands 273, Dear Beloved Angkar, 25 May 1977, from Office 401; **D6.1.1265**, Telegram 52, radio bands 874, Dear Beloved and Missed Committee 870, 23 August 1977, from Sè, Zone 801; **D6.1.491**, Telegram on arrival, To Diplomatie Paris, Visit by President Sohphanouvong to Kampuchea seen by Hsinhua, 23 December 1977; **D6.1.1266**, Telegram 15, Dear Beloved Comrade Brother Pol, 30 November 1975, from Chhon; **D325/2.1.2**, Telegram 15, Dear Beloved Comrade Brother Pol, 30 November 1975, from Chhon; **D322/8.1.32**, Telegram, Dear Brother, 1 April 1978, from Office 870; **D219/702.1.65**, Telegram 53, radio bands 1122, Dear Beloved and Missed Committee 870, According to the decision of the Party, I had been assigned to work in Sector 103 for a period of time, 23 August 1977, from Sè, Zone 801; **D219/702.1.66**, Telegram 53, radio bands 1122, Dear Beloved and Missed Committee 870, According to the Party's decision to have me go to work in Sector 103 for a while, 23 August 1977, from Sè, Zone 801; **D219/702.1.26**, Telegram 11, radio bands 477, Dear Respected and Missed Brother, I would like to report about the enemy situation on 5 May 1977, 6 May 1978, from Comrade Pauk; **D219/702.1.3**, Telegram 33, Dear Beloved and Missed Committee 870, 26 November 1976, from Chhan; **D219/702.1.30**, Telegram 33, 5 April 1977, Division 801, Political section, Dear Beloved Brother Roen, from Sam-on; **D219/702.1.31**, Telegram 313, radio bands 502, Dear Beloved Committee 870, 19 March 1978, from Sè; **D219/702.1.40**, To Angkar through K-7, Urgent!, 26 March 1978, from Päl; **D219/702.1.59**, Telegram 225, radio bands 127, Dear Beloved Committee 870, 10 December 1977, from Sè; **D219/702.1.12**, Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review, 6 July 2006; **D219/702.1.61**, Telegram 46, radio bands 660, Dear Beloved Brother, 20 July 1977, from Chhean; **D219/702.1.62**, Telegram 60, radio bands 1473, Dear Beloved and Missed Committee 870, 5 September 1977, from Sè, Zone 801; **D219/370.1.15**, Revolutionary male and female youth magazine, No. 10, October 1978; **D219/370.1.4**, Ministry of Foreign Affairs: "Life inside Kampuchea", 31 March 1976; **D132.1.33**, Telegram 55, radio bands 163, Respected Brother, 24 April 1978, from Sarun; **D132.1.35**, Telegram, Division 164, Political section, report through secret telephone call on 1 April 1978, 1 April 1978, from Mut; **D132.1.36**, Telegram 57, radio bands 273, Dear Beloved Committee 870, 27 October 1977, at 5:00 p.m., from Chhon; **D132.1.38**, Telegram 67, radio bands 114, To Comrade Khy, 22 December 1977, at 5:30, from Kuon; **D132.1.39**, Telegram 84, radio bands 126, Dear Respected Angkar 870, 20 October 1977, from Nhim; **D132.1.4**, Telegram 238, radio bands 195, Dear Beloved Committee 870, 13 December 1977, from Sè; **D132.1.41**, Telegram 61, radio bands 761, Respected Brother, 1 April 1978, from Roth; **D132.1.43**, Telegram 67, radio bands 380, I would like to report to Brother as follows, 12 April 1978, at 4:00, from Roth; **D132.1.46**, Telegram 79, Respected Brother, We would like to report to you about the decision of the meeting between the delegation of the Military Region 5 of Vietnam and the north-east Military Zone of Kampuchea on 24 January 1976, 27 January 1976, from But; **D132.1.47**, Telegram 15, radio bands 191, Dear Beloved Office 870, 16 December 1977, from Yi; **D132.1.48**, Telegram 8, radio bands 275, Dear Beloved Office 870, 24 December 1977, from Phuong; **D132.1.49**, Telegram 62, radio bands 1474, Dear Beloved Office 81, 12 August 1977, from Chhean; **D132.1.5**, Telegram 63, radio bands 755, Dear Beloved Brother, 4 April 1978, from Roth; **D132.1.54**, Telegram 62, radio bands 563, Dear Beloved Brother Pâ, I would like to make additional report on battle field situation along old Road 27, from Chhon; **D132.1.55**, Telegram 92, radio bands 320, Dear Beloved Office 870, I would like to make additional report on situation in Sector 24 and along Road 22, 12 December, at 09:00 p.m., from Chhon; **D132.1.56**, Telegram 85, radio bands 332, Dear Beloved Office 870, 7 December 1977, at 10:00., from Chhon; **D132.1.57**, Telegram 46, radio bands 246, To Comrade Yi through Office 870, 5 November 1977, from Kuon; **D132.1.6**, Telegram 11, radio bands 353, Dear Beloved and Missed Brother, 14 February 1978, from 47; **D132.1.60**, Telegram 96, radio bands 674, Dear Beloved and Missed Office 870, 13 December 1977, at 8:30 p.m., from Chhon; **D132.1.36**, Telegram 4, radio bands 123, Dear Beloved Committee 870, 10 April 1978, at 8:30 p.m., from Sè; **D132.1.64**, Telegram 8, radio bands 371, Dear Respected Brother, 21 April 1978, from Vy; **D132.1.66**, Telegram 71, radio bands 334, Dear Respected Brother, 13 January 1978, from Vy; **D132.1.68**, Telegram 56, radio bands 348,

Dear Beloved Office 870, 26 October 1977, at 8:30 p.m., from Chhon; **D132.1.69**, Telegram 157, radio bands 1155, Dear Respected Office 81, 4 March 1978, from Tho; **D132.1.71**, Telegram 20, radio bands 448, Dear Beloved and Missed Brother, 26 April 1978, from 47; **D132.1.73**, Telegram 78, Dear Respected Office 870 and Brother Ry, I would like to report result of the meeting with the Vietnamese, 24 January 1976; **D132.1.79**, Telegram 2, radio bands 191, Dear Beloved Brother Pol, 8 April 1978, from Mok; **D132.1.8**, Telegram 20, Dear Respected Brother, 3 March 1976, from Ya; **D132.1.80**, Telegram 85, radio bands 379, Dear Beloved and Missed Brother Pol, 19 November 1977, at 4:00 p.m., from Chhon; **D132.1.83**, Telegram, Dear Respected Brother 89, 8 February 1976, at 14:00, from Chhin; **D132.1.84**, Telegram 12, radio bands 343, Dear Beloved Brother Pol, 15 January 1978, at 9:00, from Chhon; **D132.1.86**, Telegram 2, radio bands 343, Report to Respected Brother, 22 December 1977, at 14:00, from Chhon; **D132.1.87**, Telegram, Dear Beloved and Missed Brother, 22 April 1978, at 9:00, from 47; **D132.1.90**, Telegram 63, radio bands 253, Dear Respected Brother, 1 January 1978, from Ry; **D132.1.131**, Telegram 11, Dear Brother Mut, 24 September 1976, from Comrade Dim; **D132.1.133**, Telegram, radio bands 218, Dear Beloved Office 870, 27 October 1977, at 8:30 p.m., from Chhon; **D132.1.137**, Telegram, Dear Beloved and Missed Brother 89, 3 March 1976, from Chhin; **D132.1.139**, Telegram 95, radio bands 139, Dear Beloved and Missed Office 870, 13 December 1977, at 24:30 p.m., from Chhon; **D132.1.140**, Telegram 17, radio bands 1297, Dear Beloved Office 870, 15 January 1978, from Phuong; **D132.1.141**, Telegram 47, radio bands 1175, Dear Beloved Brother, 12 March 1978 at 12:30., from Roth; **D132.1.144**, Telegram 61, radio bands 137, Dear Beloved Office 870, 29 October 1977 at 2:00 p.m., from Chhon; **D132.1.146**, Telegram 82, radio bands 328, Dear Beloved and Missed Brother Pol, I would like to report on battle field situation in Sector 23, 18 November 1977, from Chhon; **D132.1.149**, Telegram 11, radio bands 271, Dear Beloved and Missed Office 870, I would like to report on border situation at Sector 23, 10 September 1976, from Chhon; **D132.1.15**, Telegram 11, radio bands 353, Dear Beloved and Missed Brother, 14 February 1978, from 47; **D132.1.151**, Telegram 548, radio bands 620, Dear Beloved Brother, 13 March 1978, at 3:00., from Roth; **D132.1.152**, Telegram 6, radio bands 285, Dear Beloved Office 870, 23 December 1977, from Phuong; **D132.1.153**, Telegram 30, radio bands 325, Dear Beloved Angkar Representative, 24 March 1978, from Comrade Peam; **D132.1.91**, Telegram 3, radio bands 303, Dear Beloved Brother Pâ, 24 December 1977, at 12:30., from Chhon; **D132.1.92**, Telegram 68, radio bands 410, Dear Beloved and Missed Brother Pâ, 6 November 1977, at 8:00 p.m., from Chhon; **D132.1.93**, Telegram 40, radio bands 221, Dear Beloved Brother, 21 February 1978, from Roth; **D132.1.155**, Telegram 68, radio bands 1630, Dear Beloved and Missed Office 870, 30 August, from Chhean; **D132.1.156**, Telegram 7, radio bands 269, Dear Beloved Office 870, 23 December 1977, at 7:30 p.m., from Phuong; **D132.1.158**, Telegram 39, radio bands 240, Dear Beloved and Missed Brother Pol, 24 September 1977, from Chhon; **D132.1.159**, Telegram 21, radio bands 676, Dear Beloved and Missed Brother Pol, 21 March, from Chhon; **D132.1.160**, Telegram 45, Dear Beloved and Missed Brother Pol, November 1975, from Chhon; **D132.1.162**, Telegram 91, radio bands 262, Dear Beloved Committee 870, 10 December, at 10:00, from Chhon; **D132.1.163**, Telegram 1, 31 March 1978, Western Division, Political section, Report; **D132.1.164**, Telegram 306, radio bands 764, Dear Beloved Brother Van, 12 March 1978, from Kân; **D132.1.165**, Telegram 313, radio bands 502, Dear Beloved Committee 870, 19 March 1978, from Sè; **D132.1.166**, Telegram, Dear Respected Brother 89, the situation observed on radars at Bokor and Pochentong, 17 June 1977; **D132.1.167**, Telegram, Dear Beloved and Missed Office 870, 14 August 1977, from Comrade Lin; **D132.1.170**, Telegram 28, radio bands 305, Dear Beloved Angkar Representative, 23 March 1978, from Peam; **D132.1.18**, Telegram 11, radio bands 271, Dear Beloved and Missed Office 870, 10 September, from Chhon; **D132.1.19**, Telegram 35, 5 April 1978, Division 801, Political section, Dear Beloved and Missed *Uncle* 89, 5 April 1978, from Roeun; **D132.1.2**, Telegram 54, radio bands 274, Dear Beloved and Missed Office 870, 20 May 1977, from Chhan; **D132.1.23**, Telegram 67, radio bands 380, We would like to inform Brother as follows, 12 April 1978, at 4:00, from Roth; **D132.1.26**, Telegram 445, radio bands 265, Dear Beloved Brother, 1 March 1978, from Roth; **D132.1.95**, Telegram 34, radio bands 1313, Dear Beloved Brother, 29 April 1977, from Chhean; **D132.1.98**, Telegram 11, radio bands 251, Dear Beloved Office 870, 27 December 1977, from Phuong; **D132.1.101**, Telegram 157, radio bands 1155, Dear Respected Brother 81, 4 March 1978, from Tho; **D132.1.107**, Telegram 15, radio bands 416, Dear Beloved Office 870, 1 January 1978, from Phuong; **D132.1.110**, Telegram 54, radio bands 642, Dear Beloved and Missed Office 870; **D132.1.112**, Telegram 7, radio bands 545, Dear Respected Brother, 15 June 1977, from Vy; **D132.1.114**, Telegram 60, radio bands 378, Dear Beloved and Missed Office 870, 29 October, from Chhon; **D132.1.115**, Telegram 16, radio bands 318, Dear Beloved Brother 009, 20 March 1978 at 10:00 p.m., from 47; **D132.1.119**, Telegram, Dear Beloved Brother 89, 3 March 1976, from Chhin; **D132.1.120**, Telegram 5, radio bands 123, Dear Beloved Brother, 21 March 1978, from Ry; **D132.1.122**, Telegram 76, radio bands 601, Dear Beloved Office 870, 12 November 1977 at 5:00 p.m., from Chhon; **D132.1.29**, Telegram 34, radio bands 825, Dear Beloved Brother, 11 February 1978, from Roth; **D132.1.30**,

Telegram 46, radio bands 600, Dear Beloved Brother, 15 May 1977, from Chhean; **D132.1.31**, Telegram 17, radio bands 274, Dear Beloved and Missed Brother Pâ, 27 January 1978, from Chhon; **D132.1.124**, Telegram, Dear Beloved Brother 89, 29 February 1976, from Comrade Chhin; **D132.1.125**, Telegram, Division 117, Political section, Telegram 6, 2 March 1978, Report to Staff Office, from Rom; **D132.1.126**, Telegram 27, radio bands 451, Dear Beloved Brother, 17 March 1978, from Yem; **D132.1.128**, Telegram, Office S-21, Dear Respected Angkar, Subject: Border situation in Sector 25, 23 March 1976, from Office S-21; **D132.1.129**, Telegram 85, radio bands 379, Dear Beloved and Missed Brother Pol, I would like to make additional report on Road 13 battle field, 19 November 1977 at 4:00 a.m., from Chhon; **D132.1.13**, Telegram 59, radio bands 684, Dear Beloved and Missed Office 870, I would like to make additional report on Srork battle field and new situation surrounding Sector 23, 28 October, at 8:30; **D132.1.130**, Telegram 55, radio bands 403, Dear Beloved Office 870, 26 October, from Chhon; **D132.1.51**, Telegram dated 3 January 1979, from the deputy prime minister in charge of foreign affairs of Democratic Kampuchea addressed to the president of the security council on Vietnam further intensifying its war of aggression against Democratic Kampuchea which threatens peace, security, independence and stability in South-East Asia and throughout the world; **D119/87.1**, Telegram 5, 29 May 1977, Division 164, Political section, Dear Respected Brother 89, 29 May 1977, from Thuch; **D118/206.1**, Telegram, Division 164, Political section, report through secret telephone call, 12 August 1977, from Mut; **D119/107.1**, Telegram, Division 164, Political section, report through secret telephone call, 1 April 1978, from Mut; **D119/107.2**, Telegram, Division 164, Political section, report through secret telephone call, 15 September 1977, Dear Beloved Division, 15 September 1977, from Sim; **D118/207.1**, Telegram, Division 164, Political section, report through secret telephone call, 1 April 1978, from Mut; **D118/207.2**, Telegram, Division 164, Political section, report through secret telephone call, 15 September 1977, Dear Beloved Division, 15 September 1977, from Sim; **D1.3.30.10**, Telegram 200 radio bands 354, Dear Office Committee 870, 31 December 1977, from Mut; **D1.3.30.12**, Telegram 2, radio bands 191, Dear Respected Brother Pol, 8 April 1978, from Mok; **D1.3.30.13**, Telegram 2, radio bands 680, Dear Beloved and Missed Committee 870, I would like to make additional report on the situation at Road 7 battle field. Command Committees of each battle field spearhead attended meeting at the western battle field extending from Preak Phâr to Kampong Rokar, 12 April 1978, from Comrade Pauk; **D1.3.30.14**, Telegram 20, radio bands 448, Dear Beloved and Missed Brother, 26 April 1978, from 47; **D1.3.30.15**, Telegram 9, radio bands 586, Dear Beloved and Missed Committee 870, I would like to make additional report to Angkar on the result of the western and eastern battle fields on 28 April 1978, 29 April 1978, from Comrade Pauk; **D1.3.30.18**, Telegram 13, radio bands 330, Dear Missed Committee 870, I would like to make additional report on the smashing of enemy on 8 May 1978 at spearheads of Comrades Tat and Vann, 9 May 1978 at 11 a.m., from Comrade Pauk; **D1.3.30.2**, Telegram 44, radio bands 100, Dear Respected Brother Pol, I would like to report on enemy situation, the masses' situation and the production situation in the North zone, 2 April 1976, from Comrade Pauk; **D1.3.30.20**, Telegram 63, radio bands 200, Dear Beloved and Missed Angkar 870, 15 June 1978, from Nhim; **D1.3.30.21**, Telegram, Instruction from Office 870, issues raised, views and standpoints, strategy to attack and defeat the invading and territory-swallowing Yuon enemy; **D1.3.30.3**, Telegram 16, radio bands 355, Dear Beloved Committee 870, 30 April 1977, from Comrade Pauk; **D1.3.30.4**, Telegram, radio bands 100, Dear Respected Angkar 870, 27 December 1977, from Nhim; **D1.3.30.6**, Telegram 5, radio bands 160, Dear Beloved Office 870, 22 December 1977, from Phuong; **D1.3.30.7**, Telegram 22, radio bands 362, Report to Office 870, 22 December 1977, from Nhim and Hêm; **D1.3.30.8**, Telegram 25, radio bands 184, Dear Respected Angkar 870, 24 December 1977, from Nhim; **D1.3.30.9**, Telegram 9, radio bands 550, Dear Beloved Office 870, 24 December 1977, from Phuong; **D1.3.13.1**, Telegram 32, radio bands 295, Dear Missed Committee 870, I would like to report to Angkar: on 27 March 1978 at 4 p.m. Soldiers in Sector 41 detained two combatants: Chhân and Ry of Air Unit 512. They are in grey kaki clothes driving a motorcycle, 29 March 1978, from Comrade Pauk; **D6.1.464**, Telegram 9, radio bands 586, Dear Beloved and Missed Committee 870; **D6.1.465**, Telegram 10, Dear Respected and Beloved Committee 870, 4 September 1978, from Comrade Pauk; **D6.1.466**, Telegram 54, radio bands 240, Dear Respected Brother, 23 April 1978, from Sarun; **D6.1.479**, Confidential document of Department of State, Info: AMCONCEN Hong Kong, AMEMBASSY PARIS, AMEMBASSY COPENHEGEN, AMEMBASSY TOKYO, AMEMBASSY VIETIANE, Cambodia Today: Part One: Life Inside Cambodia, pp. 1-23; **D6.1.480**, Ministry of Foreign Affairs, Republic of France, Political Affairs Directorate, Asia-Oceania, Paris, 15 October 1976, Cambodian Review (September 1976), pp. 1-6; **D6.1.485**, Ministry of Foreign Affairs, received telegram, Geneva 22 April 1975, at 12:00, No. 1488/89, Message for the International Red Cross in Phnom Penh; **D6.1.486**, Ministry of Foreign Affairs, received telegram, Hanoi 23 May 1975, at 17:43, No. 654, Subject: Chinese Aircraft in Kampuchea; **D6.1.487**, Ministry of Foreign Affairs, received telegram, Hanoi 28 April 1975, at 13:12, Situation of Refugees from Phnom Penh **D6.1.489**, Ministry of Foreign Affairs, received telegram, Peking 5 December 1977, at 12:00, Chen Yung-Kuei's

Visit to Kampuchea; **D6.1.493**, Telegram 29, radio bands 92, Dear Beloved Office 870, on 10 September there are 3 Cham villagers fleeing from Mil village, Khsem commune. They fled to Yuon. 14 September 1977, from Yi; **D6.1.496**, Telegram 18, radio bands 208, Dear Beloved Brother, 8 April 1978, from 47; **D6.1.497**, Telegram 13, radio bands 330, Dear Committee 870, I would like to make additional report on the smashing of enemy on 8 May 1978 at spearheads of Comrades Tat and Vann, 9 May 1978 at 11 a.m., from Comrade Pauk; **D6.1.499**, Telegram 324, radio bands 1230, Dear Beloved Committee 870, 10 January 1978, from Sè; **D6.1.50**, Telegram 47, radio bands 267, Dear Respected and Beloved Office 870, 1 January 1978, from Sarun; **D6.1.504**, Telegram 8, radio bands 371, Dear Respected Brother, 21 April 1978, from Ry; **D6.1.508**, Telegram 9, radio bands 326, Dear Respected Brother, 25 April 1978, from Ry; **D6.1.509**, Telegram 18, radio bands 208, Dear Beloved Brother, 8 April 1978, from 47; **D6.1.51**, Telegram 5, Dear Beloved and Missed Committee 870, I would like to report on enemy situation along Road 7 battle field, 18 April 1978, at 7 p.m., from Comrade Pauk; **D6.1.515**, Telegram 54, radio bands 290, Dear Respected Brother, 23 April 1978, from Sarun; **D6.1.516**, Telegram 47, radio bands 267, Dear Beloved Office 870, 1 January 1978, from Sarun; **D6.1.517**, Telegram 46, radio bands 243, Dear Respected Office 870, 9 April 1978, from Sarun; **D6.1.519**, Telegram 55, radio bands 163, Dear Respected Brother, 24 April 1978, from Sarun; **D6.1.52**, Telegram 31, radio bands 265, Dear Beloved and Missed Office 870, 4 March, from Nhim; **D6.1.547**, Telegram 34, Dear Beloved Office 870, 4 December, from Chhan; **D6.1.56**, Summary of the situation from 15 July to 31 August 1976, Division 164, West, Division 703, Northwest, Siem Reap, Northeast, Division 920, Southwest, Railways, East; **D6.1.58**, Telegram 95, radio bands 326, Dear Beloved Office 870, 11 May 1977, from Yi; **D6.1.588**, List of enemies to be interrogated by hot group, 2 February 1978; **D6.1.589**, List of enemies to be interrogated by documentation group, 2 February 1978; **D6.1.59**, Telegram 38, radio bands 248, Dear Respected Angkar 870, 12 August 1977, from Nhim; **D6.1.60**, Telegram 32, radio bands 463, Dear Beloved and Missed Office 870, 14 September, from Phim; **D6.1.764**, Telegram 32, radio bands 295, Dear Missed Committee 870, 29 March 1978, from Comrade Pauk; **D6.1.770**, Telegram 23, 20 May 1976, Division 920, Dear Beloved Brother 89, 16 May 1976; **D6.1.792**, Telegram 61, radio bands 1174, Dear Beloved Brother, undated, from Kân; **D6.1.793**, Telegram 21, radio bands 74, Dear Respected Angkar 870, 21 December 1977, from Nhim; **D6.1.794**, Telegram 100, radio band 292, Dear Brother Nhim, 6 November 1977, from San Office 560; **D6.1.972**, Telegram 89, radio bands 278, To Beloved Office 870, 1 May 1977, from Yi; **D6.1.973**, Telegram 21, radio bands 74, Dear Respected Angkar 870, 21 December 1977, from Nhim; **D6.1.974**, Telegram 3, radio bands 267, Dear Beloved and Missed Office 870, 12 April 1978, from Comrade Pauk; **D132.1.161**, Telegram from IENG Sary to the United Nations, NCNA in English at 11:35 gmt, 7 February 1979. Report of telegram IENG Sary sent to Kurt Waldheim on 5 February; **D132.1.81**, Telegram 330, radio bands 374, Dear Beloved Committee 870, 7 May 1978, from Sè; **D219/702.1.28**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 16 August 1977, from Chan, 17 August 1977; **D6.1.552**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 18 August 1977, from Chan, 19 August 1977; **D6.1.584**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 23 August 1977, from Chan, 24 August 1977; **D6.1.550**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 23 August 1977, from Chan, 24 August 1977; **D219/702.1.27**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 27 August 1977, from Chan, 27 August 1977; **D6.1.574**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 28 August 1977, from Chan, 29 August 1977; **D6.1.565**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 30 August 1977, from Chan, 31 August 1977; **D6.1.579**, Telegram 202, report: dear beloved comrade police of Tram Kak District, 1 March 1978, from Ar Soam, pp. 1-2; **D6.1.560**, Telegram 227, Meng. According to the confession of A Chorn, A Meng CIA agent at 109 fled from Sre Ronong commune on 26 January 1978 and was recaptured by our comrades in Kampot on 6 February 1978, p. 1; **D6.1.585**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 5 September 1977, from Chan, 6 September 1977, p. 1; **D6.1.582**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 7 September 1977, from Chan, 8 September 1977, pp. 1-2; **D6.1.577**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 7 September 1977, from Chan, 8 September 1977, pp. 1-2; **D6.1.553**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 12 September 1977, from Chan, September 1977, p. 1; **D6.1.581**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 13 September 1977, from Chan, 15 September 1977, p. 1; **D6.1.575**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 15 September 1977, from Chan, 16 September 1977, p. 1; **D6.1.567**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 17 September 1977, from Chan, 18 September 1977, pp. 1-3; **D6.1.570**, S-21

Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 23 September 1977, from Chan, 24 September 1977, p. 1; **D6.1.573**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 25 September 1977, from Chan, 26 September 1977, pp. 1-2; **D6.1.566**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 27 September 1977, from Chan, 28 September 1977, p. 1; **D6.1.569**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 3 October 1977, from Chan, 4 October 1977, pp. 1-2; **D6.1.571**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 5 October 1977, from Chan, 6 October 1977, p. 1; **D6.1.557**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 7 October 1977, from Chan, 8 October 1977, pp. 1-3; **D6.1.558**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 15 October 1977, from Chan, 16 October 1977, p. 1; **D6.1.580**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 19 October 1977, from Chan, 20 October 1977, pp. 1-2; **D6.1.568**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 23 October 1977, from Chan, 24 October 1977, pp. 1-3; **D6.1.576**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 24 October 1977, from Chan, 25 October 1977, pp. 1-3; **D6.1.583**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 26 October 1977, from Chan, 27 October 1977, pp. 1-3; **D6.1.556**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 8 November 1977, from Chan, 9 November 1977, p. 1; **D6.1.563**, Letter sent to beloved Comrade Police Office of District 105 requesting to send two prisoners: 1). CHIM Hong and 2). Touch Lon), 1 March 1978, from Than, Education Office of Angkor Chey District, p. 1; **D132.1.147**, Telegram 41, Radio Bands 818, To beloved and missed Brother Pol, We would like to add more information on the situation of the battle field north of Route No. 1, 26 September 1977, from Comrade Chhon, pp. 1-2; **D132.1.97**, Revolutionary Army adopts resolutions on SRV dispute, Phnom Penh Domestic Service in Cambodia, 4 January 1978, pp. 1-3; **D6.1.587**, S-21 Document, Phnom Penh, Respected Brother, Please be informed of incoming prisoners on 16 October 1977, from Chan, 17 October 1977, p. 1.

⁶⁸⁸ **D6.1.697**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 18 August 2009, pp. 7-8.

⁶⁸⁹ **D191.2**, DC-Cam interview with *Ta An*, 1 August 2011, by LONG Dany and Vanthan Peou Dara, p. 53; **D78**, Written Record of Witness Interview of CHIN Sinal, 26 August 2011, p. 3; **D6.1.697**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 18 August 2009, p. 6; **D117/35**, Written Record of Witness Interview of BAN Siek *alias* HANG Phos and HANG Sunhau, 24 March 2014, p. 5; **D117/70**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (5th interview), 28 May 2013, pp. 4-5; **D219/232**, Written Record of Witness Interview of VAN Chhunseng, 19 March 2015, pp. 5-6; **D219/331**, Written Record of Witness Interview of PHAN Sophal, 27 May 2015, p. 3; **D219/609**, Written Record of Witness Interview of SAMRITH An, 17 November 2015, pp. 1-5; **D219/602**, Written Record of Witness Interview of NIB Kimheng, p. 4; **D219/353**, Written Record of Witness Interview of SARAY Hean, 22 May 2015, p. 5; **D219/800**, Written Record of Witness Interview of SO Saren, 19 July 2016, p. 3; **D219/802**, Written Record of Witness Interview of HOK Heng, 21 July 2016, p. 8; **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2015, p. 5; **D219/876**, Written Record of Witness Interview of CHHEAN Heang, 30 November 2016, p. 5.

⁶⁹⁰ **D191.2**, DC-Cam interview with *Ta An*, 1 August 2011, by LONG Dany and Vanthan Peou Dara, pp. 39 and 53; **D78**, Written Record of Witness Interview of CHIN Sinal, 26 August 2011, p. 3; **D6.1.697**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 18 August 2009, p. 6; **D107/7**, Written Record of Witness Interview of NHIM Kol *alias* Say, 19 February 2012, p. 3; **D117/56**, Written Record of Witness Interview of CHOM Vong, 19 June 2014, pp. 4 and 7; **D117/31**, Written Record of Witness Interview of YOU Vann, 11 November 2013, p. 5; **D219/26**, Written Record of Witness Interview of PRAK Ny, 13 October 2014, p. 5; **D117/70**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (5th interview), 28 May 2013, pp. 4-5 and 7; **D219/331**, Written Record of Witness Interview of PHAN Sophal, 27 May 2015, p. 3; **D219/620**, Written Record of Witness Interview of PAL Lay, 8 December 2015, pp. 1-3; **D219/609**, Written Record of Witness Interview of SAMRITH An, 17 November 2015, pp. 1-5; **D117/72**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (7th interview), 21 June 2013, p. 2; **D219/607**, Written Record of Witness Interview of HAK Kimsroeun, 16 November 2015, p. 3; **D219/405**, Written Record of Witness Interview of CHHIM Bunserey, 29 June 2015, p. 3; **D219/353**, Written Record of Witness Interview of SARAY Hean, 22 May 2015, p. 5; **D219/542**, Written Record of Witness Interview of NUT Kimnang, 6 October 2015, p. 4; **D219/544**, Written Record of Witness Interview of CHUN Heng, 9 October 2015, pp. 3-4; **D219/731**, Written Record of Witness Interview of NGEM Chen, 18 March

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⁶⁹¹ **D191.2**, DC-Cam interview with *Ta An*, 1 August 2011, by LONG Dany and Vanthan Peou Dara, p. 53; **D78**, Written Record of Witness Interview of CHIN Sinal, 26 August 2011, p. 3; **D6.1.697**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 18 August 2009, p. 6; **D117/56**, Written Record of Witness Interview of CHOM Vong, 19 June 2014, p. 7; **D219/331**, Written Record of Witness Interview of PHAN Sophal, 27 May 2015, p. 3; **D219/752**, Written Record of Witness Interview of LOR Venghuor, 28 April 2016, p. 4; **D219/731**, Written Record of Witness Interview of NHEM Chen, 18 March 2016, pp. 10-12; **D219/800**, Written Record of Witness Interview of SO Saren, 19 July 2016, pp. 7-8 and 25; **D219/802**, Written Record of Witness Interview of HOK Heng, 21 July 2016, p. 8; **D219/171**, Written Record of Interview of Civil Party Applicant NHIM Kol, 11 February 2015, pp. 3 and 7; **D6.1.373**, Written Record of Witness Interview of PON Ol, 7 May 2009, p. 3; **D117/71**, Written Record of Witness Interview of PRAK Yut *alias Yeay Yut* (6th interview), 19 June 2013, p. 5 (A24); **D219/855**, Written Record of Witness Interview of NHEM Chen, 27 October 2016, pp. 12-13; **D1.3.11.17**, 24 Prisons of Kompong Thom Province of which 16 were in pagodas, Information from KHIEU Sarun and Oum Sok and DC-Cam or Dambon 43 of the Central Zone, January-February 1994 and March 2004, p. 2; **D219/862**, Written Record of Witness Interview of LOEP Srul, 8 November 2016, p. 3; **D219/876**, Written Record of Witness Interview of CHHEAN Heang, 30 November 2016, p. 5; **D219/870**, Written Record of Witness Interview of Ry Nhor, 10 November 2016, p. 3; **D117/71**, Written Record of Witness Interview of PRAK Yut *alias Yeay Yut* (6th interview), 19 June 2013, p. 5 (A24).

⁶⁹² **D191.2**, DC-Cam interview with *Ta An*, 1 August 2011, by LONG Dany and Vanthan Peou Dara, p. 53; **D78**, Written Record of Witness Interview of CHIN Sinal, 26 August 2011, p. 3; **D117/56**, Written Record of Witness Interview of CHOM Vong, 19 June 2014, p. 7; **D219/80**, Written Record of Witness Interview of THOU Leang, 18 November 2014, p. 3; **D219/331**, Written Record of Witness Interview of PHAN Sophal, 27 May 2015, p. 3; **D219/731**, Written Record of Witness Interview of NHEM Chen, 18 March 2016, pp. 10-12; **D1.3.11.17**, 24 Prisons of Kompong Thom Province of which 16 were in pagodas, Information from KHIEU Sarun and Oum Sok and DC-Cam or Dambon 43 of the Central Zone, January-February 1994 and March 2004, p. 2; **D219/800**, Written Record of Witness Interview of SO Saren, 19 July 2016, p. 8.

⁶⁹³ **D191.2**, DC-Cam interview with *Ta An*, 1 August 2011, by LONG Dany and Vanthan Peou Dara, p. 53; **D78**, Written Record of Witness Interview of CHIN Sinal, 26 August 2011, p. 3; **D117/56**, Written Record of Witness Interview of CHOM Vong, 19 June 2014, p. 7; **D219/80**, Written Record of Witness Interview of THOU Leang, 18 November 2014, p. 3; **D219/331**, Written Record of Witness Interview of PHAN Sophal, 27 May 2015, p. 3; **D219/731**, Written Record of Witness Interview of NHEM Chen, 18 March 2016, pp. 10-12; **D219/800**, Written Record of Witness Interview of SO Saren, 19 July 2016, pp. 7-8 and 25; **D219/802**, Written Record of Witness Interview of HOK Heng, 21 July 2016, p. 8; **D6.1.1085**, Written Record of Witness Interview of THA Sot, 19 January 2008, p. 2; **D1.3.10.18**, Report of investigation of crime sites in Kampong Cham province, 24-28 May 2000 by PHENG Pongrasy (DC-Cam), p. 1; **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 27-28; **D6.1.373**, Written Record of Witness Interview of PON Ol, 7 May 2009, p. 3.

⁶⁹⁴ **D191.2**, DC-Cam interview with *Ta An*, 1 August 2011, by LONG Dany and Vanthan Peou Dara, p. 53; **D78**, Written Record of Witness Interview of CHIN Sinal, 26 August 2011, p. 3; **D6.1.697**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 18 August 2009, p. 6; **D117/56**, Written Record of Witness Interview of CHOM Vong, 19 June 2014, p. 7; **D107/5**, Written Record of Witness Interview of ORN Kim Eng *alias Theng*, 18 February 2012, p. 5; **D117/35**, Written Record of Witness Interview of BAN Siek *alias HANG Phos and HANG Sunhau*, 24 March 2014, p. 5; **D219/232**, Written Record of Witness Interview of VAN Chhunseng, 19 March 2015, pp.

5-6; **D219/331**, Written Record of Witness Interview of PHAN Sophal, 27 May 2015, p. 3; **D219/621**, Written Record of Witness Interview of PRAK Run, 10 December 2015, p. 3; **D219/606**, Written Record of Witness Interview of CHEA Khengthai, 13 November 2015, p. 3; **D219/543**, Written Record of Witness Interview of NAM Monn, 7 October 2015, p. 3; **D1.3.11.17**, 24 Prisons of Kompong Thom Province of which 16 were in pagodas, Information from KHIEU Sarun and Oum Sok and DC-Cam or Dambon 43 of the Central Zone, January-February 1994 and March 2004, p. 2; **D219/800**, Written Record of Witness Interview of SO Saren, 19 July 2016, p. 3; **D219/802**, Written Record of Witness Interview of HOK Heng, 21 July 2016, p. 8; **D6.1.351**, Written Record of Witness Interview of BAN Siek *alias* HANG Phos and HANG Sunhau, 17 February 2009, p. 2; **D219/171**, Written Record of Interview of Civil Party Applicant NHIM Kol, 11 February 2015, p. 3; **D6.1.689**, Written Record of Witness Interview of NUT Nouv, 1 December 2009, p. 6; **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2015, p. 5; **D6.1.707**, Written Record of Witness Interview of SUON Kanil revolutionary name Neang, 19 August 2009, p. 4; **D3/4**, Written Record of Witness Interview of CHIN Sinal, 17 August 2010, p. 4; **D6.1.373**, Written Record of Witness Interview of PON Ol, 7 May 2009, p. 3; **D117/71**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (6th interview), 19 June 2013, p. 5 (A23 and A24); **D117/73**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (8th interview), 27 October 2013, p. 2 (A2); **D117/32**, Written Record of Witness Interview of NHEM Kol, 12 November 2013, pp. 3-4.

⁶⁹⁵ **D219/461**, Written Record of Witness Interview of PEN Thol, 8 August 2015, p. 3.

⁶⁹⁶ **D36**, Written Record of Witness Interview of CHEA Maly, 14 July 2011, p. 2; **D107/7**, Written Record of Witness Interview of NHIM Kol *alias* Say, 19 February 2012, p. 2; **D117/56**, Written Record of Witness Interview of CHOM Vong, 19 June 2014, p. 4; **D117/31**, Written Record of Witness Interview of YOU Vann, 11 November 2013, p. 5; **D219/26**, Written Record of Witness Interview of PRAK Ny, 13 October 2014, p. 5; **D117/35**, Written Record of Witness Interview of BAN Siek *alias* HANG Phos and HANG Sunhau, 24 March 2014, p. 7; **D117/70**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (5th interview), 28 May 2013, pp. 4-5 and 7; **D219/284**, Written Record of Witness Interview of PEOU Sarom, 9 April 2015, p. 4; **D219/460**, Written Record of Witness Interview of SAT Pheap, 7 August 2015, p. 3; **D219/353**, Written Record of Witness Interview of SARAY Hean, 22 May 2015, p. 5; **D219/800**, Written Record of Witness Interview of SO Saren, 19 July 2016, p. 6; **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2015, p. 4; **D219/877**, Written Record of Witness Interview of AUM Yat, 1 December 2016, p. 5; **D191.2**, DC-Cam interview with *Ta An*, 1 August 2011, by LONG Dany and Vanthan Peou Dara, p. 39; **D74**, Written Record of Witness Interview of ROTH Peou, 25 August 2011, p. 3; **D117/24**, Written Record of Witness Interview of PEOU Sarom, 7 August 2013, p. 4; **D107/7**, Written Record of Witness Interview of NHIM Kol *alias* Say, 19 February 2012, p. 3; **D219/138**, Written Record of Witness Interview of YOU Vann, 8 January 2015, pp. 9-10; **D219/606**, Written Record of Witness Interview of CHEA Khengthai, 13 November 2015, p. 4; **D219/687**, Written Record of Witness Interview of MAO Saroun, 15 February 2016, p. 4; **D219/541**, Written Record of Witness Interview of KIM Thoeum *alias* KIM Koeum, 5 October 2007, p. 3; **D219/759**, Written Record of Witness Interview of PHAI Sal, 10 May 2016, pp. 3-4; **D219/761**, Written Record of Witness Interview of MEL Khorn, 12 May 2016, p. 4; **D219/752**, Written Record of Witness Interview of LOR Venghuor, 28 April 2016, p. 3; **D219/731**, Written Record of Witness Interview of NHEM Chen, 18 March 2016, pp. 3-4 and 8; **D219/802**, Written Record of Witness Interview of HOK Heng, 21 July 2016, pp. 3-4; **D219/171**, Written Record of Interview of Civil Party Applicant NHIM Kol, 11 February 2015, p. 7; **D219/855**, Written Record of Witness Interview of NHEM Chen, 27 October 2016, p. 2; **D219/472**, Written Record of Interview of Civil Party Applicant SUM Chanthol, 24 August 2015, p. 4; **D6.1.721**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (third interview), 18 November July 2009, p. 7.

⁶⁹⁷ **D117/56**, Written Record of Witness Interview of CHOM Vong, 19 June 2014, p. 6; **D219/284**, Written Record of Witness Interview of PEOU Sarom, 9 April 2015, p. 3; **D219/442**, Written Record of Witness Interview of CHOM Vong, 19 June 2014, p. 5; **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 25-26; **D6.1.730**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (first interview), 21 July 2009, p. 8; **D6.1.721**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (third interview), 18 November 2009, p. 7; **D117/70**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (5th interview), 28 May 2013, pp. 2-3 and 7; **D117/71**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (6th interview), 19 June 2013, pp. 2-3 and 6-7; **D117/50**, Written Record of Witness Interview of IM Pon, 23 May 2014, p. 8.

⁶⁹⁸ **D117/56**, Written Record of Witness Interview of CHOM Vong, 19 June 2014, p. 4; **D117/70**, Written Record of Witness Interview of PRAK Yut *alias Yeay Yut* (5th interview), 28 May 2013, p. 7; **D219/284**, Written Record of Witness Interview of PEOU Sarom, 9 April 2015, p. 6; **D219/331**, Written Record of Witness Interview of PHAN Sophal, 27 May 2015, p. 4; **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 4-7 and 19-20; **D219/541**, Written Record of Witness Interview of KIM Thoeurn *alias* KIM Koeurn, 5 October 2007, pp. 7-9; **D219/759**, Written Record of Witness Interview of PHAI Sal, 10 May 2016, p. 4; **D219/761**, Written Record of Witness Interview of MEL Khorn, 12 May 2016, p. 8; **D219/731**, Written Record of Witness Interview of NHEM Chen, 18 March 2016, p. 4; **D219/788**, Written Record of Witness Interview of KHUT Saret, 27 June 2016, pp. 4 and 7; **D219/800**, Written Record of Witness Interview of SO Saren, 19 July 2016, pp. 7-8; **D219/802**, Written Record of Witness Interview of HOK Heng, 21 July 2016, p. 8; **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2015, pp. 3-4 and 10; **D117/50**, Written Record of Witness Interview of IM Pon, 23 May 2014, pp. 4-5; **D219/855**, Written Record of Witness Interview of NHEM Chen, 27 October 2016, p. 7. **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2016, p. 3.

⁶⁹⁹ **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 30-31.

⁷⁰⁰ **D117/50**, Written Record of Witness Interview of IM Pon, 23 May 2014, p. 8.

⁷⁰¹ **D219/800**, Written Record of Witness Interview of SO Saren, 19 July 2016, p. 12. **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2016, pp. 3-6.

⁷⁰² **D219/802**, Written Record of Witness Interview of HOK Heng, 21 July 2016, pp. 4-5; **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2015, pp. 5.

⁷⁰³ **D6.1.1046**, S-21 Confession of CHO Chhan *alias* Sreng, 34, deputy secretary of New North Zone, arrested on 17 February 1977, 3 April 1977, pp. 1-2; **D6.1.379**, Written Record of Witness Interview of KE Pich Vannak, revolutionary names: Vannak, Tha and Yuth, 4 June 2009, p. 5; **D219/855**, Written Record of Witness Interview of NHEM Chen, 27 October 2016, pp. 4-5; **D219/870**, Written Record of Witness Interview of Ry Nhor, 10 November 2016, p. 4; **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 4-6; **D3/14**, Written Record of Witness Interview of NAI Kimsan, 21 October 2010, p. 2; **D3/10**, Written Record of Witness Interview of NIV Sun, 19 October 2010, p. 3; **D6.1.373**, Written Record of Witness Interview of PON Ol, 7 May 2009, p. 3; **D6.1.413**, Written Record of Witness Interview of HOK Hoeun *alias* Hoeun, 23 November 2008, p. 3; **D6.1.1270**, S-21 Confession of CHO Chhan *alias* Sreng, 14 March 1977, pp. 1-3.

⁷⁰⁴ **D1.3.11.9**, Interview Notes of CHHEAN Heang, 1 August 2008, 3:00 p.m., p. 3.

⁷⁰⁵ **D6.1.722**, Written Record of Witness Interview of PRAK Yut *alias Yeay Yut* (4th interview), 19 November 2009, p. 5; **D3/10**, Written Record of Witness Interview of NIV Sun, 19 October 2010, p. 3; **D3/14**, Written Record of Witness Interview of NAI Kimsan, 21 October 2010, p. 2; **D3/15**, Written Record of Witness Interview of DUONG Sim, 21 October 2010, p. 2; **D36**, Written Record of Witness Interview of CHEA Maly, 14 July 2011, pp. 2-3; **D38**, Written Record of Witness Interview of SENG Khuy, 14 July 2011, p. 3; **D74**, Written Record of Witness Interview of ROTH Peou, 25 August 2011, p. 2; **D76**, Written Record of Witness Interview of SENG Srun, 25 August 2011, pp. 2-3; **D6.1.379**, Written Record of Witness Interview of KE Pich Vannak, revolutionary names: Vannak, Tha and Yuth (Son of KE Pauk), 4 June 2009, pp. 5-7 and 15; **D6.1.697**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 18 August 2009, p. 6; **D107/5**, Written Record of Witness Interview of ORN Kim Eng *alias* Theng, 18 February 2012, p. 6; **D219/321**, Written Record of Witness Interview of KHUT Khy, 13 May 2015, p. 5; **D219/377**, Written Record of Witness Interview of MORN Mot, 24 June 2015, p. 4; **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 4-6; **D219/620**, Written Record of Witness Interview of PAL Lay, 8 December 2015, p. 4; **D219/609**, Written Record of Witness Interview of SAMRITH An, 17 November 2015, pp. 10-12; **D193/61.1.1**, Written Record of Witness Interview of CHIN Pin *alias* CHIN Sreng, 29 May 2015, p. 3; **D219/606**, Written Record of Witness Interview of CHEA Khengthai, 13 November 2015, pp. 3 and 10; **D6.1.1046**, S-21 Confession of CHO Chhan *alias* Sreng, 34, deputy secretary of New North Zone, arrested on 17 February 1977, 3 April 1977, pp. 1-2; **D219/542**, Written Record of Witness Interview of NUT Kimmang, 6 October 2015, p. 3; **D219/544**, Written Record of Witness Interview of CHUN Heng, 9 October 2015, pp. 4-6 and 13-14; **D6.1.379**, Written Record of Witness Interview of KE Pich Vannak, revolutionary names: Vannak, Tha and Yuth, 4 June 2009, p. 7; **D219/855**, Written Record of Witness Interview of NHEM Chen, 27 October 2016, pp. 4-5; **D6.1.707**, Written Record of Witness Interview of SUON Kanil revolutionary name Neang, 19 August 2009, p. 8.

⁷⁰⁶ **D74**, Written Record of Witness Interview of ROTH Peou, 25 August 2011, pp. 2-3.

⁷⁰⁷ **D6.1.314**, S-21 Confession of CHUN Chhum *alias* Taing, secretary of Sector 41, North zone, 15 March 1977, pp. 1-3; **D6.1.1070**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 2 June 2008, p. 7; **D219/855**, Written Record of Witness Interview of NHEM Chen, 27 October 2016, pp. 4-5; **D219/870**, Written Record of Witness Interview of Ry Nhor, 10 November 2016, p. 4; **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 4-6 and 20-21; **D3/14**, Written Record of Witness Interview of NAI Kimsan, 21 October 2010, p. 2; **D6.1.373**, Written Record of Witness Interview of PON Ol, 7 May 2009, p. 3; **D1.3.11.9**, Interview Notes of CHHEAN Heang, 1 August 2008, 3:00 p.m., p. 3.

⁷⁰⁸ **D191.2**, DC-Cam interview with *Ta An*, 1 August 2011, by LONG Dany and Vanthan Peou Dara, p. 38; **D3/14**, Written Record of Witness Interview of NAI Kimsan, 21 October 2010, p. 2; **D36**, Written Record of Witness Interview of CHEA Maly, 14 July 2011, p. 3; **D38**, Written Record of Witness Interview of SENG Khuy, 14 July 2011, p. 3; **D6.1.379**, Written Record of Witness Interview of KE Pich Vannak, revolutionary names: Vannak, Tha and Yuth, 4 June 2009, pp. 7 and 15; **D74**, Written Record of Witness Interview of ROTH Peou, 25 August 2011, p. 2; **D107/5**, Written Record of Witness Interview of ORN Kim Eng *alias* Theng, 18 February 2012, p. 6; **D219/353**, Written Record of Witness Interview of SARAY Hean, 22 May 2015, p. 4; **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 4-6; **D219/606**, Written Record of Witness Interview of CHEA Khengthai, 13 November 2015, pp. 3 and 10; **D6.1.314**, S-21 confession of CHUN Chhum *alias* Taing, secretary of Sector 41 of the Central Zone, the North Zone, 24 February 1977, pp. 1-2; **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2015, pp. 12; **D219/855**, Written Record of Witness Interview of NHEM Chen, 27 October 2016, pp. 4-5; **D219/870**, Written Record of Witness Interview of Ry Nhor, 10 November 2016, p. 4; **D6.1.373**, Written Record of Witness Interview of PON Ol, 7 May 2009, p. 3; **D1.3.11.9**, Interview Notes of CHHEAN Heang, 1 August 2008, 3:00 p.m., p. 3.

⁷⁰⁹ **D117/31**, Written Record of Witness Interview of YOU Vann, 11 November 2013, p. 5; **D6.1.314**, S-21 confession of CHUN Chhum *alias* Taing, secretary of Sector 41, North zone, 15 March 1977, pp. 1-3.

⁷¹⁰ **D219/870**, Written Record of Witness Interview of RY Nha, 10 November 2016, pp. 3-4.

⁷¹¹ **D191.2**, DC-Cam interview with *Ta An*, 1 August 2011, by LONG Dany and Vanthan Peou Dara, p. 38; **D3/14**, Written Record of Witness Interview of NAI Kimsan, 21 October 2010, p. 2; **D36**, Written Record of Witness Interview of CHEA Maly, 14 July 2011, pp. 2-3; **D74**, Written Record of Witness Interview of ROTH Peou, 25 August 2011, p. 3; **D6.1.379**, Written Record of Witness Interview of KE Pich Vannak, revolutionary names: Vannak, Tha and Yuth, 4 June 2009, pp. 7 and 15; **D3/15**, Written Record of Witness Interview of DUONG Sim, 21 October 2010, p. 2; **D3/18**, Written Record of Witness Interview of ROTH Peou, 30 November 2010, p. 4; **D107/7**, Written Record of Witness Interview of NHIM Kol *alias* Say, 19 February 2012, p. 3; **D117/56**, Written Record of Witness Interview of CHOM Vong, 19 June 2014, p. 4; **D107/5**, Written Record of Witness Interview of ORN Kim Eng *alias* Theng, 18 February 2012, p. 6; **D117/31**, Written Record of Witness Interview of YOU Vann, 11 November 2013, p. 5; **D117/34**, Written Record of Witness Interview of PRAK Ny, 14 November 2013, p. 5; **D117/70**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (5th interview), 28 May 2013, pp. 4-5; **D219/284**, Written Record of Witness Interview of PEOU Sarom, 9 April 2015, p. 4; **D219/331**, Written Record of Witness Interview of PHAN Sophal, 27 May 2015, p. 5; **D219/353**, Written Record of Witness Interview of SARAY Hean, 22 May 2015, p. 4; **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 4-6; **D193/61.1.1**, Written Record of Witness Interview of CHIN Pin *alias* CHIN Sreng, 29 May 2015, p. 3; **D219/582**, Written Record of Witness Interview of TOY Meach, 2 September 2015, pp. 4-5; **D219/629**, Written Record of Witness Interview of CHIN Ket, 16 December 2015, p. 5; **D6.1.314**, S-21 Confession of CHUN Chhum *alias* Taing, secretary of Sector 41, the North Zone, 24 February 1977, pp. 1-3; **D219/355**, Written Record of Witness Interview of BAN Siek *alias* HANG Phos and HANG Sunhau, 29 May 2015, p. 6; **D219/541**, Written Record of Witness Interview of KIM Thoeum *alias* KIM Koeum, 5 October 2007, p. 4; **D219/759**, Written Record of Witness Interview of PHAI Sal, 10 May 2016, p. 4; **D219/752**, Written Record of Witness Interview of LOR Venghuor, 28 April 2016, p. 4; **D219/731**, Written Record of Witness Interview of NHEM Chen, 18 March 2016, pp. 3-4; **D219/800**, Written Record of Witness Interview of SO Saren, 19 July 2016, p. 8; **D219/802**, Written Record of Witness Interview of HOK Heng, 21 July 2016, p. 4; **D6.1.1070**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 2 June 2008, p. 7; **D219/485**, Written Record of Witness Interview of TEP Poch, 28 August 2015, p. 3; **D219/249**, Written Record of Witness Interview of SUON Kanil revolutionary name Neang, 28 March 2015, p. 3; **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2015, pp. 4 and 12; **D219/855**, Written Record of Witness

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⁷¹² **D219/321**, Written Record of Witness Interview of KHUT Khy, 13 May 2015, p. 5; **D219/377**, Written Record of Witness Interview of MORN Mot, 24 June 2015, p. 4; **D193/61.1.1**, Written Record of Witness Interview of CHIN Pin *alias* CHIN Sreng, 29 May 2015, p. 3; **D219/855**, Written Record of Witness Interview of NHEM Chen, 27 October 2016, pp. 4-5.

⁷¹³ **D1.3.11.9**, Interview Notes of CHHEAN Heang, 1 August 2008, 3:00 p.m., p. 3.

⁷¹⁴ **D191.2**, DC-Cam interview with *Ta An*, 1 August 2011, by LONG Dany and Vanthan Peou Dara, p. 38; **D3/14**, Written Record of Witness Interview of NAI Kimsan, 21 October 2010, p. 2; **D36**, Written Record of Witness Interview of CHEA Maly, 14 July 2011, pp. 2-3; **D74**, Written Record of Witness Interview of ROTH Peou, 25 August 2011, p. 3; **D6.1.379**, Written Record of Witness Interview of KE Pich Vannak, revolutionary names: Vannak, Tha and Yuth (Son of KE Pauk), 4 June 2009, pp. 7 and 15; **D3/15**, Written Record of Witness Interview of DUONG Sim, 21 October 2010, p. 2; **D3/18**, Written Record of Witness Interview of ROTH Peou, 30 November 2010, p. 4; **D107/7**, Written Record of Witness Interview of NHIM Kol *alias* Say, 19 February 2012, p. 3; **D117/56**, Written Record of Witness Interview of CHOM Vong, 19 June 2014, p. 4; **D107/5**, Written Record of Witness Interview of ORN Kim Eng *alias* Theng, 18 February 2012, p. 6; **D117/31**, Written Record of Witness Interview of YOU Vann, 11 November 2013, p. 5; **D117/34**, Written Record of Witness Interview of PRAK Ny, 14 November 2013, p. 5; **D117/70**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (5th interview), 28 May 2013, pp. 4-5; **D219/284**, Written Record of Witness Interview of PEOU Sarom, 9 April 2015, p. 4; **D193/61.1.1**, Written Record of Witness Interview of CHIN Pin *alias* CHIN Sreng, 29 May 2015, p. 3; **D219/331**, Written Record of Witness Interview of PHAN Sophal, 27 May 2015, p. 5; **D6.1.314**, S-21 Confession of CHUN Chhum *alias* Taing, secretary of Sector 41, North zone, pp. 1-3; **D219/353**, Written Record of Witness Interview of SARAY Hean, 22 May 2015, p. 4; **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 4-6; **D219/582**, Written Record of Witness Interview of TOY Meach, 2 September 2015, pp. 4-5; **D219/629**, Written Record of Witness Interview of CHIN Ket, 16 December 2015, p. 5; **D219/355**, Written Record of Witness Interview of BAN Siek *alias* HANG Phos and HANG Sunhau, 29 May 2015, p. 6; **D219/541**, Written Record of Witness Interview of KIM Thoeurn *alias* KIM Koeurn, 5 October 2007, p. 4; **D219/759**, Written Record of Witness Interview of PHAI Sal, 10 May 2016, p. 4; **D219/752**, Written Record of Witness Interview of LOR Venghuor, 28 April 2016, p. 4; **D219/731**, Written Record of Witness Interview of NHEM Chen, 18 March 2016, pp. 3-4; **D219/800**, Written Record of Witness Interview of SO Saren, 19 July 2016, p. 8; **D219/802**, Written Record of Witness Interview of HOK Heng, 21 July 2016, p. 4; **D6.1.1070**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 2 June 2008, p. 7; **D219/485**, Written Record of Witness Interview of TEP Poch, 28 August 2015, p. 3; **D219/249**, Written Record of Witness Interview of SUON Kanil revolutionary name Neang, 28 March 2015, p. 3; **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2015, pp. 4 and 12; **D219/855**, Written Record of Witness Interview of NHEM Chen, 27 October 2016, pp. 4-5; **D219/870**, Written Record of Witness Interview of Ry Nhor, 10 November 2016, p. 4; **D6.1.707**, Written Record of Witness Interview of SUON Kanil revolutionary name Neang, 19 August 2009, p. 4; **D78**, Written Record of Witness Interview of CHIN Sinal, 26 August 2011, p. 2.

⁷¹⁵ **D6.1.730**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (first interview), 21 July 2009, p. 6; **D117/27**, Written Record of Witness Interview of DEU Raun *alias* Phea, 26 September 2013, pp. 3-4; **D74**, Written Record of Witness Interview of ROTH Peou, 25 August 2011, p. 2; **D36**, Written Record of Witness Interview of CHEA Maly, 14 July 2011, p. 3; **D219/26**, Written Record of Witness Interview of PRAK Ny, 13 October 2014, p. 4; **D117/32**, Written Record of Witness Interview of NHEM Kol, 12 November 2013, pp. 3-4; **D219/232**, Written Record of Witness Interview of VAN Chhunseng, 19 March 2015, pp. 2-3; **D219/284**, Written Record of Witness Interview of PEOU Sarom, 9 April 2015, p. 6; **D6.1.690**, Written Record of Witness Interview of PECH Chim, 6 December 2009, p. 4; **D219/405**, Written Record of Witness Interview of CHHIM Bunserey, 29 June 2015, p. 5; **D219/731**, Written Record of Witness Interview of NHEM Chen, 18 March 2016, p. 4; **D219/171**, Written Record of Interview of Civil Party Applicant NHIM Kol, 11 February 2015, p. 3; **D6.1.690**, Written Record of Witness Interview of PECH Chim, 6 December 2009, p. 4.

⁷¹⁶ **D117/26**, Written Record of Witness Interview of PUT Kol, 25 September 2013, p. 4; **D191.2**, DC-Cam interview with *Ta An*, 1 August 2011, by LONG Dany and Vanthan Peou Dara, pp. 38 and 41; **D3/13**, Written Record of Witness Interview of KUNG Ting, 20 October 2010, p. 3; **D3/18**, Written Record of Witness Interview of ROTH Peou, 30 November 2010, p. 4; **D29**, Written Record of Witness Interview of SUON Kanil revolutionary name Neang, 10 June 2011, p. 2; **D36**, Written Record of Witness Interview of CHEA Maly, 14 July 2011, pp. 2-3; **D74**, Written Record of Witness Interview of ROTH Peou, 25 August 2011, p. 3; **D76**, Written Record of Witness Interview of SENG Srun, 25 August 2011, p. 3; **D78**, Written Record of Witness Interview of CHIN Sinal, 26 August 2011, p. 2; **D80**, Written Record of Witness Interview of KLOUK Lim, 26 August 2011, p. 3; **D6.1.379**, Written Record of Witness Interview of KE Pich Vannak, revolutionary names: Vannak, Tha and Yuth, 4 June 2009, pp. 7, 14-15 and 17; **D117/24**, Written Record of Witness Interview of PEOU Sarom, 7 August 2013, pp. 3 and 6; **D6.1.697**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 18 August 2009, p. 6; **D3/5**, Written Record of Witness Interview of BAO Troab, 18 August 2010, p. 5; **D107/5**, Written Record of Witness Interview of ORN Kim Eng *alias* Theng, 18 February 2012, p. 6; **D117/35**, Written Record of Witness Interview of BAN Siek *alias* HANG Phos and HANG Sunhau, 24 March 2014, p. 5; **D117/34**, Written Record of Witness Interview of PRAK Ny, 14 November 2013, p. 5; **D219/178**, Written Record of Witness Interview of KUCH Ra, 5 February 2015, p. 4; **D219/284**, Written Record of Witness Interview of PEOU Sarom, 9 April 2015, p. 4; **D219/331**, Written Record of Witness Interview of PHAN Sophal, 27 May 2015, p. 5; **D219/353**, Written Record of Witness Interview of SARAY Hean, 22 May 2015, p. 4; **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 4-6; **D193/61.1.1**, Written Record of Witness Interview of CHIN Pin *alias* CHIN Sreng, 29 May 2015, p. 4; **D6.1.192**, Written Record of Witness Interview of SENG Srun, 11 August 2008, p. 4; **D219/629**, Written Record of Witness Interview of CHIN Ket, 16 December 2015, p. 5; **D219/687**, Written Record of Witness Interview of MAO Saroeun, 15 February 2016, pp. 4-5; **D219/405**, Written Record of Witness Interview of CHHIM Bunserey, 29 June 2015, p. 9; **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2015, p. 4.

⁷¹⁷ **D191.2**, DC-Cam interview with *Ta An*, 1 August 2011, by LONG Dany and Vanthan Peou Dara, p. 41; **D6.1.730**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (first interview), 21 July 2009, p. 6; **D36**, Written Record of Witness Interview of CHEA Maly, 14 July 2011, pp. 2-3; **D76**, Written Record of Witness Interview of SENG Srun, 25 August 2011, p. 3; **D78**, Written Record of Witness Interview of CHIN Sinal, 26 August 2011, p. 2; **D6.1.379**, Written Record of Witness Interview of KE Pich Vannak, revolutionary names: Vannak, Tha and Yuth, 4 June 2009, p. 15; **D117/34**, Written Record of Witness Interview of PRAK Ny, 14 November 2013, p. 5; **D117/70**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (5th interview), 28 May 2013, pp. 4-5 (A23); **D219/138**, Written Record of Witness Interview of YOU Vann, 8 January 2015, p. 10; **D219/178**, Written Record of Witness Interview of KUCH Ra, 5 February 2015, p. 4; **D219/353**, Written Record of Witness Interview of SARAY Hean, 22 May 2015, p. 4; **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 4-6; **D219/800**, Written Record of Witness Interview of SO Saren, 19 July 2016, p. 8; **D6.1.707**, Written Record of Witness Interview of SUON Kanil revolutionary name Neang, 19 August 2009, p. 5; **D117/50**, Written Record of Witness Interview of IM Pon, 23 May 2014, p. 4.

⁷¹⁸ **D191.2**, DC-Cam interview with *Ta An*, 1 August 2011, by LONG Dany and Vanthan Peou Dara, p. 41; **D6.1.730**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (first interview), 21 July 2009, p. 6; **D117/70**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (5th interview), 28 May 2013, p. 5 (Answer 23); **D117/56**, Written Record of Witness Interview of CHOM Vong, 19 June 2014, p. 6; **D117/72**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (7th interview), 21 June 2013, p. 2; **D117/50**, Written Record of Witness Interview of IM Pon, 23 May 2014, p. 4.

⁷¹⁹ **D191.2**, DC-Cam interview with *Ta An*, 1 August 2011, by LONG Dany and Vanthan Peou Dara, p. 41; **D6.1.730**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (first interview), 21 July 2009, p. 6; **D117/71**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (6th interview), 19 June 2013, p. 6 (A26).

⁷²⁰ **D191.2**, DC-Cam interview with *Ta An*, 1 August 2011, by LONG Dany and Vanthan Peou Dara, p. 41; **D6.1.730**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (first interview), 21 July 2009, p. 6.

⁷²¹ **D117/70**, Written Record of Witness Interview of PRAK Yut *alias Yeay Yut* (5th interview), 28 May 2013, p. 5 (Answer 23); **D117/71**, Written Record of Witness Interview of PRAK Yut *alias Yeay Yut* (6th interview), 19 June 2013, p. 6 (A29).

⁷²² **D6.1.730**, Written Record of Witness Interview of PRAK Yut *alias Yeay Yut* (first interview), 21 July 2009, p. 6; **D107/6**, Written Record of Witness Interview of CHHENG Yeun, 18 February 2012, p. 3; **D219/138**, Written Record of Witness Interview of YOU Vann, 8 January 2015, pp. 20-21; **D6.1.707**, Written Record of Witness Interview of SUON Kanil revolutionary name Neang, 19 August 2009, p. 5; **D117/50**, Written Record of Witness Interview of IM Pon, 23 May 2014, p. 4.

⁷²³ **D6.1.730**, Written Record of Witness Interview of PRAK Yut *alias Yeay Yut* (first interview), 21 July 2009, p. 6; **D191.2**, DC-Cam interview with *Ta An*, 1 August 2011, by LONG Dany and Vanthan Peou Dara, p. 41; **D117/56**, Written Record of Witness Interview of CHOM Vong, 19 June 2014, p. 6; **D219/353**, Written Record of Witness Interview of SARAY Hean, 22 May 2015, p. 4; **D117/70**, Written Record of Witness Interview of PRAK Yut *alias Yeay Yut* (5th interview), 28 May 2013, pp. 5-6.

⁷²⁴ **D6.1.730**, Written Record of Witness Interview of PRAK Yut *alias Yeay Yut* (first interview), 21 July 2009, p. 6; **D107/6**, Written Record of Witness Interview of CHHENG Yeun, 18 February 2012, p. 3; **D107/7**, Written Record of Witness Interview of NHIM Kol *alias Say*, 19 February 2012, p. 2; **D117/71**, Written Record of Witness Interview of PRAK Yut *alias Yeay* (6th interview), 19 June 2013, p. 6 (A28).

⁷²⁵ **D219/802**, Written Record of Witness Interview of HOK Heng, 21 July 2016, p. 6.

⁷²⁶ **D191.2**, DC-Cam interview with *Ta An*, 1 August 2011, by LONG Dany and Vanthan Peou Dara, p. 5.

⁷²⁷ **D191.2**, DC-Cam interview with *Ta An*, 1 August 2011, by LONG Dany and Vanthan Peou Dara, p. 40; **D117/70**, Written Record of Witness Interview of PRAK Yut *alias Yeay Yut* (5th interview), 28 May 2013, p. 5.

⁷²⁸ **D191.2**, DC-Cam interview with *Ta An*, 1 August 2011, by LONG Dany and Vanthan Peou Dara, p. 40.

⁷²⁹ **D191.2**, DC-Cam interview with *Ta An*, 1 August 2011, by LONG Dany and Vanthan Peou Dara, p. 40.

⁷³⁰ **D1.3.11.9**, Interview Notes of CHHEAN Heang, 1 August 2008, 3:00 p.m., p. 3; **D117/71**, Written Record of Witness Interview of PRAK Yut *alias Yeay Yut* (6th interview), 19 June 2013, p. 7 (A34); **D117/72**, Written Record of Witness Interview of PRAK Yut *alias Yeay Yut* (7th interview), 21 June 2013, pp. 2-3.

⁷³¹ **D6.1.730**, Written Record of Witness Interview of PRAK Yut *alias Yeay Yut* (first interview), 21 July 2009, pp. 5 and 7; **D117/24**, Written Record of Witness Interview of PEOU Sarom, 7 August 2013, p. 6; **D29**, Written Record of Witness Interview of SUON Kanil revolutionary name Neang, 10 June 2011, p. 3; **D117/70**, Written Record of Witness Interview of PRAK Yut *alias Yeay Yut* (5th interview), 28 May 2013, pp. 3 and 6; **D219/731**, Written Record of Witness Interview of NHEM Chen, 18 March 2016, p. 12-13; **D219/802**, Written Record of Witness Interview of HOK Heng, 21 July 2016, p. 8; **D219/855**, Written Record of Witness Interview of NHEM Chen, 27 October 2016, pp. 2-3; **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 24-25.

⁷³² **D78**, Written Record of Witness Interview of CHIN Sinal, 26 August 2011, p. 3; **D117/24**, Written Record of Witness Interview of PEOU Sarom, 7 August 2013, p. 6; **D107/7**, Written Record of Witness Interview of NHIM Kol *alias Say*, 19 February 2012, p. 3; **D29**, Written Record of Witness Interview of SUON Kanil revolutionary name Neang, 10 June 2011, p. 3; **D117/70**, Written Record of Witness Interview of PRAK Yut *alias Yeay Yut* (5th interview), 28 May 2013, pp. 5-6; **D219/802**, Written Record of Witness Interview of HOK Heng, 21 July 2016, p. 8.

⁷³³ **D117/70**, Written Record of Witness Interview of PRAK Yut *alias Yeay Yut* (5th interview), 28 May 2013, pp. 5-6; **D219/731**, Written Record of Witness Interview of NHEM Chen, 18 March 2016, p. 7; **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 25-26; **D117/50**, Written Record of Witness Interview of IM Pon, 23 May 2014, p. 7.

⁷³⁴ **D219/331**, Written Record of Witness Interview of PHAN Sophal, 27 May 2015, p. 5; **D219/800**, Written Record of Witness Interview of SO Saren, 19 July 2016, p. 9; **D78**, Written Record of Witness

- Interview of CHIN Sinal, 26 August 2011, p. 2; **D117/50**, Written Record of Witness Interview of IM Pon, 23 May 2014, p. 7.
- ⁷³⁵ **D117/34**, Written Record of Witness Interview of PRAK Ny, 14 November 2013, pp. 4-5.
- ⁷³⁶ **D117/50**, Written Record of Witness Interview of IM Pon, 23 May 2014, p. 8.
- ⁷³⁷ **D219/179**, Written Record of Witness Interview of CHAN Sang, 6 February 2015, p. 4.
- ⁷³⁸ **D219/731**, Written Record of Witness Interview of NHEM Chen, 18 March 2016, pp. 8-10; **D219/732**, Written Record of Witness Interview of NGEM Chen, 17 March 2016, pp. 7-8.
- ⁷³⁹ **D219/731**, Written Record of Witness Interview of NHEM Chen, 18 March 2016, pp. 10-11.
- ⁷⁴⁰ **D219/731**, Written Record of Witness Interview of NHEM Chen, 18 March 2016, pp. 11-12; **D219/800**, Written Record of Witness Interview of SO Saren, 19 July 2016, p. 9; **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2015, p. 4.
- ⁷⁴¹ **D219/800**, Written Record of Witness Interview of SO Saren, 19 July 2016, p. 9.
- ⁷⁴² **D219/800**, Written Record of Witness Interview of SO Saren, 19 July 2016, p. 9.
- ⁷⁴³ **D107/19.1**, Written Record of Witness Interview of VORNG Sokun *alias* Akun, 17 February 2012, p. 5.
- ⁷⁴⁴ **D76**, Written Record of Witness Interview of SENG Srun, 25 August 2011, pp. 3-4; **D6.1.700**, Written Record of Witness Interview of SENG Srun, 9 December 2009, p. 3.
- ⁷⁴⁵ **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2015, p. 4.
- ⁷⁴⁶ **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 7-8.
- ⁷⁴⁷ **D117/32**, Written Record of Witness Interview of NHEM Kol, 12 November 2013, pp. 4-5.
- ⁷⁴⁸ **D117/70**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (5th interview), 28 May 2013, pp. 5-6; **D219/731**, Written Record of Witness Interview of NHEM Chen, 18 March 2016, p. 7; **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 25-26.
- ⁷⁴⁹ **D219/321**, Written Record of Witness Interview of KHUT Khy, 13 May 2015, p. 7.
- ⁷⁵⁰ **D74**, Written Record of Witness Interview of ROTH Peou, 25 August 2011, p. 3.
- ⁷⁵¹ **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 30-31.
- ⁷⁵² **D219/405**, Written Record of Witness Interview of CHHIM Bunserey, 29 June 2015, p. 8.
- ⁷⁵³ **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 6-7; **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2015, p. 4.
- ⁷⁵⁴ **D219/731**, Written Record of Witness Interview of NHEM Chen, 18 March 2016, pp. 12-13; **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 7-8.
- ⁷⁵⁵ **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2016, pp. 3-5.
- ⁷⁵⁶ **D219/511.1.1**, Written Record of Witness Interview of CHHOUK Rin *alias* Sokh, 4 March 2011, p. 3; **D219/355**, Written Record of Witness Interview of BAN Siek *alias* HANG Phos and HANG Sunhau, 29 May 2015, p. 6; **D219/762**, Written Record of Witness Interview of SARAY Hean, 19 May 2016, p. 4; **D74**, Written Record of Witness Interview of ROTH Peou, 25 August 2011, p. 3.
- ⁷⁵⁷ **D29**, Written Record of Witness Interview of SUON Kanil revolutionary name Neang, 10 June 2011, p. 3; **D219/178**, Written Record of Witness Interview of KUCH Ra, 5 February 2015, p. 4.
- ⁷⁵⁸ **D29**, Written Record of Witness Interview of SUON Kanil revolutionary name Neang, 10 June 2011, p. 3.
- ⁷⁵⁹ **D219/802**, Written Record of Witness Interview of HOK Heng, 21 July 2016, p. 5.
- ⁷⁶⁰ **D117/31**, Written Record of Witness Interview of YOU Vann, 11 November 2013, p. 7.
- ⁷⁶¹ **D107/7**, Written Record of Witness Interview of NHIM Kol *alias* Say, 19 February 2012, p. 3; **D219/802**, Written Record of Witness Interview of HOK Heng, 21 July 2016, p. 5.
- ⁷⁶² **D219/800**, Written Record of Witness Interview of SO Saren, 19 July 2016, pp. 13-14; **D117/31**, Written Record of Witness Interview of YOU Vann, 11 November 2013, p. 7; **D219/800**, Written Record of Witness Interview of SO Saren, 19 July 2016, p. 9.

- ⁷⁶³ **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2015, p. 5.
- ⁷⁶⁴ **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2015, p. 5.
- ⁷⁶⁵ **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2015, p. 5.
- ⁷⁶⁶ **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2015, p. 5.
- ⁷⁶⁷ **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2015, p. 5.
- ⁷⁶⁸ **D117/31**, Written Record of Witness Interview of YOU Vann, 11 November 2013, p. 7; **D219/800**, Written Record of Witness Interview of SO Saren, 19 July 2016, p. 9.
- ⁷⁶⁹ **D219/138**, Written Record of Witness Interview of YOU Vann, 8 January 2015, pp. 15-16.
- ⁷⁷⁰ **D117/73**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (8th interview), 27 October 2013, pp. 2-3.
- ⁷⁷¹ **D117/26**, Written Record of Witness Interview of PUT Kol, 25 September 2013, p. 5; **D107/6**, Written Record of Witness Interview of CHHENG Yeun, 18 February 2012, p. 3; **D107/7**, Written Record of Witness Interview of NHIM Kol *alias* Say, 19 February 2012, p. 2; **D6.1.722**, **Written Record of Witness Interview of** PRAK Yut *alias* Yeay Yut (4th interview), 19 November 2009, p. 5.
- ⁷⁷² **D117/31**, Written Record of Witness Interview of YOU Vann, 11 November 2013, p. 7; **D29**, Written Record of Witness Interview of SUON Kanil revolutionary name Neang, 10 June 2011, p. 3; **D117/70**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (5th h interview), 28 May 2013, pp. 5-6; **D219/731**, Written Record of Witness Interview of NHEM Chen, 18 March 2016, pp. 12-13; **D219/802**, Written Record of Witness Interview of HOK Heng, 21 July 2016, p. 8.
- ⁷⁷³ **D6.1.400**, Written Record of Witness Interview of SAMRIT Muy, 20 October 2008, p. 3.
- ⁷⁷⁴ **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2015, pp. 6-8.
- ⁷⁷⁵ **D219/800**, Written Record of Witness Interview of SO Saren, 19 July 2016, pp. 26-27.
- ⁷⁷⁶ **D219/537**, Written Record of Witness Interview of SÈM Hoeurn, 8 October 2015, pp. 8-9.
- ⁷⁷⁷ **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2015, pp. 13-14.
- ⁷⁷⁸ **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2015, pp. 13-14.
- ⁷⁷⁹ **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 7-8.
- ⁷⁸⁰ **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 22-23.
- ⁷⁸¹ **D6.1.700**, Written Record of Witness Interview of SENG Srun, 9 December 2009, p. 3.
- ⁷⁸² **D117/72**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (7th interview), 21 June 2013, pp. 2-3.
- ⁷⁸³ **D117/73**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (8th interview), 27 October 2013, pp. 4-5; **D219/800**, Written Record of Witness Interview of SO Saren, 19 July 2016, p. 13.
- ⁷⁸⁴ **D117/70**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (5th interview), 28 May 2013, pp. 6-7.
- ⁷⁸⁵ **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2015, pp. 5 and 8.
- ⁷⁸⁶ **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2015, p. 4.
- ⁷⁸⁷ **D219/732**, Written Record of Witness Interview of NHEM Chen, 17 March 2016, pp. 5 and 7.
- ⁷⁸⁸ **D219/855**, Written Record of Witness Interview of NHEM Chen, 27 October 2016, p. 4.
- ⁷⁸⁹ **D219/855**, Written Record of Witness Interview of NHEM Chen, 27 October 2016, pp. 2-3.
- ⁷⁹⁰ **D117/26**, Written Record of Witness Interview of PUT Kol, 25 September 2013, p. 7.
- ⁷⁹¹ **D6.1.351**, Written Record of Witness Interview of BAN Siek *alias* HÀNG Phos and HÀNG Sunhau, 17 February 2009, p. 3; **D117/35**, Written Record of Witness Interview of BAN Siek *alias* HÀNG Phos and HÀNG Sunhau, 24 March 2014, p. 9; **D219/355**, Written Record of Witness Interview of BAN Siek *alias* HÀNG Phos and HÀNG Sunhau, 26 May 2015, p. 3; **D219/355**, Written Record of Witness Interview of BAN Siek *alias* HÀNG Phos and HÀNG Sunhau, 29 [26] May 2015,

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⁷⁹² **D6.1.697**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 18 August 2009, p. 6; **D117/35**, Written Record of Witness Interview of BAN Siek *alias* HANG Phos and HANG Sunhau, 24 March 2014, pp. 5-6; **D219/355**, Written Record of Witness Interview of BAN Siek *alias* HANG Phos and HANG Sunhau, 29 May 2015, p. 3; **D6.1.384**, Written Record of Witness Interview of TEP Poch, 4 July 2009, p. 9; **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2015, p. 4; **D107/15**, Written Record of Witness Interview of BAN Siek *alias* HANG Phos and HANG Sunhau, 1 April 2012, p. 3.

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⁸⁰² **D6.1.438**, Written Record of Witness Interview of OV Yae *alias* Yăn, 13 January 2009, p. 5; **D6.1.396**, Written Record of Witness Interview of VANN Thêng, 8 October 2008, p. 4; **D117/50**, Written Record of Witness Interview of IM Pon, 23 May 2014, p. 13; **D6.1.410**, Written Record of Witness interview of MEAS Laihuo, 20 November 2008, pp. 4-5.

⁸⁰³ **D6.1.379**, Written Record of Witness Interview of KE Pich Vannak, revolutionary names: Vannak, Tha and Yuth, 4 June 2009, p. 7; **D219/354**, Written Record of Witness Interview of MAN Sin, 25 May 2015, p. 4; **D107/13**, Written Record of Witness Interview of LONG Sokhai, 15 March 2012, p. 3; **D1.3.27.5**, Interviews with Kampuchean Refugees at Thai-Cambodia Border, prepared for Ishiyama Committee, Annual Report 1980, February-March 1980, pp. 39-40; **D1.3.24.1**, S-21 Confession of Tol, Sector 42, Kampong Cham Leu, p. 1; **D219/833.1.8**, S-21 confession of CHAN Mon *alias* Tol, secretary of Sector 42, North zone, arrested on 18 February 1977, p. 1; **D6.1.637**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 22 October 2009, p. 6; **D6.1.437**, Written Record of Witness Interview of KE Un *alias* Aok, 13 January 2009, pp. 6-7; **D6.1.1003**, S-21 confession of CHAN Mon *alias* Tol, secretary of Sector 42, North zone, transcript from audio tape of confession of CHAN Mon *alias* Tol, secretary of Sector 42, North zone, 11 June 1977, pp. 1-2 and 39.

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⁸⁰⁵ **D6.1.351**, Written Record of Witness Interview of BAN Siek *alias* HÀNG Phos and HÀNG Sunhau, 17 February 2009, p. 3; **D6.1.386**, Written Record of Witness Interview of BAN Siek *alias*/revolutionary name HÀNG Phos and birth name HÀNG Sunhau, 6 July 2009, p. 2; **D191.2**, DC-Cam interview with *Ta An*, 1 August 2011, by LONG Dany and Vanthan Peou Dara, p. 46; **D6.1.697**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 18 August 2009, p. 6; **D107/5**, Written Record of Witness Interview of ORN Kim Eng *alias* Theng, 18 February 2012, p. 6; **D219/353**, Written Record of Witness Interview of SARAY Hean, 22 May 2015, p. 4; **D219/355**, Written Record of Witness Interview of BAN Siek *alias* HÀNG Phos and HÀNG Sunhau, 29 May 2015, p. 3; **D219/354**, Written Record of Witness Interview of MAN Sin, 25 May 2015, p. 5; **D219/800**, Written Record of Witness Interview of SO Saren, 19 July 2016, p. 9; **D6.1.384**, Written Record of Witness Interview of TEP Poch, 4 July 2009, p. 4; **D219/249**, Written Record of Witness Interview of SUON Kanil revolutionary name Neang, 28 March 2015, p. 3; **D6.1.385**, Written Record of Witness Interview of SOU Soeun *alias* Soeun, 5 July 2009, p. 5; **D6.1.410**, Written Record of Witness interview of MEAS Laihuo, 20 November 2008, pp. 4-5.

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⁸⁰⁹ **D6.1.351**, Written Record of Witness Interview of BAN Siek *alias* HÀNG Phos and HÀNG Sunhau, 17 February 2009, p. 3.

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⁸¹³ **D117/35**, Written Record of Witness Interview of BAN Siek *alias* HÀNG Phos and HÀNG Sunhau, 24 March 2014, p. 8; **D219/355**, Written Record of Witness Interview of BAN Siek *alias* HÀNG Phos and HÀNG Sunhau, 29 May 2015, p. 3; **D219/353**, Written Record of Witness Interview of SARAY Hean, 22 May 2015, p. 4.

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⁸³³ **D31**, Written Record of Witness Interview of BUN Loengchaury, 1 July 2011, p. 4.

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⁸³⁹ **D6.1.650**, Written Record of Witness Interview of PECH Chim, 25 August 2009, p. 5.

⁸⁴⁰ **D6.1.650**, Written Record of Witness Interview of PECH Chim, 25 August 2009, p. 5.

⁸⁴¹ **D72/1.1.2**, VOA Interview, Interviewee *Ta An*, 10 August 2011; **D111/3.1**, *Ta An*’s letter [wishing to exercise his right] not to respond to any questions by judges, p. 1; **D1.3.11.29**, Interview of Lonh Dos, by SOAS/HRW, 17 October 2005; **D117/23**, Written Record of Witness Interview of Lonh Dos, 29 May 2013, pp. 2-4; **D6.1.697**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 18 August 2009, p. 6; **D219/855**, Written Record of Witness Interview of NHEM Chen, 27 October 2016, pp. 2-3; **D117/71**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (the 6th interview), 19 June 2013, pp. 6-7; **D219/511.1.1**, Written Record of Witness Interview of CHHOUK Rin *alias* Sokh, 4 [24] March 2011, pp. 4-5; **D219/511.1.2**, Written Record of Witness Interview of CHHOUK Rin *alias* Sokh, 16 June 2015, pp. 3-4; **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 6-7; **D117/18**, Written Record of Witness Interview of PICH Cheum, 28 February 2013, pp. 2-3; **D117/71**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (the 6th interview), 19 June 2013, pp. 6-7; **D117/73**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (the 8th interview), 27 October 2013, pp. 2-3 (A4); **D117/50**, Written Record of Witness Interview of IM Pon, 23 May 2014, pp. 13-14; **D1.3.16.1**, Ke Pauk’s Autobiography, former Secretary of the Central Zone, from 1957 to present, p. 7 (ERN 00089714).

⁸⁴² **D72/1.1.2**, VOA Interview, Interviewee *Ta An*, 10 August 2011; **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, pp. 1 and 23-24; **D111/3.1**, *Ta An*’s letter [wishing to exercise his right] not to respond to any questions by judges, 31 March 2012, p. 1.

⁸⁴³ **D191.2**, An Interview with **AO An** [AOM An], Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, pp. 23-24; **D111/3.1**, **Ta An**'s letter [wishing to exercise his right] not to respond to any questions by judges, 31 March 2012, p. 1.

⁸⁴⁴ **D242**, Written Record of Initial Appearance of **AO An** before the International Co-Investigating Judge Mark B. Harmon, 27 March 2015, p. 5.

⁸⁴⁵ **D191.2**, An Interview with **AO An** [AOM An], Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, p. 2.

⁸⁴⁶ **D242**, Written Record of Initial Appearance of AO An before the International Co-Investigating Judge Mark B. Harmon, 27 March 2015, pp. 3, 5 and 11; **D245**, Motion to Reconsider AO An's First, Second, Third, and Fourth Investigative Requests As Amended, pp. 1-2; **D187/1**, AO An's Amended First Request for Investigative Action, 7 May 2015, p. 2; **D219/672**, Written Record of Witness Interview of KAING Guek-Eav *alias* Duch, 1 February 2016, pp. 2-3; **D219/877**, Written Record of Witness Interview of AUM Yat, 1 December 2016, p. 3; **D219/869**, Written Record of Witness Interview of SEK Sam At *alias* Rim or *Yeay* Rim, 10 November 2016, pp. 2-3.

⁸⁴⁷ **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, p. 2.

⁸⁴⁸ **D242**, Written Record of Initial Appearance of AO An before the International Co-Investigating Judge Mark B. Harmon, 27 March 2015.

⁸⁴⁹ **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, pp. 1-2; **D29**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 10 June 2011, p. 3.

⁸⁵⁰ **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, p. 1; **D1.3.11.29**, Interview of LONH Dos, by SOAS/HRW, 17 October 2005; **D117/23**, Written Record of Witness Interview of Lonh Dos, 29 May 2013, p. 3; **D242**, Written Record of Initial Appearance of AO An before the International Co-Investigating Judge Mark B. Harmon, 27 March 2015, p. 5.

⁸⁵¹ **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, p. 1; **D1.3.11.29**, Interview of LONH Dos, by SOAS/HRW, 17 October 2005; **D117/23**, Written Record of Witness Interview of Lonh Dos, 29 May 2013, p. 3; **D242**, Written Record of Initial Appearance of AO An before the International Co-Investigating Judge Mark B. Harmon, 27 March 2015, p. 5.

⁸⁵² **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, pp. 1-2; **D72/1.1.2**, VOA Interview, Interviewee **Ta An**, 10 August 2011; **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, p. 13; **D1.3.11.29**, Interview of LONH Dos, by SOAS/HRW, 17 October 2005; **D29**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 10 June 2011, pp. 3-4.

⁸⁵³ **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, p. 1.

⁸⁵⁴ **D242**, Written Record of Initial Appearance of **AO An** before the International Co-Investigating Judge Mark B. Harmon, 27 March 2015, p. 5; **D72/1.1.2**, VOA Interview, Interviewee **Ta An**, 10 August 2011; **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, pp. 1 and 3-4.

⁸⁵⁵ **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, p. 3; **D242**, Written Record of Initial Appearance of AO An before the International Co-Investigating Judge Mark B. Harmon, 27 March 2015, p. 3.

⁸⁵⁶ **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, pp. 2-3 and 4-5; **D242**, Written Record of Initial Appearance of AO An before the International Co-Investigating Judge Mark B. Harmon, 27 March 2015, p. 5.

⁸⁵⁷ **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, p. 3; **D242**, Written Record of Initial

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⁸⁵⁸ **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, p. 3; **D242**, Written Record of Initial Appearance of AO An before the International Co-Investigating Judge Mark B. Harmon, 27 March 2015, p. 5.

⁸⁵⁹ **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, pp. 4-5.

⁸⁶⁰ **D72/1.1.2**, VOA Interview, Interviewee *Ta An*, 10 August 2011; **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, pp. 5-6; **D1.3.11.29**, Interview of LONH Dos, by SOAS/HRW, 17 October 2005.

⁸⁶¹ **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, pp. 5-6.

⁸⁶² **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, pp. 5-6.

⁸⁶³ **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, pp. 2 and 4-6.

⁸⁶⁴ **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, pp. 4-5.

⁸⁶⁵ **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, pp. 2 and 5-6.

⁸⁶⁶ **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, pp. 7-8.

⁸⁶⁷ **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, p. 3.

⁸⁶⁸ **D242**, Written Record of Initial Appearance of AO An before the International Co-Investigating Judge Mark B. Harmon, 27 March 2015, p. 5; **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 30-31.

⁸⁶⁹ **D242**, Written Record of Initial Appearance of AO An before the International Co-Investigating Judge Mark B. Harmon, 27 March 2015, p. 5.

⁸⁷⁰ **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, pp. 4-5 and 20; **D3/10**, Written Record of Witness Interview of NIV Sun, 19 October 2010, pp. 3-5; **D3/18**, Written Record of Witness Interview of ROAT Peou, 30 November 2010, pp. 4-5; **D242**, Written Record of Initial Appearance of AO An before the International Co-Investigating Judge Mark B. Harmon, 27 March 2015, p. 5; **D219/731**, Written Record of Witness Interview of NHEM Chen, 18 March 2016, pp. 4-5; **D74**, Written Record of Witness Interview of ROTH Peou, 25 August 2011, p. 3; **D117/71**, Written Record of Witness Interview of PRAK Yut *alias Yeay Yut* (the 6th interview), 19 June 2013, p. 6 (A31); **D117/50**, Written Record of Witness Interview of IM Pon, 23 May 2014, pp. 7-8. **D117/24**, Written Record of Witness Interview of PEOU Sarom, 7 August 2013, pp. 4-5.

⁸⁷¹ **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, p. 4.

⁸⁷² **D117/71**, Written Record of Witness Interview of PRAK Yut *alias Yeay Yut* (the 6th interview), 19 June 2013, p. 6 (A31).

⁸⁷³ **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, pp. 4-5 and 20; **D74**, Written Record of Witness Interview of ROTH Peou, 25 August 2011, p. 3; **D242**, Written Record of Initial Appearance of AO An before the International Co-Investigating Judge Mark B. Harmon, 27 March 2015, p. 5; **D219/731**, Written Record of Witness Interview of NHEM Chen, 18 March 2016, pp. 4-5; **D219/802**, Written Record of Witness Interview of HONG Heng, 21 July 2016, pp. 9-10; **D6.1.373**, Written Record of Witness Interview of POL Ol, 7 May 2009, p. 3.

⁸⁷⁴ **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, p. 4; **D72/1.1.2**, VOA Interview, Interviewee *Ta An*, 10 August 2011; **D242**, Written Record of Initial Appearance of AO An before the International Co-Investigating Judge Mark B. Harmon, 27 March 2015, p. 5.

⁸⁷⁵ **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, p. 4; **D72/1.1.2**, VOA Interview, Interviewee *Ta An*, 10 August 2011; **D242**, Written Record of Initial Appearance of AO An before the International Co-Investigating Judge Mark B. Harmon, 27 March 2015, p. 5.

⁸⁷⁶ **D1.3.27.5**, Interviews with Kampuchean Refugees at Thai-Cambodia Border, prepared for Ishiyama Committee, Annual Report 1980, February-March 1980, pp. 28-29; **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, pp. 7-9, 12, and 16; **D118/87**, Written Record of Witness Interview of TEP Sien, 13 August 2013, pp. 9-10; **D6.1.650**, Written Record of Witness Interview of PECH Chim, 5 [25] August 2009, p. 3; **D6.1.119**, Written Record of Witness Interview of SAY Sen, 1 September 2008, pp. 7-8; **D6.1.354**, Written Record of Witness Interview of CHAN Man *alias* CHUOP Sokhon, or Kuy, or Et, 4 March 2009, pp. 2-3.

⁸⁷⁷ **D118/103.1**, Written Record of Witness Interview of PHAN Chhen, 2 March 2010, p. 10; **D6.1.119**, Written Record of Witness Interview of SAY Sen, 1 September 2008, pp. 7-8; **D6.1.354**, Written Record of Witness Interview of CHAN Man *alias* CHUOP Sokhon, or Kuy, or Et, 4 March 2009, pp. 2-3.

⁸⁷⁸ **D6.1.361**, Written Record of Witness Interview of KHIN Vat, 6 April 2009, p. 3; **D6.1.1051**, Written Record of Interview of Charged Person KAINING Guek-Eav *alias* Duch, 4 December 2007, p. 5.

⁸⁷⁹ **D117/43**, Written Record of Witness Interview of SBONG Yann, 7 May 2014, pp. 3-4.

⁸⁸⁰ **D6.1.707**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 19 August 2009, p. 4; **D118/152**, Written Record of Witness Interview of POK Touch, 25 November 2013, pp. 10-11; **D219/485**, Written Record of Witness Interview of TEP Pauch, 28 August 2015, pp. 3-4; **D6.1.707**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 19 August 2009, p. 4; **D117/50**, Written Record of Witness Interview of IM Pon, 23 May 2014, p. 13 (A60-61).

⁸⁸¹ **D118/152**, Written Record of Witness Interview of POK Touch, 25 November 2013, pp. 10-11.

⁸⁸² **D72/1.1.2**, VOA Interview, Interviewee *Ta An*, 10 August 2011; **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, pp. 1 and 3-4; **D6.1.379**, Written Record of Witness Interview of KE Pich Vannak, revolutionary names Vannak, Tha, Yuth (Central Zone former Secretary KE Pauk's son), 4 June 2009, p. 13; **D1.3.11.29**, Interview of LONH Dos, by SOAS/HRW, 17 October 2005; **D242**, Written Record of Initial Appearance of AO An before the International Co-Investigating Judge Mark B. Harmon, 27 March 2015, p. 5.

⁸⁸³ **D72/1.1.2**, VOA Interview, Interviewee *Ta An*, 10 August 2011; **D191.2**, An Interview with AOM An, Documentation Center of Cambodia (DC-Cam), 1 August 2011, Interviewed by LONG Dany and VANTHAN Peou Dara, p. 1.

⁸⁸⁴ **D242**, Written Record of Initial Appearance of AO An before the International Co-Investigating Judge Mark B. Harmon, 27 March 2015, p. 5.

⁸⁸⁵ **D1**, Co-Prosecutor's Third Introductory Submission, Case No.: 004/20-11-2008/ECCC/OCIJ, Filing Party: Office of the Co-Prosecutors, Type of Document: Confidential, Date of Document: 20 November 2008, paras. 18 to 53 includes **13 (thirteen) crime sites**: 1. Purging of the Central Zone, 2. Wat Au Traukuon Security Centre, 3. Wat Batheay Security Centre, 4. Met Sop (Kor) Security Centre, 5. Wat Phnom Pros Security Centre, 6. Kok Pring Security Centre, 7. Chamkar Svay Chanty Security Centre, 8. Anglong Chrey Dam Forced Labour Site, 9. Genocide in Kampong Cham Province, 10. Wat Srange Security Centre, 11. Tuol Ta Phlong Prison and Execution Site, 12. Wat Kandal Security Centre, 13. Wat Baray Chan Dek Security Centre, pp. 10-22; **D191**, Co-Prosecutor's Supplementary Submission Regarding Forced Marriage and Sexual or Gender-Based Violence, Case No.: 004/20-11-2008/ECCC/OCIJ, Filing Party: Office of the Co-Prosecutors, Date of document: 24 April 2014, para. 2 and 3 of the Supplementary Submission include **2 (two) sites**: 1. Forced marriage in Kampong Siem district, and 2. Forced marriage in Prey Chhor district, 7 September 2009, pp. 2-5.

⁸⁸⁶ **D337**, Decision to Reduce the Scope of Judicial Investigation pursuant to Internal Rule 66 *bis*, Case File No: 004/2/07-09-2009-ECCC-OCIJ, Classification: Confidential, 16 December 2016, p. 3.

⁸⁸⁷ **D219/855**, Written Record of Witness Interview of NHEM Chen, 27 October 2016, pp. 5-6; **D219/876**, Written Record of Witness Interview of CHHEAN Heang, 30 November 2016, pp. 8-9; **D117/66**, Written Record of Witness Interview of ORN Kim Eng *alias* Theng, 27 August 2014, pp. 5-6; **D107/5**, Written Record of Witness Interview of ORN Kim Eng *alias* Theng, 18 February 2012, pp. 2-3; **D6.1.526**, Documentation Center of Cambodia (DC-Cam), Memorial, Updated by November 7, 2006, prepared by Pheng Pong-Rasy, No. 12, p. 1; **D219/812.1**, The History of Sovankiri Ratanak Phnom Pros Pagoda, Krala Commune, Kampong Siem District, Kampong Cham Province, The Tale of Phnom Pros and Phnom Srey Mountains, 2007, p. 1; **D6.1.524**, Documentation Center of Cambodia (DC-Cam), Burial, 18 February 2008, prepared by Pheng Pong-Rasy, No. 59, p. 4; **D219/530**, Written Record of Investigative Action, 13 August 2015, pp. 8-9.

⁸⁸⁸ **D219/855**, Written Record of Witness Interview of NHEM Chen, 27 October 2016, pp. 5-6; **D219/876**, Written Record of Witness Interview of CHHEAN Heang, 30 November 2016, pp. 8-9; **D117/66**, Written Record of Witness Interview of ORN Kim Eng *alias* Theng, 27 August 2014, pp. 5-6.

⁸⁸⁹ **D3/19**, Written Record of Witness Interview of VORNG Sokun *alias* Akun, 2 December 2010, p. 4; **D117/66**, Written Record of Witness Interview of ORN Kim Eng *alias* Theng, 27 August 2014, pp. 3-4.

⁸⁹⁰ **D6.1.730**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (the 1st interview), 21 July 2009, p. 7; **D3/15**, Written Record of Witness Interview of DUONG Sim, 21 October 2010, p. 3; **D219/178**, Written Record of Witness Interview of KUCH Ra, 5 February 2015, pp. 6-7; **D219/232**, Written Record of Witness Interview of VAN Chhunseng, 19 March 2015, pp. 5-6.

⁸⁹¹ **D107/5**, Written Record of Witness Interview of ORN Kim Eng *alias* Theng, 18 February 2012, pp. 4-5; **D117/31**, Written Record of Witness Interview of YOU Van, 11 November 2013, pp. 7-8; **D219/472**, Written Record of Interview of Civil Party Applicant SUM Chanthol, 24 August 2015, pp. 5-6.

⁸⁹² **D107/5**, Written Record of Witness Interview of ORN Kim Eng *alias* Theng, 18 February 2012, pp. 4-5.

⁸⁹³ **D219/377**, Written Record of Witness Interview of MORN Mot, 24 June 2015, pp. 3-4.

⁸⁹⁴ **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 14-15.

⁸⁹⁵ **D219/855**, Written Record of Witness Interview of NHEM Chen, 27 October 2016, p. 7.

⁸⁹⁶ **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 17-18.

⁸⁹⁷ **D6.1.379**, Written Record of Witness Interview of KE Pich Vannak, revolutionary names Vannak, Tha, Yuth (KE Pauk's son), 4 June 2009, p. 13.

⁸⁹⁸ **D3/19**, Written Record of Witness Interview of VORNG Sokun *alias* Akun, 2 December 2010, pp. 4-5; **D107/19.1**, Written Record of Witness Interview of VORNG Sakun *alias* Akun, 17 February 2012, pp. 6-7; **D3/10**, Written Record of Witness Interview of NIV Sun, 19 October 2010, p. 4; **D107/5**, Written Record of Witness Interview of ORN Kim Eng *alias* Theng, 18 February 2012, pp. 3-5; **D107/19.1**, Written Record of Witness Interview of VORNG Sakun *alias* Kun, 17 February 2012, pp. 6-7.

⁸⁹⁹ **D6.1.111**, Written Record of Witness Interview of SA Nau *alias* SA Mat Nau, 17 August 2008, p. 3.

⁹⁰⁰ **D117/66**, Written Record of Witness Interview of ORN Kim Eng *alias* Theng, 27 August 2014, pp. 5-6.

⁹⁰¹ **D107/5**, Written Record of Witness Interview of ORN Kim Eng *alias* Theng, 18 February 2012, pp. 6-7; **D117/66**, Written Record of Witness Interview of ORN Kim Eng *alias* Theng, 27 August 2014, pp. 5-6.

⁹⁰² **D219/731**, Written Record of Witness Interview of NHEM Chen, 18 March 2016, pp. 10-11; **D117/50**, Written Record of Witness Interview of IM Pon, 23 May 2014, pp. 10-12.

⁹⁰³ **D117/50**, Written Record of Witness Interview of IM Pon, 23 May 2014, p. 11 (A50).

- ⁹⁰⁴ **D117/31**, Written Record of Witness Interview of YOU Van, 11 November 2013, pp. 5-8; **D219/543**, Written Record of Witness Interview of NAM Monn, 7 October 2015, pp. 3-4; **D219/542**, Written Record of Witness Interview of NUT Kimnang, 6 October 2015, pp. 6-7; **D219/772**, Written Record of Witness Interview of SAT Sim, 31 May 2016, pp. 11-13; **D117/66**, Written Record of Witness Interview of ORN Kim Eng *alias* Theng, 27 August 2014, pp. 3-4; **D219/855**, Written Record of Witness Interview of NHEM Chen, 27 October 2016, pp. 5-6; **D219/876**, Written Record of Witness Interview of CHHEAN Heang, 30 November 2016, pp. 8-9; **D117/66**, Written Record of Witness Interview of ORN Kim Eng *alias* Theng, 27 August 2014, pp. 3-6; **D3/10**, Written Record of Witness Interview of NIV Sun, 19 October 2010, p. 4; **D219/472**, Written Record of Interview of Civil Party Applicant SUM Chanthol, 24 August 2015, p. 3.
- ⁹⁰⁵ **D219/377**, Written Record of Witness Interview of MORN Mot, 24 June 2015, pp. 3-4.
- ⁹⁰⁶ **D219/363**, Written Record of Witness Interview of HAK Sophal, 12 June 2015, pp. 4-5.
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- ⁹⁰⁸ **D117/58**, Written Record of Witness Interview of MUY Vanny, 3 July 2014, pp. 9-10; **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2015 [2016], pp. 14-16; **D6.1.524**, Documentation Center of Cambodia (DC-Cam), Burial, 18 February 2008, prepared by Pheng Pong-Rasy, No. 61, p. 4; **D1.3.11.9**, Interview Notes of CHHEAN Heang, 1 August 2008, 3:00 p.m., pp. 2-3; **D6.1.413**, Written Record of Witness Interview of HOK Hoeun *alias* Hoeun, 23 November 2008, pp. 5-6; **D6.1.397**, Site Identification Report, Wat Au Trakuon Security Centre, Sambaur Meas village, Peam Chikang commune, Kang Meas district, Kampong Cham province, 30 June 2009, pp. 1-2.
- ⁹⁰⁹ **D76**, Written Record of Witness Interview of SENG Srun, 25 August 2011, pp. 5-6; **D6.1.190**, Written Record of Witness Interview of HIM Man *alias* Man Cheang Mchine *alias* A-Man Sal *alias* A-Ch-oeng Meas, 11 August 2008, pp. 3-4; **D6.1.363**, Written Record of Witness Interview of LEAV Loas, 9 April 2009, p. 4; **D1.3.11.9**, Interview Notes of CHHEAN Heang, 1 August 2008, 3:00 p.m., p. 3.
- ⁹¹⁰ **D6.1.192**, Written Record of Witness Interview of SENG Srun, 11 August 2008, pp. 3-4; **D6.1.399**, Written Record of Witness Interview of SENG Srun, 20 October 2008, p. 4.
- ⁹¹¹ **D6.1.381**, Written Record of Witness Interview of SENG Srun, 23 June 2009, pp. 3-4; **D6.1.397**, Site Identification Report, Wat Au Trakuon security centre, Sambaur Meas village, Peam Chikang commune, Kang Meas district, Kampong Cham province, 30 June 2009, pp. 1-2.
- ⁹¹² **D6.1.192**, Written Record of Witness Interview of SENG Srun, 11 August 2008, pp. 3-4.
- ⁹¹³ **D76**, Written Record of Witness Interview of SENG Srun, 25 August 2011, pp. 5-6; **D84**, Written Record of Witness Interview of MUY Vanny, 27 August 2011, pp. 2-3; **D117/58**, Written Record of Witness Interview of MUY Vanny, 3 July 2014, pp. 3-4; **D6.1.192**, Written Record of Witness Interview of SENG Srun, 11 August 2008, pp. 3-4; **D6.1.413**, Written Record of Witness Interview of HOK Hoeun *alias* Hoeun, 23 November 2008, pp. 6-7; **D6.1.702**, Written Record of Witness Interview of MAN Heang, 10 December 2009, pp. 3-4.
- ⁹¹⁴ **D117/58**, Written Record of Witness Interview of MUY Vanny, 3 July 2014, pp. 5-6 and 9-10; **D6.1.192**, Written Record of Witness Interview of SENG Srun, 11 August 2008, pp. 3-4.
- ⁹¹⁵ **D6.1.192**, Written Record of Witness Interview of SENG Srun, 11 August 2008, pp. 3-4; **D117/58**, Written Record of Witness Interview of MUY Vanny, 3 July 2014, pp. 4-5; **D6.1.413**, Written Record of Witness Interview of HOK Hoeun *alias* Hoeun, 23 November 2008, pp. 6-7; **D6.1.702**, Written Record of Witness Interview of MAN Heang, 10 December 2009, pp. 3-4.
- ⁹¹⁶ **D1.3.11.9**, Interview Notes of CHHEAN Heang, 1 August 2008, 3:00 p.m., p. 3.
- ⁹¹⁷ **D117/58**, Written Record of Witness Interview of MUY Vanny, 3 July 2014, pp. 5-6; **D6.1.192**, Written Record of Witness Interview of SENG Srun, 11 August 2008, pp. 3-5.
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- ⁹²⁰ **D6.1.399**, Written Record of Witness Interview of SENG Srun, 20 October 2008, p. 3.
- ⁹²¹ **D117/58**, Written Record of Witness Interview of MUY Vanny, 3 July 2014, pp. 4-5; **D6.1.192**, Written Record of Witness Interview of SENG Srun, 11 August 2008, pp. 3-5; **D6.1.400**, Written

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⁹²² **D6.1.400**, Written Record of Witness Interview of SAMRIT Mui, 20 October 2008, pp. 3-4.

⁹²³ **D117/58**, Written Record of Witness Interview of MUY Vanny, 3 July 2014, pp. 4-5.

⁹²⁴ **D117/58**, Written Record of Witness Interview of MUY Vanny, 3 July 2014, pp. 8-9; **D1.3.11.9**, Interview Notes of CHHEAN Heang, 1 August 2008, 3:00 p.m., pp. 2-3.

⁹²⁵ **D36**, Written Record of Witness Interview of CHEA Maly, 14 July 2011, pp. 4-5; **D76**, Written Record of Witness Interview of SENG Srun, 25 August 2011, pp. 2-3; **D6.1.413**, Written Record of Witness Interview of HOK Hoeun *alias* Hoeun, 23 November 2008, pp. 6-7.

⁹²⁶ **D6.1.192**, Written Record of Witness Interview of SENG Srun, 11 August 2008, pp. 3-4; **D1.3.11.9**, Interview Notes of CHHEAN Heang, 1 August 2008, 3:00 p.m., pp. 2-3; **D1.3.11.4**, Interview Notes, Interviewee BAO Troab, 5 August 2008, p. 4; **D6.1.700**, Written Record of Witness Interview of SENG Srun, 9 December 2009, pp. 3-4.

⁹²⁷ **D117/58**, Written Record of Witness Interview of MUY Vanny, 3 July 2014, pp. 4-5.

⁹²⁸ **D117/58**, Written Record of Witness Interview of MUY Vanny, 3 July 2014, pp. 5-6.

⁹²⁹ **D6.1.399**, Written Record of Witness Interview of SENG Srun, 20 October 2008, p. 3; **D6.1.381**, Written Record of Witness Interview of SENG Srun, 23 June 2009, p. 4; **D80**, Written Record of Witness Interview of HOK Hoeun [KHLUOK Lim], 26 August 2011, pp. 2-3; **D117/58**, Written Record of Witness Interview of MUY Vanny, 3 July 2014, pp. 10-11; **D117/32**, Written Record of Witness Interview of NHEM Kol, 12 November 2013, pp. 5-6.

⁹³⁰ **D117/58**, Written Record of Witness Interview of MUY Vanny, 3 July 2014, pp. 5-6.

⁹³¹ **D117/58**, Written Record of Witness Interview of MUY Vanny, 3 July 2014, pp. 5-6; **D6.1.190**, Written Record of Witness Interview of HIM Man *alias* Man Cheang Mchine, [*alias* A-Man Sal *alias* A-Ch-oeng Meas,] 11 August 2008, pp. 3-4.

⁹³² **D117/58**, Written Record of Witness Interview of MUY Vanny, 3 July 2014, pp. 5-6.

⁹³³ **D117/58**, Written Record of Witness Interview of MUY Vanny, 3 July 2014, pp. 5-6.

⁹³⁴ **D6.1.381**, Written Record of Witness Interview of SENG Srun, 23 June 2009, pp. 3-4; **D6.1.397**, Site Identification Report, Wat Au Trakuon security centre, Sambaour Meas village, Peam Chikang commune, Kang Meas district, Kampong Cham province, 30 June 2009, p. 2.

⁹³⁵ **D117/58**, Written Record of Witness Interview of MUY Vanny, 3 July 2014, pp. 5-6.

⁹³⁶ **D117/58**, Written Record of Witness Interview of MUY Vanny, 3 July 2014, pp. 5-6.

⁹³⁷ **D219/320**, Written Record of Witness Interview of PAOR San, 12 May 2015, pp. 3-4.

⁹³⁸ **D117/58**, Written Record of Witness Interview of MUY Vanny, 3 July 2014, pp. 5-6.

⁹³⁹ **D6.1.192**, Written Record of Witness Interview of SENG Srun, 11 August 2008, pp. 3-5.

⁹⁴⁰ **D6.1.192**, Written Record of Witness Interview of SENG Srun, 11 August 2008, pp. 3-4.

⁹⁴¹ **D6.1.192**, Written Record of Witness Interview of SENG Srun, 11 August 2008, pp. 3-4; **D6.1.399**, Written Record of Witness Interview of SENG Srun, 20 October 2008, p. 3.

⁹⁴² **D6.1.399**, Written Record of Witness Interview of SENG Srun, 20 October 2008, pp. 3-5; **D6.1.381**, Written Record of Witness Interview of SENG Srun, 23 June 2009, p. 2.

⁹⁴³ **D117/58**, Written Record of Witness Interview of MUY Vanny, 3 July 2014, pp. 5-6 and 10-11; **D117/32**, Written Record of Witness Interview of NHEM Kol, 12 November 2013, pp. 5-6.

⁹⁴⁴ **D117/32**, Written Record of Witness Interview of NHEM Kol, 12 November 2013, pp. 6-8; **D117/33**, Written Record of Witness Interview of POV Sarom, 14 November 2013, pp. 3-4; **D219/712**, Written Record of Witness Interview of SOK Horn, 29 February 2016, pp. 5-6.

⁹⁴⁵ **D219/232**, Written Record of Witness Interview of VAN Chhunseng, 19 March 2015, p. 4; **D219/712**, Written Record of Witness Interview of SOK Horn, 29 February 2016, pp. 5-6.

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- ⁹⁵² **D6.1.363**, Written Record of Witness Interview of LEAV Loas, 9 April 2009, p. 5; **D117/58**, Written Record of Witness Interview of MUY Vanny, 3 July 2014, pp. 8-9.
- ⁹⁵³ **D1.3.11.4**, Interview Notes, Interviewee BAO Troab, 5 August 2008, 4:07 p.m., pp. 4-5.
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- ⁹⁵⁵ **D219/80**, Written Record of Witness Interview of THOU Leang, 18 November 2014, p. 5, (A14); **D3/25**, Site Identification Report, Wat Batheay S.C., 8 February 2011, p. 1; **D6.1.524**, Documentation Center of Cambodia (DC-Cam), Burial, 18 February 2008, prepared by Pheng Pong-Rasy, No. 47 and 48, pp. 2-3.
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- ⁹⁵⁷ **D3/6**, Written Record of Witness Interview of CHEU Senghuot, 21 September 2010, p. 3; **D219/80**, Written Record of Witness Interview of THOU Leang, 18 November 2014, pp. 5-6; **D219/875**, Written Record of Witness Interview of THOU Leang, 30 November 2016, pp. 3-4.
- ⁹⁵⁸ **D3/7**, Written Record of Witness Interview of UM Ruos, 24 September 2010, pp. 4-5; **D219/80**, Written Record of Witness Interview of THOU Leang, 18 November 2014, pp. 4-6.
- ⁹⁵⁹ **D219/80**, Written Record of Witness Interview of THOU Leang, 18 November 2014, p. 11.
- ⁹⁶⁰ **D3/16**, Written Record of Witness Interview of Phlong San, 15 November 2010, pp. 2-3.
- ⁹⁶¹ **D219/80**, Written Record of Witness Interview of THOU Leang, 18 November 2014, pp. 9-10; **D3/16**, Written Record of Witness Interview of Phlong San, 15 November 2010, pp. 4-5; **D219/80**, Written Record of Witness Interview of THOU Leang, 18 November 2014, pp. 9-10.
- ⁹⁶² **D3/6**, Written Record of Witness Interview of CHEU Senghuot, 21 September 2010, p. 3; **D3/7**, Written Record of Witness Interview of UM Ruos, 24 September 2010, pp. 3-4; **D3/15**, Written Record of Witness Interview of DUONG Sim, 21 October 2010, p. 3.
- ⁹⁶³ **D219/80**, Written Record of Witness Interview of THOU Leang, 18 November 2014, p. 6, (A17); **D219/875**, Written Record of Witness Interview of THOU Leang, 30 November 2016, pp. 4-5.
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- ⁹⁶⁵ **D219/80**, Written Record of Witness Interview of THOU Leang, 18 November 2014, pp. 6-7; **D219/875**, Written Record of Witness Interview of THOU Leang, 30 November 2016, pp. 4-5.
- ⁹⁶⁶ **D3/6**, Written Record of Witness Interview of CHEU Senghuot, 21 September 2010, p. 5; **D219/80**, Written Record of Witness Interview of THOU Leang, 18 November 2014, pp. 6-7; **D219/875**, Written Record of Witness Interview of THOU Leang, 30 November 2016, pp. 4-5.
- ⁹⁶⁷ **D219/80**, Written Record of Witness Interview of THOU Leang, 18 November 2014, pp. 6-7.
- ⁹⁶⁸ **D219/80**, Written Record of Witness Interview of THOU Leang, 18 November 2014, p. 10.
- ⁹⁶⁹ **D219/80**, Written Record of Witness Interview of THOU Leang, 18 November 2014, p. 11; **D219/875**, Written Record of Witness Interview of THOU Leang, 30 November 2016, pp. 5-7.
- ⁹⁷⁰ **D219/875**, Written Record of Witness Interview of THOU Leang, 30 November 2016, pp. 8-9 and 11-12.

- ⁹⁷¹ **D3/16**, Written Record of Witness Interview of Phlong San, 15 November 2010, pp. 4-5; **D3/7**, Written Record of Witness Interview of UM Ruos, 24 September 2010, pp. 2-3.
- ⁹⁷² **D219/875**, Written Record of Witness Interview of THOU Leang, 30 November 2016, pp. 13-15.
- ⁹⁷³ **D219/875**, Written Record of Witness Interview of THOU Leang, 30 November 2016, pp. 7-8.
- ⁹⁷⁴ **D219/80**, Written Record of Witness Interview of THOU Leang, 18 November 2014, pp. 7-8; **D219/875**, Written Record of Witness Interview of THOU Leang, 30 November 2016, pp. 5-7.
- ⁹⁷⁵ **D3/6**, Written Record of Witness Interview of CHEU Senghuot, 21 September 2010, pp. 3-4; **D3/16**, Written Record of Witness Interview of Phlong San, 15 November 2010, pp. 4-5; **D219/80**, Written Record of Witness Interview of THOU Leang, 18 November 2014, pp. 7-8; **D3/7**, Written Record of Witness Interview of UM Ruos, 24 September 2010, pp. 3-4; **D219/875**, Written Record of Witness Interview of THOU Leang, 30 November 2016, pp. 11-12.
- ⁹⁷⁶ **D219/875**, Written Record of Witness Interview of THOU Leang, 30 November 2016, pp. 3-4 and 5-7.
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- ⁹⁸² **D3/16**, Written Record of Witness Interview of Phlong San, 15 November 2010, pp. 4-5; **D3/7**, Written Record of Witness Interview of UM Ruos, 24 September 2010, pp. 4-5.
- ⁹⁸³ **D219/875**, Written Record of Witness Interview of THOU Leang, 30 November 2016, p. 11.
- ⁹⁸⁴ **D219/875**, Written Record of Witness Interview of THOU Leang, 30 November 2016, p. 12.
- ⁹⁸⁵ **D219/875**, Written Record of Witness Interview of THOU Leang, 30 November 2016, p. 14.
- ⁹⁸⁶ **D219/875**, Written Record of Witness Interview of THOU Leang, 30 November 2016, p. 14.
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- ⁹⁸⁹ **D3/16**, Written Record of Witness Interview of Phlong San, 15 November 2010, p. 3; **D219/80**, Written Record of Witness Interview of THOU Leang, 18 November 2014, pp. 4-6.
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- ⁹⁹¹ **D219/80**, Written Record of Witness Interview of THOU Leang, 18 November 2014, pp. 4-5, pp. 7-8 and p. 11; **D3/6**, Written Record of Witness Interview of CHEU Senghuot, 21 September 2010, p. 3.
- ⁹⁹² **D219/459**, Written Record of Witness Interview of YOU Oeurn, 6 August 2015, pp. 3-4; **D219/460**, Written Record of Witness Interview of SAT Pheap, 7 August 2015, pp. 3-4; **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 18-19; **D3/21**, Site Identification Report, MET SOP security center, 29 November 2010, p. 1; **D3/13**, Written Record of Witness Interview of KUNG Ting, 20 October 2010, p. 2; **D3/12**, Written Record of Witness Interview of BUN Thim *alias* BUN Naiyoeun, 20 October 2010, p. 3; **D3/11**, Written Record of Witness Interview of NAI Seu, 20 October 2010, p. 3; **D3/15**, Written Record of Witness Interview of DUONG Sim, 21 October 2010, p. 3; **D3/14**, Written Record of Witness Interview of NAI Kimsan, 21 October 2010, p. 3.
- ⁹⁹³ **D219/855**, Written Record of Witness Interview of NHEM Chen, 27 October 2016, pp. 5-6; **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 9-11 and 18-19.
- ⁹⁹⁴ **D3/13**, Written Record of Witness Interview of KUNG Ting, 20 October 2010, p. 2; **D3/18**, Written Record of Witness Interview of ROAT Peou, 30 November 2010, pp. 3-4; **D117/56**, Written Record of Witness Interview of CHUM Vong, 19 June 2014, pp. 6-7; **D219/24**, Written Record of Witness Interview of PREAP Sokhoeurn, 8 October 2014, pp. 20-21; **D1.3.11.16**, Henri Locard, Kompong

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⁹⁹⁵ **D3/14**, Written Record of Witness Interview of NAI Kimsan, 21 October 2010, p. 3; **D3/21**, Site Identification Report, MET SOP security center, 29 November 2010, pp. 2-3.

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⁹⁹⁷ **D117/56**, Written Record of Witness Interview of CHUM Vong, 19 June 2014, pp. 6-7.

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¹⁰⁰⁰ **D219/609**, Written Record of Witness Interview of SAMRITH An, 17 November 2015, p. 11; **D3/21**, Site Identification Report, MET SOP security center, 29 November 2010, pp. 2-3; **D3/11**, Written Record of Witness Interview of NAI Seu, 20 October 2010, p. 3.

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¹⁰¹⁰ **D3/12**, Written Record of Witness Interview of BUN Thim *alias* BUN Naiyoeun, 20 October 2010, p. 3; **D3/13**, Written Record of Witness Interview of KUNG Ting, 20 October 2010, p. 3; **D3/15**, Written Record of Witness Interview of DUONG Sim, 21 October 2010, p. 3; **D219/24**, Written Record of Witness Interview of PREAP Sokhoeurn, 8 October 2014, pp. 20-21; **D219/459**, Written Record of Witness Interview of YOU Oeurn, 6 August 2015, pp. 3-4.

¹⁰¹¹ **D219/851**, Written Record of Witness Interview of CHUM Vong, 21 October 2016, pp. 3-4 and 4-5.

¹⁰¹² **D219/851**, Written Record of Witness Interview of CHUM Vong, 21 October 2016, pp. 4-5.

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¹⁰¹⁶ **D219/731**, Written Record of Witness Interview of NHEM Chen, 18 March 2016, p. 9.

¹⁰¹⁷ **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, p. 19.

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¹⁰²³ **D3/21**, Site Identification Report, MET SOP security center, 29 November 2010, pp. 7-8; **D3/14**, Written Record of Witness Interview of NAI Kimsan, 21 October 2010, p. 3; **D3/12**, Written Record of Witness Interview of BUN Thim *alias* BUN Naiyoeun, 20 October 2010, p. 2; **D1.3.11.16**, Henri Locard, Kompong Cham: West bank of the Mekong, Old North Region, Zones or Sectors 41 & 42, Investigation in 1993-2005, pp. 8-9.

¹⁰²⁴ **D3/14**, Written Record of Witness Interview of NAI Kimsan, 21 October 2010, p. 3.

¹⁰²⁵ **D1.3.11.45**, Interview Notes of Interviewee SAN Son, Preliminary Investigation by the Office of the Co-Prosecutors, 5 August 2008, p. 2; **D80**, Written Record of Witness Interview of KHLOUK Lim, 26 August 2011, pp. 2-4; **D117/32**, Written Record of Witness Interview of NHEM Kol, 12 November 2013, pp. 6-7; **D107/16**, Site Identification Report, KOK Pring execution site, Kdei Boeng village, Vihear Thom commune, Kampong Siem district, Kampong Cham, 30 June 2012, pp. 1-3; **D80**, Written Record of Witness Interview of KHLOUK Lim, 26 August 2011, pp. 2-4; **D107/12**, Written Record of Witness Interview of KIEN Lei *alias* Im, 14 March 2012, pp. 2-3; **D6.1.524**, Documentation Center of Cambodia (DC-Cam), Burial, 18 February 2008, prepared by Pheng Pong-Rasy, No. 47 and 48, pp. 4-5; **D2.1.1a**, Victim Information Form Application, the Victims Support Section, Complainant HEAV Theng, 4 November 2007, p. 7; **D117/71**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (the 6th interview), 19 June 2013, pp. 11-12; **D117/72**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (the 7th interview), 21 June 2013, p. 3 (A7 and A8).

¹⁰²⁶ **D107/3**, Written Record of Witness Interview of KAK Sroeun, 16 February 2012, pp. 3-4.

¹⁰²⁷ **D107/16**, Site Identification Report, KOK Pring Execution Site, Kdei Boeng village, Vihear Thom commune, Kampong Siem district, Kampong Cham, 30 June 2012, pp. 2-3.

¹⁰²⁸ **D107/16**, Site Identification Report, KOK Pring Execution Site, Kdei Boeng village, Vihear Thom commune, Kampong Siem district, Kampong Cham, 30 June 2012, pp. 2-3.

¹⁰²⁹ **D1.3.11.45**, Interview Notes of Interviewee SAN Son, Preliminary Investigation by the Office of the Co-Prosecutors, 5 August 2008, p. 3; **D117/32**, Written Record of Witness Interview of NHEM Kol, 12 November 2013, pp. 6-7; **D107/16**, Site Identification Report, KOK Pring execution site, Kdei Boeng village, Vihear Thom commune, Kampong Siem district, Kampong Cham, 30 June 2012, pp. 2-4; **D219/461**, Written Record of Witness Interview of PEN Thol, 8 August 2015, pp. 7-8; **D107/3**, Written Record of Witness Interview of KAK Sroeun, 16 February 2015, pp. 2-4;

¹⁰³⁰ **D107/16**, Site Identification Report, KOK Pring Execution Site, Kdei Boeng village, Vihear Thom commune, Kampong Siem district, Kampong Cham, 30 June 2012, pp. 2-4; **D219/461**, Written Record of Witness Interview of PEN Thol, 8 August 2015, pp. 7-8; **D107/3**, Written Record of Witness Interview of KAK Sroeun, 16 February 2012, pp. 2-4; **D107/5**, Written Record of Witness Interview of ORN Kim Eng *alias* Theng, 18 February 2012, pp. 3-4; **D1.3.11.45**, Interview Notes of Interviewee SAN Son, Preliminary Investigation by the Office of the Co-Prosecutors, 5 August 2008, pp. 2-3. **D117/71**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (the 6th interview), 19 June 2013, pp. 11-12; **D2.1.1a**, Victim Information Form Application, the Victims Support Section, Complainant HEAV Theng, 4 November 2007, p. 7; **D107/2**, Written Record of Interview of Witness Sann Son, 16 February 2012, pp. 4-5.

¹⁰³¹ **D1.3.11.45**, Interview Notes of Interviewee SAN Son, Preliminary Investigation by the Office of the Co-Prosecutors, 5 August 2008, p. 2.

¹⁰³² **D107/3**, Written Record of Witness Interview of KAK Sroeun, 16 February 2015, pp. 3-4; **D80**, Written Record of Witness Interview of KHLOUK Lim, 26 August 2011, pp. 2-3.

¹⁰³³ **D1.3.11.45**, Interview Notes of Interviewee SAN Son, Preliminary Investigation by the Office of the Co-Prosecutors, 5 August 2008, pp. 2-3.

¹⁰³⁴ **D107/3**, Written Record of Witness Interview of KAK Sroeun, 16 February 2015, pp. 3-4; **D1.3.11.45**, Interview Notes of Interviewee SAN Son, Preliminary Investigation by the Office of the Co-Prosecutors, 5 August 2008, pp. 3-4.

- ¹⁰³⁵ **D107/3**, Written Record of Witness Interview of KAK Sroeun, 16 February 2015, p. 3.
- ¹⁰³⁶ **D1.3.11.45**, Interview Notes of Interviewee SAN Son, Preliminary Investigation by the Office of the Co-Prosecutors, 5 August 2008, pp. 3-4; **D80**, Written Record of Witness Interview of KHLOUK Lim, 26 August 2011, pp. 3-4; **D117/32**, Written Record of Witness Interview of NHEM Kol, 12 November 2013, pp. 6-7; **D107/16**, Site Identification Report, KOK Pring execution site, Kdei Boeng village, Vihear Thom commune, Kampong Siem district, Kampong Cham, 30 June 2012, pp. 3-4; **D107/2**, Written Record of Interview of Witness Sann Son, 16 February 2012, pp. 4-5; **D107/3**, Written Record of Witness Interview of KAK Sroeun, 16 February 2015, pp. 3-4; **D117/26**, Written Record of Witness Interview of PUT Kol, 25 September 2013, pp. 7-8.
- ¹⁰³⁷ **D107/16**, Site Identification Report, KOK Pring Execution Site, Kdei Boeng village, Vihear Thom commune, Kampong Siem district, Kampong Cham, 30 June 2012, pp. 3-4; **D107/3**, Written Record of Witness Interview of KAK Sroeun, 16 February 2015, pp. 3-4; **D107/2**, Written Record of Interview of Witness Sann Son, 16 February 2012, pp. 4-5.
- ¹⁰³⁸ **D107/3**, Written Record of Witness Interview of KAK Sroeun, 16 February 2015, p. 3; **D117/26**, Written Record of Witness Interview of PUT Kol, 25 September 2013, pp. 7-8.
- ¹⁰³⁹ **D107/2**, Written Record of Interview of Witness Sann Son, 16 February 2012, pp. 4-5.
- ¹⁰⁴⁰ **D1.3.11.45**, Interview Notes of Interviewee SAN Son, Preliminary Investigation by the Office of the Co-Prosecutors, 5 August 2008, p. 2; **D117/32**, Written Record of Witness Interview of NHEM Kol, 12 November 2013, pp. 6-7; **D107/16**, Site Identification Report, KOK Pring Execution Site, Kdei Boeng village, Vihear Thom commune, Kampong Siem district, Kampong Cham, 30 June 2012, pp. 2-4; **D107/2**, Written Record of Interview of Witness Sann Son, 16 February 2012, pp. 4-5.
- ¹⁰⁴¹ **D107/16**, Site Identification Report, KOK Pring Execution Site, Kdei Boeng village, Vihear Thom commune, Kampong Siem district, Kampong Cham, 30 June 2012, p. 4.
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- ¹⁰⁴³ **D3/24**, Site Identification Report, Anlong Chrey Dam, Prey Chhor District, Kampong Cham Province (Sector 41, Central Zone), 2 February 2011, p. 3; **D3/5**, Written Record of Witness Interview of BAO Troab, 18 August 2010, p. 2; **D219/331**, Written Record of Witness Interview of PHAN Sophal, 27 May 2015, pp. 2-4; **D3/24**, Site Identification Report, Anlong Chrey Dam, Prey Chhor District, Kampong Cham Province (Sector 41, Central Zone), 2 February 2011, p. 3.
- ¹⁰⁴⁴ **D3/3**, Written Record of Witness Interview of BOEU Tauch *alias* Tauch, 29 July 2010, pp. 3-4; **D3/4**, Written Record of Witness Interview of CHIN Sinal, 17 August 2010, pp. 2-3; **D3/5**, Written Record of Witness Interview of BAO Troab, 18 August 2010, pp. 2-3.
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- ¹⁰⁴⁷ **D219/331**, Written Record of Witness Interview of PHAN Sophal, 27 May 2015, p. 5.
- ¹⁰⁴⁸ **D219/331**, Written Record of Witness Interview of PHAN Sophal, 27 May 2015, p. 5.
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¹⁰⁵¹ **D3/2**, Written Record of Witness Interview of KIM UI, 28 July 2010, pp. 5-6; **D3/3**, Written Record of Witness Interview of BOEU Tauch *alias* Tauch, 28 [29] July 2010, pp. 2-3; **D3/4**, Written Record of Witness Interview of CHIN Sinal, 17 August 2010, pp. 2-4; **D78**, Written Record of Witness Interview of CHIN Sinal, 26 August 2011, pp. 2-3; **D219/331**, Written Record of Witness Interview of PHAN Sophal, 27 May 2015, pp. 2-3; **D3/5.1**, Interview Notes, Interviewee BAO Troab, 5 August 2008, p. 2; **D3/4**, Written Record of Witness Interview of CHIN Sinal, 17 August 2010, pp. 2-3.

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¹⁰⁵³ **D219/331**, Written Record of Witness Interview of PHAN Sophal, 27 May 2015, pp. 2-3 and 6-7.

¹⁰⁵⁴ **D78**, Written Record of Witness Interview of CHIN Sinal, 26 August 2011, pp. 2-3; **D3/3**, Written Record of Witness Interview of BOEU Tauch *alias* Tauch, 28 [29] July 2010, pp. 3-4; **D219/331**, Written Record of Witness Interview of PHAN Sophal, 27 May 2015, pp. 2-3 and 6-7.

¹⁰⁵⁵ **D219/608**, Written Record of Witness Interview of HOEM Him, 16 November 2015, p. 4; **D1.3.11.5**, Interview Notes, Interviewee CHAN Ya, 1 August 2008, pp. 4-5; **D219/609**, Written Record of Witness Interview of SAMRITH An, 17 November 2015, pp. 3-5.

¹⁰⁵⁶ **D219/460**, Written Record of Witness Interview of SAT Pheap, 7 August 2015, pp. 3-4; **D219/498**, Written Record of Interview of Civil Party Applicant PENH Va, 7 September 2015, pp. 7-8; **D219/541**, Written Record of Witness Interview of KIM Thoeurn *alias* Kim Koeurn, 5 October 2007 [2015], pp. 7-8; **D107/8**, Written Record of Witness Interview of NHIM Kol *alias* Say, 20 February 2012, p. 2; **D219/331**, Written Record of Witness Interview of PHAN Sophal, 27 May 2015, pp. 7-8; **D219/584**, Site Identification Report, Wat Ta Meak, Chrey Vien Commune, Prey Chhor District, Kampong Cham Province, Sector 41, Central Zone, 14 September 2015, p. 4; **D1.3.11.26**, Written Record of Interview of Kun Sotha, by Mr Steve Heder and Mr Heng Ham Kheng, p. 1; **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 3-4 and 9-12; **D219/217**, Written Record of Interview of Civil Party Applicant CHHEN Ham, 11 March 2015, pp. 15-16; **D1.3.10.23**, ECCC-OCF Mission Report, Operation Riverland, from 1 August 2008 to 7 August 2008, pp. 3 and 7-8; **D219/315**, Written Record of Witness Interview of SAT Pheap, 10 November 2016, pp. 11-12; **D36**, Written Record of Witness Interview of CHEA Maly, 14 July 2011, p. 2; **D219/876**, Written Record of Witness Interview of CHHEAN Heang, 30 November 2016, p. 10.

¹⁰⁵⁷ **D219/584**, Site Identification Report, Wat Ta Meak, Chrey Vien Commune, Prey Chhor District, Kampong Cham Province, Sector 41, Central Zone, 14 September 2015, pp. 4-5.

¹⁰⁵⁸ **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 9-11; **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2016, pp. 8-11; **D219/541**, Written Record of Witness Interview of KIM Thoeurn *alias* KIM Koeurn, 5 October 2007, p. 15 (A11).

¹⁰⁵⁹ **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 6-7 and 9-11; **D1.3.11.9**, Interview Notes of CHHEAN Heang, 1 August 2008, pp. 5; **D1.3.11.44**, Interview Notes of RUOS Chhieng (also called Achar Chhieng), pp. 2-3; **D219/460**, Written Record of Witness Interview of SAT Pheap, 7 August 2015, pp. 5-6; **D219/498**, Written Record of Interview of Civil Party Applicant PENH Va, 7 September 2015, pp. 6-7 and 11-12; **D219/544**, Written Record of Witness Interview of CHUN Heng, 9 October 2015, pp. 7-9; **D219/609**, Written Record of Witness Interview of SAMRITH An, 17 November 2015, pp. 6-7; **D219/620**, Written Record of Witness Interview of PALL Lay, 8 December 2015, pp. 7-9; **D219/621**, Written Record of Witness Interview of PRAK Run, 10 December 2015, pp. 9-10; **D219/327**, Written Record of Witness Interview of CHENG Tol, 7 [22] May 2015, pp. 4-5; **D219/315**, Written Record of Witness Interview of SAT Pheap, 10 November 2016 [18 May 2015], p. 12; **D219/541**, Written Record of Witness Interview of KIM Thoeurn *alias* Kim Koeurn, 5 October 2007 [2015], pp. 10-11.

¹⁰⁶⁰ **D219/315**, Written Record of Witness Interview of SAT Pheap, 10 November 2016 [18 May 2015], p. 13; **D219/460**, Written Record of Witness Interview of SAT Pheap, 7 August 2015, pp. 5-7; **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 31-33; **D219/609**, Written Record of Witness Interview of SAMRITH An, 17 November 2015, pp. 6-7; **D219/621**, Written Record of Witness Interview of PRAK Run, 10 December 2015, pp. 9-10.

¹⁰⁶¹ **D219/876**, Written Record of Witness Interview of CHHEAN Heang, 30 November 2016, pp. 6-7; **D219/544**, Written Record of Witness Interview of CHUN Heng, 9 October 2015, pp. 6-9; **D219/609**, Written Record of Witness Interview of SAMRITH An, 17 November 2015, pp. 6-7.

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- ¹⁰⁶⁸ **D219/800**, Written Record of Witness Interview of SO Saren, 19 July 2016, pp. 9-11; **D219/226**, Written Record of Interview of Civil Party Applicant PENH Va, 11 March 2015, p. 5.
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- ¹⁰⁷⁵ **D219/876**, Written Record of Witness Interview of CHHEAN Heang, 30 November 2016, p. 10.
- ¹⁰⁷⁶ **D219/609**, Written Record of Witness Interview of SAMRITH An, 17 November 2015, pp. 6-8; **D219/460**, Written Record of Witness Interview of SAT Pheap, 7 August 2015, pp. 6-7.
- ¹⁰⁷⁷ **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 9-11; **D219/704**, Written Record of Witness Interview of KIM Koeurn, 1 March 2016, pp. 6-7; **D219/542**, Written Record of Witness Interview of NUT Kimnang, 6 October 2015, pp. 7-9; **D219/541**, Written Record of Witness Interview of KIM Thoeurn *alias* Kim Koeurn, 5 October 2007 [2015], pp. 9-10 and 14-15; **D219/621**, Written Record of Witness Interview of PRAK Run, 10 December 2015, pp. 4-8; **D219/800**, Written Record of Witness Interview of SO Saren, 19 July 2016, pp. 38-39; **D219/544**, Written Record of Witness Interview of CHUN Heng, 9 October 2015, pp. 9-10; **D219/609**, Written Record of Witness Interview of SAMRITH An, 17 November 2015, pp. 12-13.
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- D219/621**, Written Record of Witness Interview of PRAK Run, 10 December 2015, pp. 6-7.
- ¹⁰⁸⁰ **D219/621**, Written Record of Witness Interview of PRAK Run, 10 December 2015, pp. 8-9.

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- ¹⁰⁸⁴ **D219/876**, Written Record of Witness Interview of CHHEAN Heang, 30 November 2016, p. 6.
- ¹⁰⁸⁵ **D219/621**, Written Record of Witness Interview of PRAK Run, 10 December 2015, p. 11; **D219/460**, Written Record of Witness Interview of SAT Pheap, 7 August 2015, pp. 6-7.
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- ¹⁰⁸⁷ **D219/315**, Written Record of Witness Interview of SAT Pheap, 10 November 2016 [18 May 2015], pp. 12-13; **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 13-15 and 32-33; **D219/460**, Written Record of Witness Interview of SAT Pheap, 7 August 2015, pp. 5-7; **D219/542**, Written Record of Witness Interview of NUT Kimnang, 6 October 2015, pp. 4-6; **D219/620**, Written Record of Witness Interview of PALL Lay, 8 December 2015, pp. 7-9; **D3/10**, Written Record of Witness Interview of NIV Sun, 19 October 2010, p. 4.
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- ¹⁰⁹⁰ **D219/837**, Written Record of Witness Interview of SO Saren, 22 September 2015 [2016], p. 14.
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- ¹⁰⁹² **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 11-12.
- ¹⁰⁹³ **D219/582**, Written Record of Witness Interview of TOY Meach, 2 September 2015, pp. 15-16.
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- ¹⁰⁹⁵ **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 8-9 and 15-16.
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- ¹⁰⁹⁷ **D219/609**, Written Record of Witness Interview of SAMRITH An, 17 November 2015, p. 8.
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¹²⁰⁴ **D117/9**, Written Record of Witness Interview of HIENG Say, 14 December 2012, p. 3.

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¹²⁰⁸ **D117/15**, Site Identification Report, Wat Srang Security Center and execution sites, Srang village, Tbeng commune, Kg Svay district, Kg Thom province, Sector 43, Central Zone, 14 December 2012, pp. 2-3 and 4; **D117/9**, Written Record of Witness Interview of HIENG Say, 14 December 2012, pp. 3-4; **D117/10**, Written Record of Witness Interview of KHIM Choeung, 17 December 2012, p. 5.

¹²⁰⁹ **D117/15**, Site Identification Report, Wat Srang Security Centre and execution sites, Srang village, Tbeng commune, Kg Svay district, Kg Thom province, Sector 43, Central Zone, 14 December 2012, pp. 2-3 and 4; **D117/9**, Written Record of Witness Interview of HIENG Say, 14 December 2012, pp. 3-4.

¹²¹⁰ **D117/10**, Written Record of Witness Interview of KHIM Choeung, 17 December 2012, pp. 2-4; **D117/9**, Written Record of Witness Interview of HIENG Say, 14 December 2012, pp. 4-5; **D117/11**, Written Record of Witness Interview of BEN Chhan, 19 December 2012, pp. 2-3; **D117/12**, Written Record of Witness Interview of SAU Naom, revolutionary name/alias Ly, 19 December 2012, pp. 2-3.

¹²¹¹ **D117/10**, Written Record of Witness Interview of KHIM Choeung, 17 December 2012, pp. 2-4; **D117/11**, Written Record of Witness Interview of BEN Chhan, 19 December 2012, pp. 2-3; **D117/12**, Written Record of Witness Interview of SAU Naom, revolutionary name/alias Ly, 19 December 2012, pp. 2-3; **D1.3.11.17**, 24 Prisons of Kompong Thom Province of which 16 were in pagodas, Information from KHIEU Sarun and Oum Sok and DC-Cam or Dambon 43, Central Zone, 31 May 2007, pp. 17-19.

¹²¹² **D117/10**, Written Record of Witness Interview of KHIM Choeung, 17 December 2012, pp. 2-3.

¹²¹³ **D117/15**, Site Identification Report, Wat Srang security center and execution sites, Srang village, Tbeng commune, Kg Svay district, Kg Thom province, Sector 43, Central Zone, 14 December 2012, pp. 2-4; **D117/10**, Written Record of Witness Interview of KHIM Choeung, 17 December 2012, pp. 2-3.

¹²¹⁴ **D1.3.11.17**, 24 Prisons of Kompong Thom Province of which 16 were in pagodas, Information from KHIEU Sarun and Oum Sok and DC-Cam or Dambon 43, Central Zone, 31 May 2007, pp. 18-19.

¹²¹⁵ **D117/10**, Written Record of Witness Interview of KHIM Choeung, 17 December 2012, pp. 2-3.

¹²¹⁶ **D117/9**, Written Record of Witness Interview of HIENG Say, 14 December 2012, p. 3; **D117/15**, Site Identification Report, Wat Srang Security Centre and execution sites, Srang village, Tbeng commune, Kg Svay district, Kg Thom province, Sector 43, Central Zone, 14 December 2012, pp. 2-3 and 4-5; **D1.3.11.17**, 24 Prisons of Kompong Thom Province of which 16 were in pagodas, Information from KHIEU Sarun and Oum Sok and DC-Cam or Dambon 43, Central Zone, 31 May 2007, pp. 17-18; **D117/11**, Written Record of Witness Interview of BEN Chhan, 19 December 2012, pp. 2-3; **D117/12**, Written Record of Witness Interview of SAU Naom, revolutionary name/alias Ly, 19 December 2012, p. 2; **D117/10**, Written Record of Witness Interview of KHIM Choeung, 17 December 2012, pp. 2-3.

¹²¹⁷ **D117/9**, Written Record of Witness Interview of HIENG Say, 14 December 2012, pp. 3-4; **D117/12**, Written Record of Witness Interview of SAU Naom, revolutionary name/alias Ly, 19 December 2012, pp. 3-4; **D1.3.11.17**, 24 Prisons of Kompong Thom Province of which 16 were in pagodas, Information from KHIEU Sarun and Oum Sok and DC-Cam or Dambon 43, Central Zone, 31

May 2007, pp. 18-19; **D117/11**, Written Record of Witness Interview of BEN Chhan, 19 December 2012, pp. 3-4; **D117/10**, Written Record of Witness Interview of KHIM Choeung, 17 December 2012, pp. 3-4.

¹²¹⁸ **D117/9**, Written Record of Witness Interview of HIENG Say, 14 December 2012, pp. 3-4.

¹²¹⁹ **D117/15**, Site Identification Report, Wat Srang Security Center and execution sites, Srang village, Tbeng commune, Kg Svay district, Kg Thom province, Sector 43, Central Zone, 14 December 2012, pp. 2-3; **D117/11**, Written Record of Witness Interview of BEN Chhan, 19 December 2012, pp. 2-3.

¹²²⁰ **D117/11**, Written Record of Witness Interview of BEN Chhan, 19 December 2012, pp. 3-4; **D117/12**, Written Record of Witness Interview of SAU Naom, revolutionary name/alias Ly, 19 December 2012, pp. 2-3; **D117/9**, Written Record of Witness Interview of HIENG Say, 14 December 2012, pp. 3-4; **D1.3.11.17**, 24 Prisons of Kompong Thom Province of which 16 were in pagodas, Information from KHIEU Sarun and Oum Sok and DC-Cam or Dambon 43, Central Zone, 31 May 2007, pp. 17-18.

¹²²¹ **D117/15**, Site Identification Report, Wat Srang security center and execution sites, Srang village, Tbeng commune, Kg Svay district, Kg Thom province, Sector 43, Central Zone, 14 December 2012, pp. 2-3; **D117/11**, Written Record of Witness Interview of BEN Chhan, 19 December 2012, pp. 2-3; **D117/12**, Written Record of Witness Interview of SAU Naom, revolutionary name/alias Ly, 19 December 2012, pp. 2-3; **D117/10**, Written Record of Witness Interview of KHIM Choeung, 17 December 2012, pp. 2-3; **D1.3.11.17**, 24 Prisons of Kompong Thom Province of which 16 were in pagodas, Information from KHIEU Sarun and Oum Sok and DC-Cam or Dambon 43, Central Zone, 31 May 2007, pp. 17-18.

¹²²² **D117/10**, Written Record of Witness Interview of KHIM Choeung, 17 December 2012, pp. 2-3; **D117/11**, Written Record of Witness Interview of BEN Chhan, 19 December 2012, pp. 2-3; **D117/15**, Site Identification Report, Wat Srang Security Centre and execution sites, Srang village, Tbeng commune, Kg Svay district, Kg Thom province, Sector 43, Central Zone, 14 December 2012, pp. 3-4.

¹²²³ **D117/11**, Written Record of Witness Interview of BEN Chhan, 19 December 2012, pp. 2-3; **D117/12**, Written Record of Witness Interview of SAU Naom, revolutionary name/alias Ly, 19 December 2012, pp. 2-3; **D117/10**, Written Record of Witness Interview of KHIM Choeung, 17 December 2012, pp. 3-4; **D1.3.11.17**, 24 Prisons of Kompong Thom Province of which 16 were in pagodas, Information from KHIEU Sarun and Oum Sok and DC-Cam or Dambon 43, Central Zone, 31 May 2007, pp. 17-19.

¹²²⁴ **D1.3.11.17**, 24 Prisons of Kompong Thom Province of which 16 were in pagodas, Information from KHIEU Sarun and Oum Sok and DC-Cam or Dambon 43, Central Zone, 31 May 2007, pp. 17-18; **D117/11**, Written Record of Witness Interview of BEN Chhan, 19 December 2012, pp. 2-3.

¹²²⁵ **D117/12**, Written Record of Witness Interview of SAU Naom, revolutionary name/alias Ly, 19 December 2012, pp. 2-3.

¹²²⁶ **D1.3.11.17**, 24 Prisons of Kompong Thom Province of which 16 were in pagodas, Information from KHIEU Sarun and Oum Sok and DC-Cam or Dambon 43, Central Zone, 31 May 2007, pp. 17-18.

¹²²⁷ **D117/10**, Written Record of Witness Interview of KHIM Choeung, 17 December 2012, pp. 3-4.

¹²²⁸ **D1.3.11.17**, 24 Prisons of Kompong Thom Province of which 16 were in pagodas, Information from KHIEU Sarun and Oum Sok and DC-Cam or Dambon 43, Central Zone, 31 May 2007, pp. 17-18.

¹²²⁹ **D117/10**, Written Record of Witness Interview of KHIM Choeung, 17 December 2012, pp. 3-4.

¹²³⁰ **D1.3.11.17**, 24 Prisons of Kompong Thom Province of which 16 were in pagodas, Information from KHIEU Sarun and Oum Sok and DC-Cam or Dambon 43, Central Zone, 31 May 2007, pp. 18-19; **D1.3.10.13**, Kampong Thom Report, 1998, the Documentation Center of Cambodia, p. 12.

¹²³¹ **D117/10**, Written Record of Witness Interview of KHIM Choeung, 17 December 2012, pp. 3-4; **D117/11**, Written Record of Witness Interview of BEN Chhan, 19 December 2012, pp. 2-3; **D117/12**, Written Record of Witness Interview of SAU Naom, revolutionary name/alias Ly, 19 December 2012, pp. 2-3; **D1.3.11.17**, 24 Prisons of Kompong Thom Province of which 16 were in pagodas, Information from KHIEU Sarun and Oum Sok and DC-Cam or Dambon 43, Central Zone, 31 May 2007, pp. 18-19.

¹²³² **D117/10**, Written Record of Witness Interview of KHIM Choeung, 17 December 2012, pp. 4-5.

- ¹²³³ **D117/15**, Site Identification Report, Wat Srang security center and execution sites, Srang village, Tbeng commune, Kg Svay district, Kg Thom province, Sector 43, Central Zone, 14 December 2012, pp. 2-3; **D117/9**, Written Record of Witness Interview of HIENG Say, 14 December 2012, pp. 3-4; **D117/10**, Written Record of Witness Interview of KHIM Choeung, 17 December 2012, pp. 4-5.
- ¹²³⁴ **D117/10**, Written Record of Witness Interview of KHIM Choeung, 17 December 2012, pp. 4-5.
- ¹²³⁵ **D1.3.11.17**, 24 Prisons of Kompong Thom Province of which 16 were in pagodas, Information from KHIEU Sarun and Oum Sok and DC-Cam or Dambon 43, Central Zone, 31 May 2007, pp. 18-19; **D117/10**, Written Record of Witness Interview of KHIM Choeung, 17 December 2012, pp. 3-4; **D1.3.10.13**, Kampong Thom Report, 1998, the Documentation Center of Cambodia, p. 12.
- ¹²³⁶ **D117/15**, Site Identification Report, Wat Srang security center and execution sites, Srang village, Tbeng commune, Kg Svay district, Kg Thom province, Sector 43, Central Zone, 14 December 2012, pp. 2-3; **D117/9**, Written Record of Witness Interview of HIENG Say, 14 December 2012, pp. 3-4.
- ¹²³⁷ **D117/11**, Written Record of Witness Interview of BEN Chhan, 19 December 2012, pp. 2-3.
- ¹²³⁸ **D117/15**, Site Identification Report, Wat Srang security center and execution sites, Srang village, Tbeng commune, Kg Svay district, Kg Thom province, Sector 43, Central Zone, 14 December 2012, pp. 2-3.
- ¹²³⁹ **D117/9**, Written Record of Witness Interview of HIENG Say, 14 December 2012, pp. 3-4.
- ¹²⁴⁰ **D219/366**, Written Record of Witness Interview of SIN Khin, 16 June 2015, pp. 6-7; **D117/15**, Site Identification Report, Wat Srang Security Centre and execution sites, Srang village, Tbeng commune, Kg Svay district, Kg Thom province, Sector 43, Central Zone, 14 December 2012, pp. 2-3 and 4.
- ¹²⁴¹ **D107/8**, written record of interview of witness NHIM Kol alias Say, 20 February 2012, p. 2; **D117/24**, written record of interview of witness PEOU Sarom, 7 August 2013, p. 4; **D117/31**, written record of interview of witness YOU Vann, 11 November 2013, p. 5; **D107/2**, written record of interview of witness SANN Son, 16 February 2012, p. 3; **D117/48**, Site Identification Report of Wat Angkuonh Dei Security Center, 15 May 2014, p. 2; **D117/32**, written record of interview of witness NHIM Kol, 12 November 2013, p. 5 (A.9); **D117/52**, written record of interview of civil party BUM Se, 27 May 2014, p. 4 (A.9); **D117/53**, written record of interview of civil party SUN Chean, 28 May 2014, p. 4 (A.15); **D219/138** written record of interview of witness YOU Vann, 8 January 2015, p. 6 (A.13).
- ¹²⁴² **D117/48**, Site Identification Report of Wat Angkuonh Dei Security Center, 15 May 2014, p. 3; **D107/2**, written record of interview of witness SANN Son, 16 February 2012, p. 3; **D117/52**, written record of interview of civil party BUM Se, 27 May 2014, p. 4 (A.9).
- ¹²⁴³ **D117/48**, Site Identification Report of Wat Angkuonh Dei Security Center, 15 May 2014, p. 2; **D117/44**, written record of interview of civil party NOV Hoeun, 5 May 2014, p. 5 (A.15); **D117/43**, written record of interview of witness SBONG Yann, 7 May 2014, p. 4 (A.8).
- ¹²⁴⁴ **D219/859**, written record of interview of civil party LENG Ra, 3 November 2016, p. 16.
- ¹²⁴⁵ **D117/48**, Site Identification Report of Wat Angkuonh Dei Security Center, 15 May 2014, p. 3; **D117/45**, written record of interview of witness THOU Sokheng, 9 May 2014, p. 3 (A.5).
- ¹²⁴⁶ **D117/48**, Site Identification Report of Wat Angkuonh Dei Security Center, 15 May 2014, p. 3; **D117/45**, written record of interview of witness THOU Sokheng, 9 May 2014, p. 3 (A.5 and A.7).
- ¹²⁴⁷ **D117/34**, written record of interview of witness PRAK Ny, 14, November 2013, p. 6 (A.16).
- ¹²⁴⁸ **D117/48**, Site Identification Report of Wat Angkuonh Dei Security Center, 15 May 2014, p. 3; **D117/43**, written record of interview of witness SBONG Yann, 7 May 2014, p. 3 (A.8); **D117/45**, written record of interview of witness THOU Sokheng, 9 May 2014, p. 5 (A.14); **D219/502**, written record of interview of civil party MUOK Sengly, 14 September 2015, p. 5 (A.13).
- ¹²⁴⁹ **D117/48**, Site Identification Report of Wat Angkuonh Dei Security Center, 15 May 2014, p. 3.
- ¹²⁵⁰ **D107/5**, written record of interview of witness ORN Kim Eng alias Theng, 18 February 2012, pp. 3-5; **D107/6**, written record of interview of witness CHHENG Yeun, 18 February 2012, p. 3; **D107/7**, written record of interview of witness NHIM Kol alias Say, 19 February 2012, p. 2; **D107/19.1**, written record of interview of witness VORNG Sokun alias A Kun, 17 February 2012 p. 2; **D117/24**, written record of interview of witness POV Sarom, 7 August 2013, p. 4 (A.9 and A.14) and p. 5 (A.19);

D117/26, written record of interview of witness PUT Kol, 25 September 2013, pp. 4-5; **D117/34**, written record of interview of witness PRAK Ny, 14 November 2013, p. 4; **D117/37**, written record of interview of civil party LENG Ra, 23 April 2014, p. 4 (A.8) and p. 6 (A.13); **D107/3**, written record of interview of witness KAK Sroeu, 16 February 2012, p. 2; **D117/32**, written record of interview of witness NHIM Kol, 12 November 2013, pp. 3-4; **D117/33**, written record of interview of witness POV Sarom, 14 November 2013, p. 3 (A.3); **D117/42**, written record of interview of witness KHOEM Neary, 6 May 2014, p. 3 (A.5); **D117/44**, written record of interview of civil party NOV Hoeun, 5 May 2014, p. 3 (A.5) and p. 4 (A.9); **D117/52**, written record of interview of civil party BUM Ser, 27 May 2014, p. 6 (A.20); **D117/53**, written record of interview of civil party SUN Chean, 28 May 2014, p. 4 (A.9); **D219/26**, written record of interview of witness PRAK Ny, 13 October 2014, p. 6 (A.26); **D117/45**, written record of interview of witness THOU Sokheng, 9 May 2014, p. 3 (A.4); **D117/47**, written record of interview of witness AOK Chanty alias Vanna, 10 May 2014, p. 4 (A.5); **D117/51**, written record of interview of witness YIM Seng, 25 May 2014, p. 4 (A.14); **D117/43**, written record of interview of witness SBONG Yann, 7 May 2014, p. 3 (A.5); **D107/4**, written record of interview of witness VORNG Sokun alias A Kun, 17 February 2012, p. 2; **D1.3.11.45**, Interview Notes of Interviewee SAN Son, OCP Preliminary Investigation, 5 August 2008, p. 4; **D1.3.11.13**, Interview Notes of Interviewee CHHUONG Srim, OCP Preliminary Investigation, 4 August 2008, p. 3; **D219/378**, written record of interview of witness TEM Chheang, 24 June 2015, p. 3 (A.3); **D219/232**, written record of interview of witness VAN Chhunseng, 19 March 2015, p. 3 (A.4).

¹²⁵¹ **D117/45**, written record of interview of witness THOU Sokheng, 9 May 2014, p. 3 (A.4); **D117/24**, written record of interview of witness POV Sarom, 7 August 2013, p. 5; **D117/26**, written record of interview of witness PUT Kol, 25 September 2013, p. 6; **D117/31**, written record of interview of witness YOU Vann, 11 November 2013, pp. 5 and 8; **D117/32**, written record of interview of witness NHIM Kol, 12 November 2013, p. 6 (A.15); **D117/33**, written record of interview of witness POV Sarom, 14 November 2013, p. 4 (A.9); **D117/34**, written record of interview of witness PRAK Ny, 14 November 2013, pp. 3-4; **D117/45**, written record of interview of witness THOU Sokheng, 9 May 2014, p. 4 (A.9); **D117/66**, written record of interview of witness ORN Kim Eng, 27 August 2014, pp. 4-5 (A.14); **D219/26**, written record of interview of witness PRAK Ny, 13 October 2014, p. 8 (A.41); **D219/138**, written record of interview of witness YOU Vann, 8 January 2015, p. 15 (A.56); **D107/7**, written record of interview of witness NHIM Kol alias Say, 19 February 2012, p. 3; **D1.3.11.45**, Interview Notes of Interviewee SAN Son, OCP Preliminary Investigation, 5 August 2008, p. 9.

¹²⁵² **D117/32**, written record of interview of witness NHIM Kol, 12 November 2013, p. 5 (A.10); **D219/138**, written record of interview of witness YOU Vann, 8 January 2015, pp. 15-16 (A.56); **D107/7**, written record of interview of witness NHIM Kol alias Say, 19 February 2012, p. 3.

¹²⁵³ **D107/7**, written record of interview of witness NHIM Kol alias Say, 19 February 2012, p. 4; **D117/24**, written record of interview of witness POV Sarom, 7 August 2013, p. 6 (A.17); **D117/32**, written record of interview of witness NHIM Kol, 12 November 2013, p. 6; **D117/50**, written record of interview of witness IM Pon, 23 May 2014, p. 6 (A.28); **D219/191**, written record of interview of witness KEO Voeun, 29 February 2015, p. 3 (A.3).

¹²⁵⁴ **D107/8**, written record of interview of witness NHIM Kol alias Say, 20 February 2012, p. 4; **D117/32**, written record of interview of witness NHIM Kol, 12 November 2013, p. 6 (A. 17 and A.18).

¹²⁵⁵ **D117/44**, written record of interview of civil party NOV Hoeun, 5 May 2014, p. 5 (A.22); **D117/52**, written record of interview of civil party BUM Ser, 27 May 2014, p. 4 (A.11).

¹²⁵⁶ **D117/32**, written record of interview of witness NHIM Kol, 12 November 2013, p. 5 (A.11); **D117/42**, written record of interview of witness KHOEM Neary, 6 May 2014, p. 5 (A.13); **D107/6**, written record of interview of witness CHHENG Yeun, 18 February 2012, p. 2.

¹²⁵⁷ **D117/32**, written record of interview of witness NHIM Kol, 12 November 2013, p. 5 (A.11).

¹²⁵⁸ **D107/6**, written record of interview of witness CHHENG Yeun, 18 February 2012, p. 2.

¹²⁵⁹ **D107/6**, written record of interview of witness CHHENG Yeun, 18 February 2012, p. 2.

¹²⁶⁰ **D117/34**, written record of interview of witness PRAK Ny, 14 November 2013, p. 5 (A.9).

¹²⁶¹ **D117/32**, written record of interview of witness NHEM Kol, 12 November 2013, p. 5 (A.11); **D117/42**, written record of interview of witness KHOEM Neary, 6 May 2014, p. 3 (A.6); **D219/191**, written record of interview of witness KEO Voeun, 29 February 2015, p. 11 (A.53).

¹²⁶² **D117/32**, written record of interview of witness NHEM Kol, 12 November 2013, p. 4 (A.7).

¹²⁶³ **D117/47**, written record of interview of witness AOK Chanty *alias* Vanna, 10 May 2014, p. 4 (A.10).

¹²⁶⁴ **D117/32**, written record of interview of witness NHEM Kol, 12 November 2013, p. 5 (A.9); **D117/37**, written record of interview of civil party LENG Ra, 23 April 2014, p. 9; **D219/859**, written record of interview of civil party LENG Ra, 3 November 2016, p. 15; **D219/837**, written record of interview of witness SO Saren, 22 September 2016, p. 10; **D107/19.1**, written record of interview of witness VORNG Sokun *alias* A Kun, 17 February 2012 p. 5; **D117/48**, Site Identification Report of Tuol Beng Execution Site, 15 May 2014, p. 2; **D219/138**, written record of interview of witness YOU Vann, 8 January 2015, p. 6 (A.12); **D219/378**, written record of interview of witness TAEM Chheang, 24 June 2015, p. 3 (A.4); **D219/232**, written record of interview of witness VAN Chhunseng, 19 March 2015, p. 4 (A.15).

¹²⁶⁵ **D219/837**, written record of interview of witness SO Saren, 22 September 2016, p. 10.

¹²⁶⁶ **D117/51**, written record of interview of witness YIM Seng, 25 May 2014, p. 4 (A.18).

¹²⁶⁷ **D117/48**, Site Identification Report of Wat Angkuonh Dei Security Center, 15 May 2014, p. 4.

¹²⁶⁸ **D219/138**, written record of interview of witness YOU Vann, 8 January 2015, p. 6 (A.16); **D107/7**, written record of interview of witness NHIM Kol *alias* Say, 19 February 2012, p. 3.

¹²⁶⁹ **D117/32**, written record of interview of witness NHIM Kol, 12 November 2013, p. 4 (A.6) and p. 6 (A.15); **D117/33**, written record of interview of witness POV Sarom, 14 November 2013, p. 3 (A.3); **D117/42**, written record of interview of witness KHOEM Neary, 6 May 2014, p. 3 (A.5) and p. 5 (A.12); **D117/43**, written record of interview of witness SBONG Yann, 7 May 2014, p. 3 (A.4); **D117/45**, written record of interview of witness THOU Sokheng, 9 May 2014, p. 3 (A.4); **D117/44**, written record of interview of civil party NOV Hoeun, 5 May 2014, p. 3 (A.5) and p. 4 (A.9) and p. 7 (A.38); **D117/66**, written record of interview of witness ORN Kim Eng, 27 August 2014, pp. 4-5 (A.14); **D117/47**, written record of interview of witness AOK Chanty *alias* Vanna, 10 May 2014, p. 4 (A.5); **D117/51**, written record of interview of witness YIM Seng, 25 May 2014, p. 3 (A.3 and A.4); **D107/6**, written record of interview of witness CHHENG Yeun, 18 February 2012, p. 3; **D107/7**, written record of interview of witness NHIM Kol *alias* Say, 19 February 2012, pp. 2-3; **D107/8**, written record of interview of witness NHIM Kol *alias* Say, 20 February 2012, p. 3; **D219/232**, written record of interview of witness VAN Chhunseng, 19 March 2015, p. 4 (A.8); **D219/191**, written record of interview of witness KEO Voeun, 29 February 2015, p. 3 (A.3).

¹²⁷⁰ **D117/51**, written record of interview of witness YIM Seng, 25 May 2014, p. 4 (A.11).

¹²⁷¹ **D117/32**, written record of interview of witness NHIM Kol, 12 November 2013, p. 5 (A.9).

¹²⁷² **D117/32**, written record of interview of witness NHIM Kol, 12 November 2013, p. 5 (A.9).

¹²⁷³ **D219/136**, written record of interview of civil party THAN Yang, 22 December 2014, p. 6 (A.17) and (A.18); **D219/378**, written record of interview of witness TAEM Chheang, 24 June 2015, p. 3 (A.4); **D117/43**, written record of interview of witness SBONG Yann, 7 May 2014, p. 4 (A.12).

¹²⁷⁴ **D219/378**, written record of interview of witness TAEM Chheang, 24 June 2015, p. 4 (A.5); **D219/136**, written record of interview of civil party THAN Yang, 22 December 2014, p. 6 (A.17).

¹²⁷⁵ **D219/136**, written record of interview of civil party THAN Yang, 22 December 2014, p. 6 (A.17); **D219/191**, written record of interview of witness KEO Voeun, 29 February 2015, p. 7 (A.31).

¹²⁷⁶ **D117/38**, written record of interview of civil party KRUCH Kim, 24 April 2014, p. 7 (A.17); **D117/41**, written record of interview of witness THLANG Pheng, 6 May 2014, pp. 3-4; **D117/48**, Site Identification Report of Tuol Beng Execution Site, 15 May 2014, p. 2; **D117/43**, written record of interview of witness SBONG Yann, 7 May 2014, p. 3 (A.9); **D117/45**, written record of interview of witness THOU Sokheng, 9 May 2014, p. 3 (A.3); **D117/32**, written record of interview of witness NHIM Kol, 12 November 2013, p. 5 (A.9); **D117/37**, written record of interview of civil party LENG Ra, 23 April 2014, pp. 8-9 (A.21 and A.22); **D117/42**, written record of interview of witness KHOEM Neary, 6 May 2014, p. 4 (A.8 and A.9) and pp. 4-5 (A.10); **D117/66**, written record of interview of witness ORN Kim Eng, 27 August 2014, p. 4 (A.14); **D117/47**, written record of interview of witness AOK Chanty *alias* Vanna, 10 May 2014, p. 3 (A.2); **D219/136**, written record of interview of civil party THAN Yang, 22 December 2014, p. 6 (A.16).

¹²⁷⁷ **D117/47**, written record of interview of witness AOK Chanty *alias* Vanna, 10 May 2014, p. 4, (A.8).

- ¹²⁷⁸ **D219/378**, written record of interview of witness TAEM Chheang, 24 June 2015, p. 4 (A.9).
- ¹²⁷⁹ **D117/43**, written record of interview of witness SBONG Yann, 7 May 2014, p. 4 (A.12); **D117/37**, written record of interview of civil party LENG Ra, 23 April 2014, pp. 8-9 (A.21); **D117/47**, written record of interview of witness AOK Chanty alias Vanna, 10 May 2014, p. 4, (A.8); **D117/41**, written record of interview of witness THLANG Pheng, 6 May 2014, p. 4 (A.8).
- ¹²⁸⁰ **D117/43**, written record of interview of witness SBONG Yann, 7 May 2014, p. 5 (A.14 and A.15); **D117/48**, Site Identification Report of Tuol Beng Execution Site, 15 May 2014, p. 4; **D117/37**, written record of interview of civil party LENG Ra, 23 April 2014, pp. 8-9 (A.21); **D219/136**, written record of interview of civil party THAN Yang, 22 December 2014, p. 7 (A.20).
- ¹²⁸¹ **D117/42**, written record of interview of witness KHOEM Neary, 6 May 2014, p. 4 (A.9); **D117/66**, written record of interview of witness ORN Kim Eng, 27 August 2014, p. 4-5 (A.14); **D117/46**, written record of interview of civil party IEM Channy, 9 May 2014, p. 6 (A.27); **D219/136**, written record of interview of civil party THAN Yang, 22 December 2014, p. 5 (A.13).
- ¹²⁸² **D117/42**, written record of interview of witness KHOEM Neary, 6 May 2014, p. 5 (A.13); **D117/44**, written record of interview of civil party NOV Hoeun, 5 May 2014, p. 4 (A.12); **D219/136**, written record of interview of civil party THAN Yang, 22 December 2014, p. 7 (A.21).
- ¹²⁸³ **D117/41**, written record of interview of witness THLANG Pheng, 6 May 2014, p. 3 (A.7).
- ¹²⁸⁴ **D117/42**, written record of interview of witness KHOEM Neary, 6 May 2014, p. 5 (A.14).
- ¹²⁸⁵ **D117/42**, written record of interview of witness KHOEM Neary, 6 May 2014, p. 6 (A.18); **D117/44**, written record of interview of civil party NOV Hoeun, 5 May 2014, p. 5 (A.17); **D117/47**, written record of interview of witness AOK Chanty alias Vanna, 10 May 2014, p. 4 (A.9); **D117/51**, written record of interview of witness YIM Seng, 25 May 2014, p. 6 (A.34 and A.35); **D107/2**, written record of interview of witness SANN Son, 16 February 2012, pp. 3-4; **D107/6**, written record of interview of witness CHHENG Yeun, 18 February 2012, p. 3; **D1.3.11.45**, Interview Notes of Interviewee SANN Son, OCP Preliminary Investigation, 5 August 2008, p. 8; **D1.3.11.13**, written record of interview of witness CHHUONG Srim, OCP Preliminary Investigation, 4 August 2008, p. 3.
- ¹²⁸⁶ **D219/472**, Written Record of Interview of Civil Party Applicant SUM Chanthol, 24 August 2015, pp. 2-3 and 9-10; **D219/113**, Written Record of Interview of Civil Party Applicant KEO Theory, 8 December 2014, pp. 7-8; **D117/42**, Written Record of Witness Interview of KHOEM Neary, 6 May 2014, pp. 3-4; **D117/45**, Written Record of Witness Interview of THOU Sokheng, 9 May 2014, pp. 4-6; **D219/315**, Written Record of Witness Interview of SAT Pheap, 10 November 2016 [18 May 2015], p. 7.
- ¹²⁸⁷ **D219/113**, Written Record of Interview of Civil Party Applicant KEO Theory, 8 December 2014, pp. 7-8; **D117/42**, Written Record of Witness Interview of KHOEM Neary, 6 May 2014, pp. 7-8.
- ¹²⁸⁸ **D219/232**, Written Record of Witness Interview of VAN Chhunseng, 19 March 2015, pp. 5-6; **D219/138**, Written Record of Witness Interview of YOU Vann, 8 January 2015, pp. 9-10 and 23-26; **D219/113**, Written Record of Interview of Civil Party Applicant KEO Theory, 8 December 2014, pp. 18-19; **D6.1.795**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 2 December 2009, pp. 3-4; **D219/472**, Written Record of Interview of Civil Party Applicant SUM Chanthol, 24 August 2015, p. 11.
- ¹²⁸⁹ **D219/138**, Written Record of Witness Interview of YOU Vann, 8 January 2015, pp. 23-24.
- ¹²⁹⁰ **D219/138**, Written Record of Witness Interview of YOU Vann, 8 January 2015, pp. 23-24.
- ¹²⁹¹ **D219/232**, Written Record of Witness Interview of VAN Chhunseng, 19 March 2015, pp. 5-6; **D219/113**, Written Record of Interview of Civil Party Applicant KEO Theory, 8 December 2014, pp. 18-19; **D219/138**, Written Record of Witness Interview of YOU Vann, 8 January 2015, pp. 25-27.
- ¹²⁹² **D219/113**, Written Record of Interview of Civil Party Applicant KEO Theory, 8 December 2014, pp. 8-9 and 18-19; **D219/232**, Written Record of Witness Interview of VAN Chhunseng, 19 March 2015, pp. 5-6; **D219/138**, Written Record of Witness Interview of YOU Vann, 8 January 2015, pp. 4-5 and 25.
- ¹²⁹³ **D219/232**, Written Record of Witness Interview of VAN Chhunseng, 19 March 2015, p. 6; **D117/59**, Written Record of Interview of Civil Party Applicant BEN Muy, 23 July 2014, p. 14-15 and 17; **D219/232**, Written Record of Witness Interview of VAN Chhunseng, 19 March 2015, p. 6; **D219/113**, Written Record of Interview of Civil Party Applicant KEO Theory, 8 December 2014, pp.

8-10; **D117/43**, Written Record of Witness Interview of SBONG Yann, 7 May 2014, pp. 5-7; **D117/42**, Written Record of Witness Interview of KHOEM Neary, 6 May 2014, pp. 6-7; **D219/472**, Written Record of Interview of Civil Party Applicant SUM Chanthol, 24 August 2015, p. 10; **D219/138**, Written Record of Witness Interview of YOU Vann, 8 January 2015, pp. 4-5.

¹²⁹⁴ **D219/113**, Written Record of Interview of Civil Party Applicant KEO Theory, 8 December 2014, pp. 10-11; **D219/472**, Written Record of Interview of Civil Party Applicant SUM Chanthol, 24 August 2015, p. 10; **D117/59**, Written Record of Interview of Civil Party Applicant BEN Mui, 23 July 2014, pp. 16-17; **D219/138**, Written Record of Witness Interview of YOU Vann, 8 January 2015, pp. 4-5.

¹²⁹⁵ **D219/138**, Written Record of Witness Interview of YOU Vann, 8 January 2015, pp. 4-5; **D117/42**, Written Record of Witness Interview of KHOEM Neary, 6 May 2014, pp. 7-8; **D219/113**, Written Record of Interview of Civil Party Applicant KEO Theory, 8 December 2014, pp. 8-9; **D219/472**, Written Record of Interview of Civil Party Applicant SUM Chanthol, 24 August 2015, pp. 10-11; **D219/232**, Written Record of Witness Interview of VAN Chhunseng, 19 March 2015, p. 6; **D117/59**, Written Record of Interview of Civil Party Applicant BEN Mui, 23 July 2014, p. 17.

¹²⁹⁶ **D219/232**, Written Record of Witness Interview of VAN Chhunseng, 19 March 2015, p. 6; **D117/59**, Written Record of Interview of Civil Party Applicant BEN Mui, 23 July 2014, p. 17; **D219/472**, Written Record of Interview of Civil Party Applicant SUM Chanthol, 24 August 2015, pp. 10-11; **D219/138**, Written Record of Witness Interview of YOU Vann, 8 January 2015, pp. 4-5; **D117/42**, Written Record of Witness Interview of KHOEM Neary, 6 May 2014, pp. 7-8.

¹²⁹⁷ **D219/472**, Written Record of Interview of Civil Party Applicant SUM Chanthol, 24 August 2015, pp. 9-10.

¹²⁹⁸ **D219/138**, Written Record of Witness Interview of YOU Vann, 8 January 2015, pp. 4-5 and 9-10.

¹²⁹⁹ **D219/138**, Written Record of Witness Interview of YOU Vann, 8 January 2015, pp. 9-10.

¹³⁰⁰ **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 7-8; **D6.1.1257**, Speech, Agenda Item 9, by IENG Sary *alias* Vann, in the name of the President, delegation of Democratic Kampuchea, United Nations General Assembly, Thirty-second Session, 28th Plenary Meeting, p. 7.

¹³⁰¹ **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, p. 35.

¹³⁰² **D219/138**, Written Record of Witness Interview of YOU Vann, 8 January 2015, pp. 8-9; **D219/232**, Written Record of Witness Interview of VAN Chhunseng, 19 March 2015, p. 6; **D117/59**, Written Record of Interview of Civil Party Applicant BEN Mui, 23 July 2014, pp. 14-17. **D117/45**, Written Record of Witness Interview of THOU Sokheng, 9 May 2014, p. 6. (A15).

¹³⁰³ **D219/232**, Written Record of Witness Interview of VAN Chhunseng, 19 March 2015, p. 6; **D219/138**, Written Record of Witness Interview of YOU Vann, 8 January 2015, pp. 4-5 and 10-11; **D219/113**, Written Record of Interview of Civil Party Applicant KEO Theory, 8 December 2014, pp. 18-19; **D117/42**, Written Record of Witness Interview of KHOEM Neary, 6 May 2014, pp. 3-4.

¹³⁰⁴ **D219/138**, Written Record of Witness Interview of YOU Vann, 8 January 2015, pp. 10-11.

¹³⁰⁵ **D219/322**, Written Record of Interview of Civil Party Applicant CHAN Sokchea, 14 May 2015, p. 4.

¹³⁰⁶ **D117/59**, Written Record of Interview of Civil Party Applicant BEN Mui, 23 July 2014, pp. 16-17; **D219/322**, Written Record of Interview of Civil Party Applicant CHAN Sokchea, 14 May 2015, p. 4.

¹³⁰⁷ **D219/113**, Written Record of Interview of Civil Party Applicant KEO Theory, 8 December 2014, pp. 8-10; **D117/42**, Written Record of Witness Interview of KHOEM Neary, 6 May 2014, pp. 6-7; **D219/322**, Written Record of Interview of Civil Party Applicant CHAN Sokchea, 14 May 2015, pp. 4-5; **D219/472**, Written Record of Interview of Civil Party Applicant SUM Chanthol, 24 August 2015, p. 10; **D117/59**, Written Record of Interview of Civil Party Applicant BEN Mui, 23 July 2014, p. 17; **D219/138**, Written Record of Witness Interview of YOU Vann, 8 January 2015, pp. 10-11.

¹³⁰⁸ **D219/113**, Written Record of Interview of Civil Party Applicant KEO Theory, 8 December 2014, pp. 10-11.

¹³⁰⁹ **D219/138**, Written Record of Witness Interview of YOU Vann, 8 January 2015, pp. 23-24; **D219/113**, Written Record of Interview of Civil Party Applicant KEO Theory, 8 December 2014, pp. 16-18.

- ¹³¹⁰ **D219/138**, Written Record of Witness Interview of YOU Vann, 8 January 2015, pp. 23-24.
- ¹³¹¹ **D219/287**, Written Record of Witness Interview of HAI Taun, 23 April 2015, p. 5.
- ¹³¹² **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 32-33.
- ¹³¹³ **D219/544**, Written Record of Witness Interview of CHUN Heng, 9 October 2015, pp. 12-13.
- ¹³¹⁴ **D219/544**, Written Record of Witness Interview of CHUN Heng, 9 October 2015, pp. 12-13; **D219/609**, Written Record of Witness Interview of SAMRITH An, 17 November 2015, pp. 9-10.
- ¹³¹⁵ **D219/609**, Written Record of Witness Interview of SAMRITH An, 17 November 2015, pp. 9-10.
- ¹³¹⁶ **D219/544**, Written Record of Witness Interview of CHUN Heng, 9 October 2015, pp. 12-13; **D219/609**, Written Record of Witness Interview of SAMRITH An, 17 November 2015, pp. 9-10.
- ¹³¹⁷ **D219/609**, Written Record of Witness Interview of SAMRITH An, 17 November 2015, pp. 9-10.
- ¹³¹⁸ **D219/287**, Written Record of Witness Interview of HAI Taun, 23 April 2015, p. 5; **D219/226**, Written Record of Interview of Civil Party Applicant PENH Va, 11 March 2015, pp. 8-9; **D219/293**, Written Record of Interview of Civil Party Applicant CHEAM Peou, 4 May 2015, pp. 8-9; **D219/315**, Written Record of Witness Interview of SAT Pheap, 10 November 2016 [18 May 2015], pp. 4, 5-6, and 9-10; **D219/463**, Written Record of Witness Interview of PEN Thol, 10 August 2015, pp. 10-11.
- ¹³¹⁹ **D219/504**, Written Record of Witness Interview of SAT Pheap, 17 September 2015, pp. 32-35; **D219/293**, Written Record of Interview of Civil Party Applicant CHEAM Peou, 4 May 2015, pp. 8-9.
- ¹³²⁰ **D6.1.675**, Written Record of Witness Interview of IENG Chham *alias* Chhi, 8 November 2009, p. 6.
- ¹³²¹ **D6.1.675**, Written Record of Witness Interview of IENG Chham *alias* Chhi, 8 November 2009, p. 6.
- ¹³²² **D219/816**, Written Record of Witness Interview of YA Matly, 23 August 2016, pp. 3-5.
- ¹³²³ **D40**, Written Record of Witness Interview of SALES Ahmat *alias* VANN Mat, 15 July 2011, pp. 3-4; **D6.1.190**, Written Record of Witness Interview of HIM Man *alias* Man Cheang Mchine *alias* A-Man Sal *alias* A-Ch-oeng Meas, 11 August 2008, pp. 2-3.
- ¹³²⁴ **D117/70**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (the 5th interview), 28 May 2013, p. 7; **D117/73**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (the 8th interview), 27 October 2013, pp. 4-5.
- ¹³²⁵ **D117/70**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (the 5th interview), 28 May 2013, p. 7.
- ¹³²⁶ **D117/72**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut (the 7th interview), 21 June 2013, pp. 2-3.
- ¹³²⁷ **D219/120**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut, (the 9th interview), 30 September 2014, p. 6.
- ¹³²⁸ **D117/32**, Written Record of Witness Interview of NHEM Kol, 12 November 2013, pp. 6-8; **D117/33**, Written Record of Witness Interview of POV Sarom, 14 November 2013, pp. 3-4.
- ¹³²⁹ **D117/32**, Written Record of Witness Interview of NHEM Kol, 12 November 2013, pp. 6-8; **D117/33**, Written Record of Witness Interview of POV Sarom, 14 November 2013, pp. 3-4.
- ¹³³⁰ **D117/33**, Written Record of Witness Interview of POV Sarom, 14 November 2013, pp. 3-4; **D219/712**, Written Record of Witness Interview of SOK Horn, 29 February 2016, pp. 5-6.
- ¹³³¹ **D219/120**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut, (the 9th interview), 30 September 2014, pp. 10-11.
- ¹³³² **D219/712**, Written Record of Witness Interview of SOK Horn, 29 February 2016, pp. 3-4.
- ¹³³³ **D117/32**, Written Record of Witness Interview of NHEM Kol, 12 November 2013, pp. 5-6.
- ¹³³⁴ **D219/484**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut, (the 10th interview), 21 August 2015, p. 3.
- ¹³³⁵ **D219/484**, Written Record of Witness Interview of PRAK Yut *alias* Yeay Yut, (the 10th interview), 21 August 2015, p. 5.

- ¹³³⁶ **D219/120**, Written Record of Witness Interview of PRAK Yut *alias Yeay Yut*, (the 9th interview), 30 September 2014, pp. 8-9.
- ¹³³⁷ **D219/120**, Written Record of Witness Interview of PRAK Yut *alias Yeay Yut*, (the 9th interview), 30 September 2014, pp. 8-9; **D219/712**, Written Record of Witness Interview of SOK Horn, 29 February 2016, pp. 5-6.
- ¹³³⁸ **D219/120**, Written Record of Witness Interview of PRAK Yut *alias Yeay Yut*, (the 9th interview), 30 September 2014, pp. 8-9; **D219/731**, Written Record of Witness Interview of NHEM Chen, 18 March 2016, pp. 12-13; **D1.3.27.5**, Interviews with Kampuchean Refugees at Thai-Cambodia Border, prepared for Ishiyama Committee, Annual Report 1980, February-March 1980, p. 15.
- ¹³³⁹ **D219/484**, Written Record of Witness Interview of PRAK Yut *alias Yeay Yut*, (the 10th interview), 21 August 2015, pp. 6-7.
- ¹³⁴⁰ **D117/27**, Written Record of Witness Interview of DEU Raun *alias Phea*, 26 September 2013, pp. 5-6; **D117/58**, Written Record of Witness Interview of MUY Vanny, 3 July 2014, pp. 10-11.
- ¹³⁴¹ **D219/138**, Written Record of Witness Interview of YOU Vann, 8 January 2015, pp. 30-31; **D219/712**, Written Record of Witness Interview of SOK Horn, 29 February 2016, pp. 5-6.
- ¹³⁴² **D219/138**, Written Record of Witness Interview of YOU Vann, 8 January 2015, pp. 30-31; **D219/712**, Written Record of Witness Interview of SOK Horn, 29 February 2016, pp. 5-6.
- ¹³⁴³ Law on Amendments to Articles 2, 3, 9, 10, 11, 14, 17, 18, 20, 21, 22, 23, 24, 27, 29, 31, 33, 34, 35, 36, 37, 39, 40, 42, 43, 44, 45, 46 and 47 of 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, p. 2.
- ¹³⁴⁴ **F28**, Case File No: 001/18-07-2007-ECCC/SC, the Supreme Court Chamber's Appeal Judgement in Case 001, Extraordinary Chambers in the Courts of Cambodia, 3 February 2012, Classification: Public, para. 57, pp. 31-32.
- ¹³⁴⁵ **D427, Closing Order in Case File** No: 002/19-09-2007/**ECCC-OCIJ**, 15 September 2010, **para. 1327, p. 330**.
- ¹³⁴⁶ **D170.1.9**, Steve Heder, The Personal Jurisdiction of the Extraordinary Chambers in the Courts of Cambodia as Regards Khmer Rouge 'Senior Leaders' and Others 'Most Responsible' for Khmer Rouge Crimes: A History and Recent Developments, 2012, 38.
- ¹³⁴⁷ **E188**, Judgement in Case File No: 001/18-July-2007/ECCC/TC, Classification: Public, 26 July 2010, para. 22.
- ¹³⁴⁸ **E188**, Judgement in Case File No: 001/18-July-2007/ECCC/TC, Classification: Public, 26 July 2010, para. 22.
- ¹³⁴⁹ **E188**, Judgement in Case File No: 001/18-July-2007/ECCC/TC, Classification: Public, 26 July 2010, para. 22.
- ¹³⁵⁰ **E188**, Judgement in Case File No: 001/18-July-2007/ECCC/TC, Classification: Public, 26 July 2010, para. 22.
- ¹³⁵¹ **F28**, Case File No: 001/18-07-2007-ECCC/SC, the Supreme Court Chamber's Appeal Judgement in Case 001, Extraordinary Chambers in the Courts of Cambodia, 3 February 2012, Classification: Public, para. 61, p. 33.
- ¹³⁵² **F28**, Case File No: 001/18-07-2007-ECCC/SC, the Supreme Court Chamber's Appeal Judgement in Case 001, Extraordinary Chambers in the Courts of Cambodia, 3 February 2012, Classification: Public, paras. 79-81, pp. 41-43. It is, however, noted that the Judgements in Cases 001 and 002/01 are not referred to Rule 98(7) of the Internal Rules.
- ¹³⁵³ Sean Morrison, (Extraordinary Language in the Courts of Cambodia: The Limiting Language and Personal Jurisdiction of the Cambodian Tribunal), 37 Cap. U. L. Rev. 583-629 at 627 (2008-2009).
- ¹³⁵⁴ Criminal Code of the Kingdom of Cambodia, Article 5 (Interpretation of Criminal Law) p. 2.
- ¹³⁵⁵ The Constitution of the Kingdom of Cambodia, Article 38, para. 6, p. 9.
- ¹³⁵⁶ **F28**, Case File No: 001/18-07-2007-ECCC/SC, the Supreme Court Chamber's Appeal Judgement in Case 001, Extraordinary Chambers in the Courts of Cambodia, 3 February 2012, Classification:

Public, para. 62, pp. 33-34: “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 query the correctness of the reference to Article 29 in this context.

¹³⁵⁷ **F28**, Case File No: 001/18-07-2007-ECCC/SC, the Supreme Court Chamber’s Appeal Judgement in Case 001, Extraordinary Chambers in the Courts of Cambodia, 3 February 2012, Classification: Public, para. 71, p. 38.

¹³⁵⁸ **D427/2/15**, Case File No: 002/19-09-2007-ECCC/OCIJ (PTC 145 & 146), Decision on Appeals by NUON Chea and IENG Thirith against the Closing Order, Classification: Public, 15 February 2011, para. 103, pp. 46-47.

¹³⁵⁹ The 2003 Agreement between the United Nations and the Royal Government of Cambodia concerning the Prosecution under Cambodian Law of Crimes committed during the period of Democratic Kampuchea, para. 2 of the Preamble.

¹³⁶⁰ Rupert Skilbeck, “Defending the Khmer Rouge”, *International Criminal Law Review*, Vol. 8(3), 2008, pp. 433-434.

¹³⁶¹ Statute of the International Criminal Tribunal for the Former Yugoslavia, Articles 9 and 10. Statute of the International Criminal Tribunal for Rwanda, Articles 8 and 9. Statute of the Special Court for Sierra Leone, Articles 8 and 9. Statute of the Special Tribunal for Lebanon, Articles 4 and 5.

¹³⁶² **D208/1/1.1.4**, David Scheffer, *The Extraordinary Chambers in the Courts of Cambodia*, p. 1; **D6.1.197**, Demographic Expert Report, “Khmer Rouge Victims in Cambodia, April 1975–January 1979, A Critical Assessment of Major Estimates” by Dr Ewa Tabeau and Mr They Kheam, 30 September 2009, pp. 7-8.

¹³⁶³ See Mr David Scheffer’s document, “The Extraordinary Chambers in the Courts of Cambodia,” M. Cherif Bassiouni(ed.), *International Criminal Law*, 2008, 3rd ed., Koninklijke Brill NV, p. 240.

¹³⁶⁴ *Prosecutor v. Lukić*, Decision on Milan Lukić’s appeal regarding referral, ICTY Appeals Chamber (IT-98-32/1-AR11bis. 1), 11 July 2007, para. 25.

¹³⁶⁵ **F28**, Case File No: 001/18-07-2007-ECCC/SC, the Supreme Court Chamber’s Appeal Judgement in Case 001, Extraordinary Chambers in the Courts of Cambodia, 3 February 2012, Classification: Public, paras. 46-56.

¹³⁶⁶ **D347.1**, Case File No: 003/07-09-2009 [004/2/07-09-2009-ECCC-OCIJ], Classification: Public, Notification on the Interpretation of ‘Attack against the Civilian Population’ in the context of Crimes against Humanity with regard to a State’s or Regime’s Own Armed Forces, 27 February 2017, para. 61.

¹³⁶⁷ Article 5 (Interpretation of Criminal Law), the 2010 Criminal Code.

¹³⁶⁸ 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.

¹³⁶⁹ Extraordinary Chambers in the Courts of Cambodia Internal Rules (REV.9, 16 January 2015), Rule 21, p. 21.

¹³⁷⁰ **F28**, Case File No: 001/18-07-2007-ECCC/SC, the Supreme Court Chamber’s Appeal Judgement in Case 001, Extraordinary Chambers in the Courts of Cambodia, 3 February 2012, Classification: Public, para. 69, p. 37.

¹³⁷¹ For example, at the ECCC, the Pre-Trial Chamber has previously held that customary international law during 1975-1979 required a nexus between the underlying acts of crimes against humanity and an armed conflict; **D427/2/12**, Criminal Case File No: 002/19-09-2007-ECCC/OCIJ (PTC145 & PTC146), Decision on IENG Thirith’s and NUON Chea’s Appeals against the Closing Order, 13 January 2011, Classification: Public, p. 6; **D427/4/14**, Criminal Case File No: 002/19-09-2007-ECCC/OCIJ (PTC104), Decision on KHIEU Samphan’s Appeal against the Closing Order, 13 January 2011, Classification: Public, p. 4; **D427/1/26**, Criminal Case File No: 002/19-09-2007-ECCC/OCIJ (PTC75), Decision on IENG Sary’s Appeal against the Closing Order, 13 January 2011, Classification: Public, pp. 4-5. However, the Trial Chamber later rejected the nexus requirement being part of the crimes against humanity definition during 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, whereas the Trial Chamber considered rape to be a recognized offence under ECCC Law and international criminal law, the Supreme Court Chamber held that rape was not a distinct crime against humanity during the ECCC's temporal jurisdiction. **E95/8**, Case File No: 002/19-09-2007/ECCC/TC, Decision on Co-Prosecutors' Request to Exclude Armed Conflict Nexus Requirement from the Definition of Crimes against Humanity, 26 October 2011, Classification: Public, para. 33. Similarly, whereas the Trial Chamber considered rape to be a recognized offence under ECCC Law and international criminal law, the Supreme Court Chamber held that rape was not a distinct crime against humanity during the ECCC's temporal jurisdiction; **E188**, Case File No: 001/18-07-2007/ECCC/TC, Judgement, Classification: Public, 26 July 2010, para. 366; **F28**, Case File No: 001/18-07-2007-ECCC/SC, the Supreme Court Chamber's Appeal Judgement in Case 001, Extraordinary Chambers in the Courts of Cambodia, 3 February 2012, Classification: Public, paras. 207-213. The Pre-Trial Chamber has since followed the Supreme Court Chamber's ruling; **D427/I/30**, Criminal Case File No: 002/19-09-2007-ECCC/OCIJ (PTC75), Decision on IENG Sary's Appeal against the Closing Order, 11 April 2011, Classification: Public, paras. 371-372. The Co-Prosecutors have again sought to characterize rape as a distinct crime against humanity, and the Trial Chamber is expected to deal with the issue in its Case 002/02 judgement; **E99**, Case No: 002/19-09-2007-ECCC/TC, Co-Prosecutors' Request for the Trial Chamber to Recharacterize the Facts Establishing the Conduct of Rape as the Crime against Humanity of Rape Rather Than the Crime against Humanity of Other Inhuman Acts, 16 June 2011, Classification: Public; **E124**, Case File No: 002/19-09-2007-ECCC/TC, Severance Order pursuant to Internal Rule 89 *ter*, 22 September 2011, Classification: Public, p. 4.

¹³⁷² Cited in Christoph Safferling, "Nürnberg und die Zukunft des Völkerstrafrechts", *Juristenzeitung*, Vol. 70(22), 2015, p. 1063, fn. 34.

¹³⁷³ 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.

¹³⁷⁴ Statement of the Acting International Co-Prosecutor – Submission of Two New Introductory Submissions", 8 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 12 April 2018).

¹³⁷⁵ "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 12 April 2018).

¹³⁷⁶ See e.g. Robert Cryer, *Prosecuting International Crimes- Selectivity and the International Criminal Law Regime*, 2005, Cambridge University Press.

¹³⁷⁷ **D219/80**, Written Record of Witness Interview of THOU Leang, 18 November 2014, p. 10 (A34).

¹³⁷⁸ **D119/30**, Written Record of Interview of Witness PHOUN Sunt, 20 March 2013, p. 7 (A31); **D219/153**, Written Record of Witness Interview of IM Soeun, 23 January 2015, p. 10 (A32).

¹³⁷⁹ **D118/240**, Written Record of Interview of Civil Party Applicant HOEY San, 19 May 2014, pp. 13-14; **D118/155**, Written Record of Witness Interview of HAO Yan, 6 December 2013, pp. 5-6 and p. 8; **D219/55**, Written Record of Witness Interview of HAO Yan, 27 October 2014, pp. 4-7; **D219/269**, Written Record of Witness Interview of YUN Saroeun, 10 April 2015, pp. 5-6.

¹³⁸⁰ Law Decree (Kret Chbab) No. 1 dated 15 July 1979 of the Kampuchea's People Revolutionary Council for the establishment of the People's Revolutionary Tribunal to try the POL Pot – IENG Sary Clique for the crime of genocide.

¹³⁸¹ **C22/I/32**, judgement of the People's Revolutionary Tribunal held in Phnom Penh from 15 to 19 August 1979.

¹³⁸² Article 6 of the Law to outlaw the Democratic Kampuchea Group, adopted on 7 July 1994.

¹³⁸³ Article 6 of the Law to outlaw the Democratic Kampuchea Group, adopted on 7 July 1994.

¹³⁸⁴ Royal Decree No. NS/RD/0996/72 on the Pardon of IENG Sary, 14 September 1996.

¹³⁸⁵ Letter from the Co-Prime Ministers of the Kingdom of Cambodia to the United Nations Secretary General, 21 June 1997.

¹³⁸⁶ Decision of the Constitutional Council No. 040/002/2001CC, 12 February 2001.

¹³⁸⁷ **D6.1.719**, Written Record of Witness Interview of NAM Che, 28 October 2009, pp. 4-5; **D6.1.1262**, Speech by IENG Sary, Deputy Premier for Foreign Affairs of Democratic Kampuchea, to the UN General Assembly on 25 [11] October 1977, p. 5; **D6.1.1261**, Speech by IENG Sary *alias* Vann, Deputy Premier for Foreign Affairs of Democratic Kampuchea, to the meeting of nonaligned nations at Lima, Peru, 8 September 1975, p. 1; **D6.1.1260**, The True Fact about POL Pot's Dictatorial Regime during Democratic Kampuchea from 1975 to 1978, The Research and Documentation Center of The Democratic National Union Movement, 8 September 1996, pp. 3-4; **D6.1.1072**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 24 June 2008, pp. 2-3; **D6.1.1094**, Written Record of Interview of Charged Person KAING Guek-Eav *alias* Duch, 15 July 2008, pp. 2-3; **D6.1.816**, Foreign Broadcast Information Service, Phnom Penh Domestic Service, 30 September 1977, [Acting] Charge d'Affairs of the PRC in Phnom Penh hosts National Day Reception to welcome the 28th founding anniversary of the PRC, p. 2 (ERN 00168612).

¹³⁸⁸ **D117/36.1.20**, Stephen Heder and Brian D. Tittmore, Seven Candidates for Prosecution: Accountability for the Crimes of the Khmer Rouge, 2004, pp. 3-4.

¹³⁸⁹ **D170.1.9**, Steve Heder, The Personal Jurisdiction of the Extraordinary Chambers in the Courts of Cambodia as Regards Khmer Rouge 'Senior Leaders' and Others 'Most Responsible' for Khmer Rouge Crimes: A History and Recent Developments, 2012, 28 and 48.

¹³⁹⁰ Transcript: the first session of the third term of Cambodian National Assembly, debate and approval of the agreement between the United Nations and the Royal Government of Cambodia and Debate and approval of Amendments to Law on trying Khmer Rouge Leaders (4-5 Oct. 2004), p. 12.

¹³⁹¹ Draft Law on the Establishment of Extra-ordinary Chambers, Searching for the Truth (English) (Number 13: February 2001), p. 86; the Group of Experts concluded that the list of top governmental and party officials may not correspond with the list of persons most responsible for serious violations of human rights [...] and others not in the chart of senior leaders may have played a significant role in the atrocities. (This seems especially true with respect to certain leaders at the zonal level, as well as officials of torture and interrogation centres such as Tuol Sleng; See **E188**, Case File No: 001/18-July-2007/ECCC/TC, Judgement, Classification: Public, 26 July 2010, para. 19; Statement of Deputy Prime Minister Sok An, 2 May 2009, p. 12. Sokha & O-Toole, "Hun Sen to Ban Ki-moon: Case 002 last trial at ECCC," The Phnom Penh Post, 27 October 2010.

¹³⁹² Law on the "Establishment of the Extraordinary Chambers in the Courts of Cambodia", 27 October 2004, Article 20 new.

¹³⁹³ Decision of the Constitutional Council No. 040/002/2001CC, 12 February 2001.

¹³⁹⁴ See David Scheffer, "The Extraordinary Chambers in the Courts of Cambodia" in M. Cherif Bassiouni (ed.), International Criminal Law 2008, 3rd Publication Koninklijke Brill NV, p. 240.

¹³⁹⁵ Military Court, Detention Order No. 15/2002, 22 February 2002.

¹³⁹⁶ Military Court, Detention Order No. 10/03, 22 February 2003.

¹³⁹⁷ <http://edition.cnn.com//2003WORLD/asiapcf/southeast//04/11cambodia.trial.reut/>

¹³⁹⁸ **A/RES/57/228A**, Resolution adopted by the General Assembly, Khmer Rouge Trials, 27 February 2003; <http://www.unakrt-online.org/documentst/resolution-57228b-adopted-general-assembly>.

¹³⁹⁹ **A/RES/57/228A**, Resolution adopted by the General Assembly, Khmer Rouge Trials, 27 February 2003, <http://www.unakrt-online.org/documentst/resolution-57228b-adopted-general-assembly>.

¹⁴⁰⁰ 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 6 June 2003 and came into force on 29 April 2005; http://www.eccc.gov.kh/sites/default/files/legal-documents/Agreement_between_UN_and_RGC.pdf.

¹⁴⁰¹ Draft Law on the Establishment of Extraordinary Chambers, Searching for the Truth (English) (Number 13: February 2001), p. 86.

¹⁴⁰² **D308/3**, Case File No: 004/1/07-09-2009-ECCC-OCIJ, Closing Order (Reasons), 10 July 2017, para. 35, pp. 16-17.

¹⁴⁰³ **E96/7**, Case File No: 002/19-09-2007/ECCC/TC, Decision on Co-Prosecutor's Rule 92 Submission regarding the Admission of Witness Statements and Other Documents before the Trial Chamber, 20 June 2012, Classification: Public, paras. 26-27 and 29, ref. 48, pp. 12-13; **E162**, Trial Chamber

response to portions of **E114**, **E114/1**, **E131/1/9**, **E131/6**, **E136** and **E158**, 31 January 2012, Classification: Public, para. 3; **E185**, Case File No: 002/19-09-2007/ECCC/TC, Decision on Objections to Documents Proposed to be put before the Chamber on 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, 9 April 2012, Classification: Public, para. 20.

¹⁴⁰⁴ **E96/7**, Case File No: 002/19-09-2007/ECCC/TC, Decision on Co-Prosecutor's Rule 92 Submission regarding the Admission of Witness Statements and Other Documents before the Trial Chamber, 20 June 2012, Classification: Public, para. 29, pp. 13-14.

¹⁴⁰⁵ **E185**, Case File No: 002/19-09-2007/ECCC/TC, Decision on Objections to Documents Proposed To be Put before the Chamber on 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, 9 April 2012, Classification: Public, para. 28.

¹⁴⁰⁶ **F36**, Case File No: 002/19-09-2007-ECCC/SC, Appeal Judgement, 23 November 2016, Classification: Public, para. 296, pp. 136-138.

¹⁴⁰⁷ **F36**, Case File No: 002/19-09-2007-ECCC/SC, Appeal Judgement, 23 November 2016, Classification: Public, para. 296, pp. 136-138.

¹⁴⁰⁸ **F36**, Case File No: 002/19-09-2007-ECCC/SC, Appeal Judgement, 23 November 2016, Classification: Public, para. 457, pp. 209-210.

¹⁴⁰⁹ **F36**, Case File No: 002/19-09-2007-ECCC/SC, Appeal Judgement, 23 November 2016, Classification: Public, para. 550, pp. 249-250.

¹⁴¹⁰ **D130/9/21**, Criminal Case File No: 002/19-09-2007-ECCC/OCIJ (PTC 26), Decision on Admissibility of the Appeal against Co-Investigating Judges' Order on Use of Statements Which Were or May Have Been Obtained by Torture, 18 December 2009, Classification: Public, para. 30; **E1/27.1**, Case File No: 001/18-07-2007-ECCC/TC, Transcript of Trial Proceedings – KAINING Guek-Eav "Duch", 28 May 2009, pp. 10-12; **E176**, Case File No: 001/18-07-2007/ECCC/TC, Decision on Parties Requests to Put Certain Materials before the Chamber Pursuant to Internal Rule 87(2), Classification: Public, 28 October 2009, para. 8; **E1/129.1**, Case File No: 002/19-09-2007-ECCC/TC, Transcript of Trial Proceedings, 3 October 2012, para. 74.

¹⁴¹¹ **F26/12**, Case File No: 002/19-09-2007-ECCC/SC, Decision on Objections to Documents Lists Full Reasons, Classification: Public, 31 December 2015, para. 47; **E1/129.1**, Case File No: 002/19-09-2007-ECCC/TC, Transcript of Trial Proceedings, 3 October 2012, para. 74.

¹⁴¹² **F26/12**, Case File No: 002/19-09-2007-ECCC/SC, Decision on Objections to Documents Lists Full Reasons, Classification: Public, 31 December 2015, paras. 57-58.

¹⁴¹³ **F26/12**, Case File No: 002/19-09-2007-ECCC/SC, Decision on Objections to Documents Lists Full Reasons, Classification: Public, 31 December 2015, paras. 65-68.

¹⁴¹⁴ One of the policy rationales underpinning Article 15 of the Convention against Torture is to remove any incentive for states to engage in torture. To avoid frustrating this policy rationale, in stating the legitimacy of using evidence located through information obtained under torture it is necessary to distinguish between the following two scenarios. Firstly, a situation where torture information is used by the torturing authorities to locate witnesses, suspects, fugitives or to otherwise further an ongoing investigation; and secondly, a situation where a judicial authority investigating the torturers seeks to use information elicited by the latter in order to identify possible sources of evidence against them. Allowing the use of torture information as investigative leads in the first scenario could incentivise the use of torture. So, for example, if an intelligence agency obtains a statement through torture, and subsequently uses names provided in that statement to locate a stash of documents or a person with information relevant to the investigation, those documents or the testimony of that person should not be admitted as evidence in any proceedings. In the second scenario, however, the judicial authority is neither directly nor indirectly connected to the torturing authorities, and would use possible leads to locate evidence *against* the torturers. In our view, evidence from witnesses located on the basis of statements obtained under torture can only be used in the second scenario.

¹⁴¹⁵ **E350/8**, Case File No: 002/19-09-2007/ECCC/TC, Decision on Evidence Obtained Through Torture, Classification: Public, 5 February 2016, paras. 63 and 70.

¹⁴¹⁶ **D1.3.16.1**, Handwritten History of Struggle by Former Central Zone Secretary Ke Pauk from 1957 until the present, pp. 6-7 (ERN 00089713-00089714); **D117/31**, Written Record of Interview of Witness You Vann, 11 November 2013, p. 4; **D1.3.16.1**, DC-Cam Magazine, Searching for the Truth,

- Issue 27, March 2002, titled “Ke Pauk Defended Himself to his Death-Ke Pauk’s Autobiography from 1949-1985,” p. 1 (ERN 000899708), pp. 6-7 (ERN 000899713-14).
- ¹⁴¹⁷ **D219/731**, Written Record of Interview Witness NHEM Chen, 15 March 2016, p. 9.
- ¹⁴¹⁸ **D219/731**, Written Record of Interview Witness NHEM Chen, 15 March 2016, p. 9.
- ¹⁴¹⁹ **D6.1.106**, Written Record of Interview Witness SALES Ahmat, 15 August 2008, p. 3.
- ¹⁴²⁰ **D40**, Written Record of Interview of Witness SALES Ahmat *alais* Vann Mat, 15 July 2011, p. 3; **D6.1.190**, Written Record of Interview of Witness HIM Man, 11 August 2008, p. 3.
- ¹⁴²¹ **D219/504**, Written Record of Interview of Witness SAT Pheap, 17 September 2015, p. 7.
- ¹⁴²² **D6.1.730**, Written Record of Interview of Witness PRAK Yut *alias Yeay* Yuth (1st Interview), 21 July 2009, pp. 1-10; **D6.1.733**, Written Record of Interview of Witness PRAK Yut *alias Yeay* Yuth (2nd Interview), 29 July 2009, pp. 1-3; **D6.1.721**, Written Record of Interview of Witness PRAK Yut *alias Yeay* Yuth (3rd Interview), 18 November 2009, pp. 1-8; **D6.1.722**, Written Record of Interview of Interview of Witness PRAK Yut *alias Yeay* Yuth (4th Interview), 19 November 2009, pp. 1-7; **D117/70**, Written Record of Interview of Witness PRAK Yut *alias Yeay* Yuth (5th Interview), 28 May 2013, pp. 1-8; **D117/71**, Written Record of Interview of Witness PRAK Yut *alias Yeay* Yuth (6th Interview), 19 June 2013, pp. 1-12; **D117/72**, Written Record of Interview of Witness PRAK Yut *alias Yeay* Yuth (7th Interview), 21 June 2013, pp. 1-3; **D117/73**, Written Record of Interview of Witness PRAK Yut *alias Yeay* Yuth (8th Interview), 27 October 2013, pp. 1-5; **D219/120**, Written Record of Interview of Witness PRAK Yut *alias Yeay* Yuth (9th Interview), 30 September 2014, pp. 1-24; **D219/484**, Written Record of Interview of Witness PRAK Yut *alias Yeay* Yuth (10th Interview), 21 August 2015, pp. 1-8.
- ¹⁴²³ **D6.1.722**, Written Record of Interview of Witness PRAK Yut *alias Yeay* Yuth (4th Interview), 19 November 2009, p. 2 (A1).
- ¹⁴²⁴ **D117/70**, Written Record of Interview of Witness PRAK Yut *alias Yeay* Yuth (5th Interview), 28 May 2013, p. 6 (A38); **D117/50**, Written Record of Interview of Witness IM Pon, 23 May 2014, p. 6; **D117/45**, Written Record of Interview of Witness THOU Sokheng, 9 May 2014, p. 6 (A13).
- ¹⁴²⁵ **D3/19**, Written Record of Interview of Witness VORNG Sokun, 2 December 2010, p. 5; **D107/19.1**, Written Record of Interview of Witness VORNG Sokun, 17 February 2012, p. 6; **D3/10**, Written Record of Interview of Witness NIV Sun, 19 October 2010, p. 4; **D107/5**, Written Record of Interview of ORN Kim Eng, 18 February 2012, p. 4; **D107/19.1**, Written Record of Interview of Witness VORNG Sokun, 17 February 2012, p. 6; **D6.1.111**, Written Record of Interview of Witness SA Nau *alias* Sa Mat Nau, 17 August 2008, p. 3.
- ¹⁴²⁶ **D219/855**, Written Record of Witness Interview of NHEM Chen, 27 October 2016, p. 7; **D219/876**, Written Record of Witness Interview of CHHEAN Heang, 30 November 2016, p. 9; **D117/66**, Written Record of Witness Interview of ORN Kim Eng, 27 August 2014, p. 5.
- ¹⁴²⁷ **D219/511.1.2**, Written Record of Witness Interview of Chhouk Rin *alias* Sok, 16 June 2015, p. 9; **D219/530**, Written Record of Investigation Action, 13 August 2015, p. 4.
- ¹⁴²⁸ **D219/855**, Written Record of Witness Interview of NHEM Chen, 27 October 2016, p. 4.
- ¹⁴²⁹ **D29**, Written Record of Witness Interview of SUON Kanil, revolutionary name Neang, 10 June 2011, p. 5; **D219/178**, Written Record of Interview of Witness KUCH Ra, 5 February 2015, p. 6; **D6.1.4**, Written Record of Interview of Witness OEUN Tan, 9 October 2008, p. 4; **D117/26**, Written Record of Interview of Witness PUT Kol, 25 September 2013, p. 5; **D191.2**, DC-Cam Interview of **AO An**, 1 August 2011, by Long Long Dany and Vanthan Peou Dara, p. 5; **D29**, Written Record of Interview of Witness SUON Kanil, revolutionary name Neang, 10 June 2011, p. 5; **D74**, Written Record of Interview of Witness ROTH Peou, 25 August 2011, p. 3; **D6.1.379**, Written Record of Interview of Interview of Witness KE Pich Vannak, 4 June 2009, pp. 5, 14; **D78**, Written Record of Interview of Witness CHIN Sinal, 26 August 2011, p. 3; **D6.1.1070**, Written Record of Interview of Charged Person Duch by CIJ, 2 June 2008, p. 6; **D6.1.1085**, Written Record of Interview of Interview of THA Sot, 19 January 2008, p. 4; **D6.1.1076**, Written Record of Interview of Interview of SAO Run, 11 December 2007, p. 3; **D1.3.27.5**, Interviews with Kampuchean Refugees at Thai-Cambodia Border, prepared for Ishiyama Committee Annual Report 1980, pp. 14-15; **D6.1.475**, Written Record of Interview of Witness AFFONCO Denise, 3 June 2009, p. 8.
- ¹⁴³⁰ **D6.1.707**, Written Record of Witness Interview of SUON Kanil, revolutionary name: Neang, 19 August 2009, p. 3.

¹⁴³¹ **D6.1.836**, Handwritten English Translation of Mr BEN Kiernan's Interview with Ouch Bun Chhoeun, Phnom Pneh, 30 September 1980, p. 13.

¹⁴³² **D6.1.697**, Written Record of Witness Interview of SUON Kanil, revolutionary name: 18 August 2009, p. 6.

¹⁴³³ **D117/18**, Written Record of Witness Interview of PICH Cheum, 28 February 2013, p. 4.

¹⁴³⁴ **D1.3.30.11**, 207 [Radio Band], To Angkar 870 with respect, I would like to present more report on situation of Khmer-Thai border at boundary post 44 near Thmei village, west of our land. They came to do the farming two kilometres inland Cambodia. This place is captured by our forces. Our forces are occupying the place opposite to Thmei village, Thai village; **D1.3.30.16**, Telegram 10, Band [Radio 393], To beloved and missed committee 870, **from Comrade Pauk**, dated 4 May 1978 at 10.00; **D1.3.30.5**, Telegram 69, 560 [Radio Band], To beloved M [Office] 80, I would like to report on the situation in the battlefield of National Road 1 as follows, dated 6 November 1977 at 13.35; **D119/87.1**, Telegram 05 [09] dated 29 May 1977, Division 164, To Respected Brother 89; **D118/206.1**, Report on 12 August 1977 through the secret telephone call, dated 12 August 1977 at 7.27 p.m, from Muth; **D132.1.108**, Telegram through Kolaing, To Uncle 89, dated 23 January 1967, from 05; **D132.1.111**, Telegram Number 16, Band 318, Respected and Beloved Brother 009, Be Informed, dated 20 March 1978 at 10.30 a.m, from 47; **D132.1.127**, Telegram No.32 on 24 August 1977, West Division, Dear Beloved and Missed Brother, dated 24 August 1977 at 9.45 p.m., from Soeung; **D132.1.135**, Telegram 68, 324 Radio Band, To Comrade Yi through [Office] 870, dated 22 December 1977, from Comrade Kuon, **D132.1.14**, Telegram 25, Dear Respected Brother(s), dated 7 March 1976, from Ya; **D132.1.143**, Telegram 43, dated 23 April 1977, Division 801, Political Section, With Respect to Beloved Brother Reuan, dated 23 April 1977, from Leu; **D132.1.157**, Telegram, Region 23 (Svay Rieng, Prosoutr and Chantrea Districts), The Border Situation, dated 14 June 1977 to 18 June 1977, At Svay Rieng District, Vietnam has continuously committed a raid at every prong at the border; **D132.1.40**, Telegram 18, 208[Radio Band], Dear beloved and respected brother, The enemies that pushed into Region 24 in Trapeang Peam and Bray were defeated and driven back by us completely, dated 8 April 1978, from 47; **D132.1.53**, Report from a source from the people at O Vay target on the evening of February 16, dated 17 February 1976, from Ya; **D132.1.99**, Telegram 66, 520 characters, We would like to report to Brother that our meeting with a Swedish journalist named Bengt al [illegible] on 7 April 1978 before his visit to Yuon-He said that before he went to Yuon, he requested to a meeting with the Cambodian embassy in order to understand Cambodia's current situation, dated 12 April 1978 at 5 o'clock, from Roat; **D219/702.1.60**, Telegram 236, 134 [Radio] Band, Dear beloved Committee 870, It is requested that Siem Reap and Banteay Srey districts are merged as one because they are adjacent, dated 11 December 1977, from Se; **D219/702.1.63**, Telegram 81, To Respected Brother, We would like to report the following issues: Situations in 010D at Spearhead 2, point 1120 of the mountainous area; Situations of the people who were evacuated from Laos; and situations of the people in Saop village, dated 29 January, from Buth; **D322/8.1.29**, Instructions of 870, Raised issues: View, position and line to victoriously attack the Yuon enemy invader and territory swallower, dated 3 January 1978, from Committee 870; **D6.1.1266**, Telegram 14, [Radio] Band 556, Dear respected and bellowed M870, the Vietnamese situation on the evening of 30 and morning of 31 December 1977, dated 31 December 1977, at 23:15, from Phuong; **D6.1.1269**, Telegram No 16, Band 634, With respect to beloved Brother Par, I would like to report the overall situation on Road No 22 as follows, dated 23 January 1978, from Chhon; **D6.1.1267**, Telegram No 254, Band 745, To respected and beloved Committee 870, About the situation of the enemy along the border in January 1978, dated 10 January 1978, from Se; **D6.1.1268**, Telegram 15, Characters 791, To Respected and Missed Borthor Par, We would like to report about the situation in Sector 23, Sector 24 and the battlefield at Road Number 22 as follows, dated 19 January 1978, from Chhon; **D6.1.1263**, Telegram 54, Radio Band 290, To Respected Brother, About the situation of the outside enemy: Yuon spies entered the division location in the Municipality on 20 April 1978, dated 23 April 1978, from Sarun; **D6.1.1264**, Telegram 14, Band 273, Respected and Beloved Organisation, dated 25 May 1977, from Office 401; **D6.1.1265**, Telegram 52, 874 [Radio] Band, Dear missed and beloved Committee 870, dated 23 August 1977, from Zone 801, Se; **D6.1.491**, Telegram on Arrivial, To the diplomatic section based in Paris, Edictorial of Hsinhua on the visit of Laotian President Souphanouvong to Kampuchea, dated 23 December 1977; **D6.1.1266**, Telegram 14, [Radio] Band 556, Dear respected and bellowed M870, the Vietnamese situation on the evening of 30 and morning of 31 December 1977, dated 31 December 1977, at 23:15, from Phuong; **D325/2.1.2**, Telegram No. 15, Respectfully submitted to Beloved Comrade Brother Pol, dated 30 November 1975, from Chhon; **D322/8.1.32**, Dearw Brother(s), dated 1 April 1978, From M870; **D219/702.1.65**, Telegram 53, 1122 [Radio Bands], To beloved and missed Committee 870, According to the decision of the party, I had been assigned to work in Region 103 for a period of time,

from Zone 801, Se; **D219/702.1.66**, Telegram 53, Characters 1122, 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, dated 23 August 1977, from Zone 801, Se; **D219/702.1.26**, Telegram 11, Characters 477, Dear Brother, I would like to report about the enemy situation on 5 May 1978 as follows, dated 6 May 1978, **from Comrade Pauk; D219/702.1.3**, Telegram 33, To Beloved and Missed M-870, dated 26 November 1976, from Chhan; **D219/702.1.30**, Telegraph 33 dated 5 April 1977, Division 801, Political Section, To Beloved Brother Roeun, from Sam On; **D219/702.1.31**, Telegram 313, Band 502, Respectfully Presented to Beloved Commitetee 870, dted 19 March 1978, from Se; **D219/702.1.40**, To: Angkar, through K-7, Urgent, dated 26 March 1978, from Pal; **D219/702.1.59**, Telegram No. 225, Radio Band 127, Dear Beloved Committee 870, dated 10 December 1977, from Se; **D219/702.1.12**, Margaret P. Grafeld) Declassified/Released US Department of State EO Systematic Review 06 Jul 2006; **D219/702.1.61**, Telegram 56, 660 [Radio Band], Dear respected and beloved Brother, dated 20 July 1977, from Chhean; **D219/702.1.62**, Telegram 60, 1473 characters, To missed and beloved Committee 870, dated 5 September 1977, from Zone 801, Se; **D219/370.1.15**, Revolutionary Youth, Issue 10, October 1978; **D219/370.1.4**, Department of State, Life inside Cambodia, dated 31 March 1976; **D132.1.33**, Telegram 55, Radio Band 163, Respectfully sent to Respected Brother, dated 24 April 1978, from Sarun; **D132.1.35**, Division 164, Political Section, Confidential Telephone Messages on 1 April 1978, dated 1 April 1978, from Mut; **D132.1.36**, Telegram 57, 273 [Radio] Band, Dear respected and beloved M 870, dated 27 October 1977 at 5.00 p.m., sent by Chhon; **D132.1.38**, Telegram No.27, Radio Band 114, Deawr Comrade Yi, dated 22 December 1977, at five past five, from Comrade Kuon; **D132.1.39**, Telegram 84, 126 characters, To respected Angkar 870, dated 20 October 1977, from Nhim; **D132.1.4**, Telegramw 238, [Radio] Band 195, Dear beloved M 870, dated 13 December 1977, from Se; **D132.1.41**, Telegram 61, 761 characters, To respected and beloved Brother, dated 1 April 1978, from Roat; **D132.1.43**, Telegram 67, 380 characters, We would like to inform the Brothers of the following, dated 12 April 1978 at 4:00, from Roat; **D132.1.46**, Telegram 79, Respected Brother, We would like to report to you about the decision of the meeting between the delegation of the Military Region 5 of Vietnam and the north-east Military Zone of Kampuchea on 24 January 1976, dated 27 January 1976, from But; **D132.1.47**, Fascimile No. 15, Radio band 191, Dear Respected and Beloved M-870, dated 16 December 1977, from Yi; **D132.1.48**, Telegram 08, 275 [Radio] Band, Dear respected and beloved M 870, dated 24 December 1977, from Phuong; **D132.1.49**, Telegram 62, Band 1474, Respectfully Presented to Respected and Beloved Mo-81, dated 12 August 1977, from Chhean; **D132.1.5**, Telegram 63, 755 [Radio Band], Respected Brother, dated 4 April 1978, from Roat; **D132.1.54**, Telegram 62, Band 563, Respected and Beloved Brother Par, We would like to report the situation of the battlefield Road No 27 old as follows, from Chhon; **D132.1.55**, Telegram 92, [Radio] Band 320, Dear beloved M 870, We would like to make an additional report on the situation in Region 24 and Route No.22 as follows, dated 12 December at 9.00 p.m., from Chhon; **D132.1.56**, Telegram 85, [Radio Band] 332, Dear respected and beloved M 870, dated 7 December 1977 at 10.00, from Chhon; **D132.1.57**, Telegram 46, Characters 246, To Comrade Yi via Office 870, dated 5 November 1977, from Comrade Kuon; **D132.1.6**, Telegram 11, Radio Band 353, I would like to inform you, my beloved and respected brother, dated 14 February 1978, from 47; **D132.1.60**, Telegram 96, 674 [Radio] Band, Dear beloved and missed M 870, dated 13 December 1977, at 8.30 p.m., from Chhon; **D132.1.36**, Telegram 57, 273 [Radio] Band, Dear respected and beloved M 870, dated 10 April 1978, from Se; **D132.1.64**, Telegram 08, Radio Band 371, Respected Brother, dated 13 January 1978, from Vi; **D132.1.66**, Telegram Number 71, Band 334, Presented to Respected Brother, dated 13 January 1978, from Vi; **D132.1.68**, Telegram 56, Radio Band 348, Dear respected and beloved M 870, dated 26 October 1977 at 8.30 p.m., from Chhon; **D132.1.69**, Telegram 157, Radio Band 1155, To respected M-81, dated 4 March 1978, from Tho; **D132.1.71**, Telegram 20, Radio Band 448, Dear Brother, dated 26 April 1978, from 47; **D132.1.73**, Telegram 78, To Brother M 870 and Brother Vi with respect, We would like to report about the result of the 24 January meeting with the Vietnamese, 24 January 1976; **D132.1.79**, Telegram 2, Radio Band 191, Respected and Beloved Brother Pol, dated 8 January 1978, from Mok; **D132.1.8**, Telegram 20, To respected Brothers, dated 3 March 1976, from Ya; **D132.1.80**, Telegram 85, Radio Band 379, To beloved and missed Brother Pol, dated 19 November 1977 at 4.00 p.m., from Chhon; **D132.1.83**, Telegram, To Respected Brother 89, dated 8 February 1976, from Chhin; **D132.1.84**, Telegram 12, Radio Band 343, To respected and beloved Brother, dated 15 January 1978, from Chhon; **D132.1. 86**, Telegram 2, Radio Band 343, To respected and beloved Brother Pol, dated 22 December 1977, from Chhon; **D132.1.87**, Telegram, To: Respected, beloved and missed Brothers, dated 22 April 1978 at 9.00, from 47; **D132.1.90**, Telegram 63, Radio Band 253, To Respected Brother, dated 1 January 1978, from Ri; **D132.1.131**, Telegram, To brother Mut, dated 24 September 1976, from Comrade Dim; **D132.1.133**, Telegram [illegible], Radio Band 218, To respected and beloved Office 870, dated 27 October 1977 at 8:30 p.m., from Chhon; **D132.1.137**, Telegram, To beloved and missed Brother 89 dated 3 March 1976, from Chhin; **D132.1.139**, Telegram 95, Radio Band 139, Dear beloved

and missed M 870, dated 13 December 1977 at 24.30, from Chhon; **D132.1.140**, Telegram 17, Radio Band 1297, To beloved and respected M-870, dated 15 January 1978, from Phuong; **D132.1.141**, Telegram 47, Radio Band 1175, Respected and beloved brother, dated 12 March 1978 at 12.30, from Roat; **D132.1.144**, Telegram 61, Radio Band 137, To respected and beloved M 870, dated 29 October 1977 at 2.00 p.m., from Chhon ; **D132.1.146**, Telegram 82, Radio Band 328, Respectfully Presented to Beloved and Missed Brother Pol, we would like to inform you of the battlefield situation in Sector 23 as follows, dated 18 November 1977, from Chhon; **D132.1.149**, Telegram 11, Radio Band 271, Respectfully sent to Beloved and Missed M 870, We would like to report on the situation at the boundary of Sector 23 as follows, dated 10 September 1976, from Chhon ; **D132.1.15**, Telegram 11, Radio Band 353, To Respected, Beloved and Missed Brother, dated 14 February 1978, from 47; **D132.1.151**, Telegram 48, Radio Band 620, Respected Brother, dated 13 March 1978 at 3.00, from Roat; **D132.1.152**, Telegram 06, Radio Band 285, Dear respected and beloved M 870, dated 23 December 1977, from Phuong; **D132.1.153**, Telegram 30, Radio Band 325, To respected Brother Representative of Angkar (Organisation), dated 24 March 1978, from Comrade Peam; **D132.1.91**, Telegram 3, Radio Band 303, To Respected and Beloved Brother Par, dated 24 December 1977 at 12.30, from Chhon; **D132.1.92**, Telegram 69, Radio Band 410, Dear Beloved and Missed Brother Par, dated 7 November 1977 at 8.00 p.m., from Chhon; **D132.1.93**, Telegram 40, Radio Band 221, Respected and beloved brother, dated 21 February 1978, from Roat; **D132.1.155**, Telegram 68, Radio Band 1630, To beloved and missed M 81, dated 30 August, from Chhean; **D132.1.156**, Telegram 07, Radio Band 269, Dear respected and beloved M 870, dated 23 December 1977 at 7.30 p.m., from Phuong ; **D132.1.158**, Telegram 39, Radio Band 240, To beloved and missed brother Pol, dated 24 September 1977, from Chhon; **D132.1.159**, Telegram 21, Radio Band 676, Presented with respect to Beloved and Missed Brother Pol, dated 21 March, from Chhon; **D132.1.160**, Telegram 45, Respects to beloved and missed Brother Pol, dated ... November 1975, from Chhon ; **D132.1.162**, Telegram 91, Radio Band 262, Dear beloved M 870, dated 10 December at 10.00, from Chhon; **D132.1.163**, Telegram 01, dated 31 March 1978, West Zone Division, Report; **D132.1.164**, Telegram 306, Radio Band 764, To respected Brother Van, dated 12 March 1978, from Kan; **D132.1.165**, Telegram 313, Radio Band 502, Respectfully presented to beloved Committee 870, dated 19 March 1978, from Se; **D132.1.166**, To: Brother 89, The Situation observed on radars at Bokar and Pochentong, dated 17 June 1977; **D132.1.167**, To beloved and missed M 870, dated 14 August 1977, from Comrade Lin; **D132.1.170**, Telegram 28, Radio Band 305, Tob respected Representative of Angkar, dated 23 March 1978, from Comrade Peam; **D132.1.18**, Telegram 11, Radio Band 271, To beloved and missed M 870, dated 10 September, from Chhon ; **D132.1.19**, Telegram 35, dated 5 April 1978, Division 801, Political Section, Dear respected and beloved Grand Uncle 89, dated 5 April 1978, from Roeun; **D132.1.2**, Telegram 54, Radio Band 274, To Beloved and Missed M 870, dated 20 May 1977, from Chhan; **D132.1.23**, Telegram 67, Radio Band 380, We would like to inform Brother of the following, dated 12 April 1978 at 4.00, from Roat; **D132.1.26**, Telegram 445, Radio Band 265, To respected and beloved Brother, dated 1 March 1978, from Roat; **D132.1.95**, Telegram 34, Radio Band 1313, Dear Respected and Beloved Brother, dated 29 April 1977, from Chhean; **D132.1.98**, Telegram 11, Radio Band 251, Dear respected and beloved M 870, dated 27 December 1977, from Phuong; **D132.1.101**, Telegram 157, Radio Band 1155, To respected M 81, dated 4 March 1978, from Tho; **D132.1.107**, Telegram 15, Radio Band 416, Dear respected and beloved M 870, dated 1 January 1978, from Phuong ; **D132.1.110**, Telegram 54, Radio Band 642, Dear respected, beloved and missed M 870; **D132.1.112**, Telegram 7, Radio Band 545, Be It Please Reported to Respected Brother, dated 15 June 1977, from Vi; **D132.1.114**, Telegram 60, Radio Band 378, To respected and beloved M 870, dated 29 October, from Chhon; **D132.1.115**, Telegram 16, Radio Band 318, To respected and beloved Brother 009, dated 20 March 1978 at 10.00 p.m., from 47; **D132.1.119**, To Beloved and Missed Brother 89, dated 3 March 1976, from Chhin; **D132.1.120**, Telegram 5, Radio Band 123, Dear Respected Brother, dated 21 March 1978, from Vi; **D132.1.122**, Telegram 76, Radio Band 601, To respected and beloved M 870, dated 12 November 1977 at 5.00 p.m., from Chhon ; **D132.1.29**, Telegram 34, Radio Band 825, Dear Respected and Beloved Brother, dated 11 February 1978, from Roat; **D132.1.30**, Telegram 46, Radio Band 600, Respected and Beloved Brother, dated 15 May 1977, from Chhean; **D132.1.31**, Telegram 17, Radio Band 274, To beloved Brother Par, dated 27 January 1978, from Chhon ; **D132.1.124**, Telegram, To Beloved Brother 89, dated 29 February 1976, from Comrade Chhin; **D132.1.125**, Division 117, Political Section, Telegram 6, dated 2 March 1978, Request to report to the General Staff, from Rom; **D132.1.126**, Telegram 27, Radio Band 451, To respected and beloved brother, dated 17 March 1978, from Yem; **D132.1.128**, S-21 Telegram to Beloved Angkar, Subject: The boundary situation of Sector 25, dated 23 March 1976, from Office S-21; **D132.1.129**, Telegram 85, Radio Band 379, Dear Beloved and Missed Brother Pol, We would like to provide additional information about the situation at the Road 13 battlefield, dated 19 November 1977 at 4.00 a.m., from Chhon; **D132.1.13**, Telegram 59, Radio Band 684, To respected and beloved M 870, We would like to report more on Snak battle and

new situation concerning Region 23, dated 28 October at 8.30; **D132.1.130**, Telegram 55, Radio Band 403, Dear respected and beloved M 870, dated 26 October, from Chhon; **D132.1.51**, Telegram dated 3 January 1979 from the Deputy Prime Minister in charge of Foreign Affairs of Democratic Kampuchea Addressed to the President of the Security Council, Vietnam is further intensifying its war of aggression against Democratic Kampuchea. The savage acts of aggression by Vietnam violate the independence, sovereignty and territorial integrity of Democratic Kampuchea and threaten peace, security, independence and stability in South East Asia, in Asia and throughout the world; **D119/87.1**, Telegram 05, dated 29 May 1977, Division 164, To Respected Brother 89, dated 29 May 1977, from Thuch; **D118/206.1**, Telegram, Report on 12 August 1977 through the secret telephone call, from Mut; **D119/107.1**, Telegram, Division 164, Political Section, The Secret Telephone Call on 1 April 1978, Report, from Mut; **D119/107.2**, Telegram, Division 164, Political Section, Report through the secret telephone call dated 15 September 1977, To Beloved Division, dated 15 September 1977, from Sim; **D118/207.1**, Telegram, Division 164, Political Section, The Secret Telephone Call on 1 April 1978, Report, from Mut; **D118/207.2**, Telegram, Division 164, Political Section, Report through the secret phone call dated 15 September 1977, To Beloved Division, dated 15 September 1977, from Sim; **D1.3.30.10**, Telegram 00, Radio Band 354, Respectfully presented to Committee M 887, from Mut; **D1.3.30.12**, Telegram 02, Radio Band 191, Beloved Brother Pol, dated 08 April 1978, from Mok; **D1.3.30.13**, Telegram 02, Radio 680, To Respected Committee 870, I would like to give an additional report on the situation of the battlefield around Road Number 7. Comrade Comanders-in-Chief in each prong have come to the meeting held in the west battlefield from Prek Chor to Kmapong Roka, dated 12 April 1978, **from Comrade Pauk**; **D1.3.30.14**, Telegram 20, Radio Band 448, Dear Respected and Beloved Brother, dated 26 April 1978, from 47; **D1.3.30.15**, Telegram 09, Radio Band 586, Respected Committee 870, I would like to give additional report to Angkar on the result of both the west battlefield and the east battlefield on April 28, 1978, dated 29 April 1978, **from Comrade Pauk**; **D1.3.30.18**, Telegram 13, Radio Band 330, To Missed Committee 870, I would like to report to you about the results of destroying the enemy on 8.5.78 in Comrade Tat and Comrade Van's prongs, dated 9 May 1978 at 11.00 a.m., **from Comrade Pauk**; **D1.3.30.2**, Telegram 44, Radio Band 1100, Respectfully submitted to respected Brother Pol, I request to report to Brother on the enemy situation, the situation of the masses and the production situation in the North Zone as follows, dated 2 April 1976, **from Comrade Pauk**; **D1.3.30.20**, Telegram 63, Radio Band 200, Dear beloved and missed Angkar 870, dated 15 June 1978, from Nhim; **D1.3.30.21**, Telegram, Advise from Office 870, Issues raised: View, standpoint and ways to attack the Yuon [Vietnamese] enemy invading territory in order to gain a victory; **D1.3.30.3**, Telegram, 16 Radio Band 355, To respected and loved chief of 870, dated 30 April 1977, **from Comrade Pauk**; **D1.3.30.4**, Telegram 48, Radio Band 100, To respected Angkar 870, dated 27 August 1977, from Nhim; **D1.3.30.6**, Telegram 05, Radio Band 160, Dear respected and beloved M 870, dated 22 December 1977, from Phuong; **D1.3.30.7**, Telegram 22, Radio Band 362, We would like to report to M 870 as follows, dated 22 December 1977, from Nhim and Hem; **D1.3.30.8**, Telegram 25, Radio Band 184, Dear respected Angkar 870, dated 24 December 1977, from Nhim; **D1.3.30.9**, Telegram 09, Radio Band 550, To respected and beloved M 870, dated 24 December 1977, from Phuong; **D1.3.13.1**, Telegram 32, Radio Band 295, To Missed Committee 870, I would like to report to Angkar-On 27 March 78, at 4 p.m. soldiers of Region 41 arrested two soldiers, Chhan and Ry of Air Unit 512-They are in grey kaki clothes dirving a motorbike, dated 29 March 1978, **from Comrade Pauk**; **D6.1.464**, Telegram 09, Radio Band 586, Respected Committee 870; **D6.1.465**, Telegram 10, Dear beloved Com. 870, dated 4 September 1978, **from Comrade Pauk**; **D6.1.466**, Telegram 54, Radio Band 240, To: Respected Brother, dated 23 April 1978, from Sarun; **D6.1.479**, Confidential, Department of State, Information: Concen Hong Kong, Ambassy Paris, Ambassy Copengen, Ambassy Tokyo, Ambassy Bangkok, Ambassy Tokyo, Ambassy Vientiane, Cambodia Today: Part One: Life Inside Cambodia, pp. 1-18; **D6.1.480**, Republic of France, Ministry of Foreign Affairs, Political Affairs Directorate, Asia-Oceania, Paris, 15 October 1976, Cambodia Review (September 1976), pp. 1-5; **D6.1.485**, Ministry of Foreign Affairs, Received Telegram, Geneva, 22 April 1975, Received on 22 April 1975 at 12.00, No.1488-89, Message for the International Red Cross in Phnom Penh; **D6.1.486**, Ministry of Foreign Affairs, Received Telegram, Hanoi, 23 May 1975, Received on 23 May 1975 at 17:43, Subject: Chinese Aircraft in Cambodia; **D6.1.487**, Ministry of Foreign Affairs, Received Telegram, Hanoi, 28 April 1978, Received on 28 April 1975 at 13:12, Subject: Situation of Refugees from Phnom Penh; **D6.1.489**, Ministry of Foreign Affairs, received Telegram, Peking, 5 December 1977, Received on 5 December 1977 at 12.00, CHEN YUNG-KUEI's Visit to Kampuchea; **D6.1.493**, Telegram 29, Radio Band 92, To Beloved M870-On 10 September, three Cham Muslims fled from Mil village, Kh'sem commune-They were fleeing to Vietnam, dated 14 September 1977, from Yi; **D6.1.496**, Telegram 18, Radio Band 208, Dear Brother, dated 8 April 1978, from 47; **D6.1.497**, Telegram 13, Radio Band 330, Dear Com. 870, I would like to report further about the results of smashing the enemy on 08 May 1978 at the spearheads of Comrade Tat and Comrade

Van, dated 09 May 1978 at 11.00 a.m., **from Comrade Pauk; D6.1.499**, Telegram 324, Radio Band 1230, Respectfully sent to Beloved Committed 870, dated 10 April 1978, from Se; **D6.1.50**, Telegram 47, Radio Band 267, To: Respected and beloved Brothers of Office 870, dated 1 January 1978, from Sarun; **D6.1.504**, Telegram 08, Radio Band 371, Respected Brother, dated 21 April 1978, from Vi; **D6.1.508**, Telegram 09, Radio Band 326, Respected Brother, dated 25 April 1978, from Vi; **D6.1.509**, Telegram 18, Radio Band 208, Dear Brother, dated April 1978, from 47; **D6.1.51**, Telegram 05, Radio Band 870, Dear Beloved and Missed Committee 870, I would like to report to you about the enemy's activities at the battlefield along Route No. 7 as follows, dated 18 April 1978 at 7.00 p.m., **from Comrade Pauk; D6.1.515**, Telegram 54, Radio Band 290, To: Respected Brother, dated 23 April 1978, from Sarun; **D6.1.516**, Telegram 47, Radio Band 267, To: Respected and beloved Brothers of Office 870, dated 1 January 1978, from Sarun; **D6.1.517**, Telegram 46, Radio Band 243, To respected M 870, dated 9 April 1978, from Sarun; **D6.1.519**, Telegram 55, Radio Band 163, Respected Brother, dated 24 April 1978, from Sarun; **D6.1.52**, Telegram 31, Radio Band 265, To Beloved and Missed Office 870, dated 9 March, from Nhim; **D6.1.547**, Telegram 34, Dear respected and beloved M870, dated 4 December, from Chhan; **D6.1.56**, Summary of the Situation from 15 July until 31 August 1976, Division 164-West-Division 703-Northwest-Siem Reap-Northeast-Division 920-Southwest-Railways-East; **D6.1.58**, Telegram 95, Radio Band 326, Dear beloved Office 870, dated 11 May 1977, from Yi; **D6.1.588**, List of prisoners who are interrogated, Group: Hot, dated 2 February; **D6.1.589**, Names of the enemies who were brought in for interrogation, Documentation Team, dated 2 February 1978; **D6.1.59**, Telegram 38, Band 248, To Respected Angkar 870, dated 12 August, from Nhim; **D6.1.60**, Telegram, Radio Band:32, Radio Band 463, To: Beloved and Missed Office 870, dated 14 September, from Phim; **D6.1.764**, Telegram 32, Radio Band 295, Dear Missed Committee 870, dated 29 March 1978, **from Comrade Pauk** ; **D6.1.770**, Telegram 23 dated 20 May 1976, Division 920, To beloved Brother 89, dated 16 May 1976; **D6.1.792**, Telegram 61, Radio Band 1174, To respected and beloved brother, undated, from Kan; **D6.1.793**, Telegram 59, Radio Band 136, To respected brother Pauk, dated 5 November 1977, from Oeun; **D6.1.794**, Telegram 100, Radio Band 292, Please be informed, Brother Nhim, dated 6 November 1977, from San, M-560; **D6.1.972**, Telegram 89, Radio Band 278, To Beloved Office 870, dated 1 May 1977, from Yi; **D6.1.973**, Telegram 21, Radio Band 74, To respected Angkar 870, dated 21 December 1977, from Nhim; **D6.1.974**, Telegram 3, Radio Band 267, To Beloved and Missed Office 870, dated 12 April 1978, **from Comrade Pauk** ; **D132.1.161**, Ieng Sary's Telegram to the UN, NCNA in English 1135 gmt 7 Feb 79, Text of report of 5th February telegram from Ieng Sary to Kurt Waldheim; **D132.1.81**, Telegram 30, Radio Band 330, To beloved committee 870, dated 7 May 1978, from Se; **D219/702.1.28**, Office S-21, Phnom Penh, Dear Brother, regarding prisoners taken in on 16 August 1977, dated 17 August 1977, from Chan; **D6.1.552**, Office S-21, Phnom Penh, Dear Brother, regarding prisoners taken in on 18 August 1977, dated 19 August 1977, from Chan; **D6.1.584**, Office S-21, Phnom Penh, Dear Brother -This is to report to you on prisoners taken in on 23 August 1977, dated 24 August 1977, from Chan ; **D6.1.550**, Office S-21, Phnom Penh, Dear Brother -This is report to you on prisoners taken in on 23 August 1977, dated 24 August 1977, from Chan; **D219/702.1.27**, Office S-21, Phnom Penh, Dear Brother -This is to report to you on prisoners taken in on 26 August 1977, dated 27 August 1977, from Chan; **D6.1.574**, Office S-21, Phnom Penh, Dear Brother -This is to report to you on prisoners taken in on 28 August 1977, dated 29 August 1977, from Chan; **D6.1.565**, Office S-21, Phnom Penh, Dear Brother -This is to report to you on prisoners taken in on 30 August 1977, dated 31 August 1977, from Chan; **D6.1.579**, Telegram 202, Report: Dear beloved Comrade Police of Tram Kak District, dated 1 March 1978, from Ar Saom; **D6.1.560**, Telegram 227, Meng- Accordign to Chhon's confession, the Contemptible Meng was a CIA agent in 109-He escaped from Sre Ronaong Sub-district on January 26, 1978-Our comrades arrested him in Kampot on February 6, 1978, p. 1; **D6.1.585**, Office S-21, Phnom Penh, Dear Brother -This is to report to you on prisoners taken in on 5 September 1977, dated 6 September 1977, from Chan, p. 1; **D6.1.582**, Office S-21, Phnom Penh, Dear Brother - This is to report to you on prisoners taken in on 7 September 1977, dated 8 September 1977, from Chan, p. 1; **D6.1.577**, Office S-21, Phnom Penh, Dear Brother - This is to report to you on prisoners taken in on 7 September 1977, dated 8 September 1977, from Chan, pp. 1-3; **D6.1.553**, Office S-21, Phnom Penh, Dear Brother - This is to report to you, on prisoners taken in on 12 September 1977, dated September 1977, from Chan, p. 1; **D6.1.581**, Office S-21, Phnom Penh, Dear Brother - This is to report to you on prisoners taken in on 13 September 1977, dated 15 September 1977, p. 1; **D6.1.575**, Office S-21, Phnom Penh, Dear Brother - This is to report to you on prisoners taken in on 15 September 1977, dated 16 September 1977, p. 1; **D6.1.567**, Office S-21, Phnom Penh, Dear Brother - This is to report to you on prisoners taken in on 17 September 1977, dated 18 September 1977, from Chan, pp. 1-3; **D6.1.570**, Office S-21, Phnom Penh, Dear Brother - This is to report to you, on prisoners taken in on 23 September 1977, dated 24 September 1977, from Chan, p. 1; **D6.1.573**, Office S-21, Phnom Penh, Dear Brother - This is to report to you, on prisoners taken in on 25 September 1977, dated 26 September 1977, from Chan, pp. 1-2; **D6.1.566**, Office S-21,

Phnom Penh, Dear Brother - This is to report to you on prisoners taken in on 27 September 1977, dated 28 September 1977, from Chan, p. 1; **D6.1.569**, Office S-21, Phnom Penh, Dear Brother - This is to report to you on prisoners taken in on 3 October 1977, dated 4 October 1977, from Chan, pp. 1-2; **D6.1.571**, Office S-21, Phnom Penh, Dear Brother - This is to report to you on prisoners taken in on 5 October 1977, dated 6 October 1977, from Chan, p. 1; **D6.1.557**, Office S-21, Phnom Penh, Dear Brother - This is to report to you on prisoners taken in 7 October 1977, dated 8 October 1977, from Chan, pp. 1-3; **D6.1.558**, Office S-21, Phnom Penh, Dear Brother - This is to report to you, on prisoners taken in on 15 October 1977, dated 16 October 1977, from Chan, p. 1; **D6.1.580**, Office S-21, Phnom Penh, Dear Brother - This is to report to you, on prisoners taken in on 19 October 1977, dated 20 October 1977, from Chan, pp. 1-2; **D6.1.568**, Office S-21, Phnom Penh, Dear Brother - This is to report to you on prisoners taken in on 23 October 1977, dated 24 October 1977, from Chan, pp. 1-3; **D6.1.576**, Office S-21, Phnom Penh, Dear Brother - This is to report to you, on prisoners taken in on 24 October 1977, dated 25 October 1977, from Chan, pp. 1-3; **D6.1.583**, Office S-21, Phnom Penh, Dear Brother - This is to report to you on prisoners taken in on 26 October 1977, dated 27 October 1977, from Chan, pp. 1-3; **D6.1.556**, Office S-21, Phnom Penh, Dear Brother - This is to report to you on prisoners taken in on 8 November 1977, dated 9 November 1977, from Chan, p. 1; **D6.1.563**, Letter: Dear beloved Comrade (s), Police Office of District 105-We would like to send two prisoners as follows: (1. Chim Hong, and 2. Touch Lon), dated 1 March 1978, Education Office of Angkor Chey District, Than, p. 1; **D132.1.147**, Telegram 41, Radio Band 818, To beloved and missed Brother Pol, We would like to add more information on the battlefield north of Route No. 1, dated 26 September 1977, from Comrade Chhon, pp. 1-2; **D132.1.97**, Revolutionary Army Adopts Resolutions on SRV Disputes, Phnom Penh Domestic Service in Cambodian 2300 GMT 4 Jan 78, pp. 1-2; **D6.1.587**, Office S-21, Phnom Penh, Dear Brother - This is to report to you on prisoners taken in on 16 October 1977, dated 17 October 1977, from Chan, p. 1.

¹⁴³⁵ **D1.3.30.16**, Telegram 10, Band [Radio 393], To beloved and missed committee 870, **from Comrade Pauk**, dated 4 May 1978 at 10.00; **D219/702.1.26**, Telegram 11, Characters 477, Dear Brother, I would like to report about the enemy situation on 5 May 1978 as follows, dated 6 May 1978, **from Comrade Pauk**; **D1.3.30.13**, Telegram 02, Radio 680, To Respected Committee 870, I would like to give an additional report on the situation of the battlefield around Road Number 7. Comrade Commanders-in-Chief in each prong have come to the meeting held in the west battlefield from Prek Chor to Kmapong Roka, dated 12 April 1978, from **Comrade Pauk**; **D1.3.30.15**, Telegram 09, Radio Band 586, Respected Committee 870, I would like to give additional report to Angkar on the result of both the west battlefield and the east battlefield on April 28, 1978, dated 29 April 1978, **from Comrade Pauk**; **D1.3.30.18**, Telegram 13, Radio Band 330, To Missed Committee 870, I would like to report to you about the results of destroying the enemy on 8.5.78 in Comrade Tat and Comrade Van's prongs, dated 9 May 1978 at 11.00 a.m., **from Comrade Pauk**; **D1.3.30.2**, Telegram 44, Radio Band 1100, Respectfully submitted to respected Brother Pol, I request to report to Brother on the enemy situation, the situation of the masses and the production situation in the North Zone as follows, dated 2 April 1976, **from Comrade Pauk**; **D1.3.30.3**, Telegram, 16 Radio Band 355, To respected and loved chief of 870, dated 30 April 1977, **from Comrade Pauk**; **D1.3.13.1**, Telegram 32, Radio Band 295, To Missed Committee 870, I would like to report to Angkar-On 27 March 78, at 4 p.m. soldiers of Region 41 arrested two soldiers, Chhan and Ry of Air Unit 512-They are in grey kaki clothes driving a motorbike, dated 29 March 1978, **from Comrade Pauk**; **D6.1.465**, Telegram 10, Dear beloved Com. 870, dated 4 September 1978, **from Comrade Pauk**; **D6.1.497**, Telegram 13, Radio Band 330, Dear Com. 870, I would like to report further about the results of smashing the enemy on 08 May 1978 at the spearheads of Comrade Tat and Comrade Van, dated 09 May 1978 at 11.00 a.m., **from Comrade Pauk**; **D6.1.51**, Telegram 05, Radio Band 870, Dear Beloved and Missed Committee 870, I would like to report to you about the enemy's activities at the battlefield along Route No. 7 as follows, dated 18 April 1978 at 7.00 p.m., **from Comrade Pauk**; **D6.1.764**, Telegram 32, Radio Band 295, Dear Missed Committee 870, dated 29 March 1978, **from Comrade Pauk**; **D6.1.974**, Telegram 3, Radio Band 267, To Beloved and Missed Office 870, dated 12 April 1978, **from Comrade Pauk**.

¹⁴³⁶ **D1.3.13.1**, Telegram 32, Radio Band 295, To Missed Committee 870, I would like to report to Angkar-On 27 March 78, at 4 p.m. soldiers of Region 41 arrested two soldiers, Chhan and Ry of Air Unit 512-They are in grey kaki clothes driving a motorbike, dated 29 March 1978, **from Comrade Pauk**.

¹⁴³⁷ **D6.1.1109**, S-21 Confession of Yung Pov, Chairman, Security, Sector 106: On the Plans of Sreng of the North Zone to Hide Officers, **with an annotation: One copy sent to Comrade Pok**, dated 24 April 1977, p. 1; **D6.1.1010**, S-21 Confession of Koam Chan *alias* Chan, Record of the Confession of Koam Chan *alias* Chan, Secretary of Sector 43 of the Central Zone after 17 April 1975, **with an annotation: Extracted for Comrade Pauk**], dated 21 October 1977, pp. 1-4; **D6.1.1015**, S-21

Confession of Sem Men *alias* Sen, Member of Batheay District, Sector 42, **with an annotation: A copy has already been submitted to Comrade Pok**, pp. 1-2; **D6.1.1022**, S-21 Confession of Ly Hak, Chairman, Russei Keo Technical School: On the History of Ly Hak's Traitorous Activities, **with an annotation: One copy for Comrade Pauk**, dated 4 May 1977, pp. 1-2.

¹⁴³⁸ **D1.3.4.6**, S-21 Confession of Kong Sophal *alias* Keu, former teacher, 51, Northwest Zone, dated 15 November 1978, pp. 1-2; **D131/2.1.132**, S-21 Confession of Ran Chet *alias* Kou, deputy secretary of Sector 3, Northwest Zone, 48, 18 November 1977, pp. 1-2; **D131/2.1.139**, S-21 Confession of Khon, deputy secretary of Kratie Sector, 3 December 1978; **D131/2.1.147**, S-21 Confession of Phin Phan, 34, economics chairman of Sector 3, Northwest Zone, 19 January 1975, dated 16 February, pp. 1-2 [Khmer]; **D6.1.1004**, S-21 Confession of Kung Sambok *alias* An, secretary of Battalion 17, Regiment 70, 2nd Division of Northwest Zone, dated 8 November 1977, pp. 1-3; **D6.1.1013**, S-21 Confession of Khek Bin *alias* Sou: On the History of Traitorous Activities against the Party, copied on 27 July 1977, p. 1-2; **D6.1.1026**, S-21 Confession of Tuot Ret, chairman of natural fertilizer administration group, Sector 5, Northwest Zone, dated 13 October 1977, pp. 1-2; **D6.1.1032**, S-21 Confession of Nen Tuy *alias* Phi, battalion secretary of Sector 5, Northwest Zone: On the Personal History of Nen Tuy's Traitorous Activities, dated 20 August 1977, pp. 1-2; 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**D6.1.323**, S-21 Confession of Mei Mi *alias* Samai, 47, Secretary of Paoy Paet District, Sector 3, Northwest Zone, 16 June 1978, Traitorous Historical Background of Mei Mi *alias* Samai, dated 5 July 1978, pp. 1-2; **D6.1.324**, S-21 Confession of Mak Sorn *alias* Meas, 39, Secretary of Kampong Svay District, Sector 43, Central Zone, dated 30 August 1978, pp. 1-2 [Khmer]; **D6.1.325**, S-21 Confession of Meas Chhuon *alias* Moeun Mon, 31, Office Chairman of State Market Supply, Ministry S-71, dated 27 July 1978, p. 1; **D6.1.320**, S-21 Confession of Kim Hort, 45, Secretary of Thmar Puok District, Sector 5, Northwest Zone, 17 July 1977, On the History of Kim Hort's Traitorous Activities, dated 2 September 1977, pp. 1-2 [Khmer]; **D6.1.321**, S-21 Confession of Lei Chhauy, 39, Secretary of Daun Teav District, Sector 4, Northwest Zone, arrested on 26 June 1978, Biography and Activities of Lei Chhauy, dated 6 July, p. 1; **D6.1.322**, S-21 Confession of Loek Soeut *alias* Vong, Secretary of Sector 4, Northwest Zone, 26 June 1978, On the Activities of Hiding Yuon, dated 29 June 1978, pp. 1-2 [Khmer]; 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**D6.1.329**, S-21 Confession of Ngan Yem *alias* Hat, 34, Secretary of Phnom Srok District, Sector 5, Northwest Zone, the written record of Ngan Yem *alias* Hat's Biography, Former Cadre in charge of 2 Autonomous Special Communes of Sector 5, arrested in September 1977, pp. 1-2 [Khmer]; **D6.1.330**, S-21 Confession of Um Tauy, 42, Secretary of Sector 7, Northwest Zone, On His Traitorous Activities (His Own Confession), dated 14 August 1977, p. 1; **D6.1.331**, S-21 Confession of Phung Sun *alias* Say, 43, Secretary of Mean Chey Thmei District, Sector 23, East Zone, 27 March 1978, p. 1; **D6.1.326**, S-21 Confession of Men Chun *alias* Hoeng, 36, Secretary, Sector 5, Northwest Zone, arrestd on 20 September 1977, dated 1 December 1977, pp. 1-2 [Khmer]; **D6.1.327**, S-21 Confession of Minh Thoem *alias* Heang, 47, Secretary of Sector 4, Northwest Zone, 15 December 1977, dated 20 June 1978, pp. 1-2, 108 [Khmer]; **D6.1.328**, S-21 Confession of Nhim Chhon *alias* Hang, 23, Deputy Security Chairman, Sector 41, Central Zone, dated 12 May 1977, p. 1; 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**D6.1.1118**, S-21 Confession of Nai Chheun, 31, Chairman, 1st Section, Hospital 75, Ministry of Industry, 6 December 1978, dated 27 December 1978, p. 1; **D6.1.1119**, S-21 Confession of Penh Thuok *alias* Vorn Vet, 47, Minister of Industry, 2 November 1978, pp. 1-2 [Khmer]; **D6.1.1120**, S-21 Confession of Pheng Sun *alias* Chey, Chairman, Ministry of Commerce, Central Zone, dated 13 October 1977, pp. 1-2 [Khmer]; **D6.1.1121**, S-21 Confession of Phoan, Fishery Commerce, I report to Angkar/the Party the contacts made with *Om* Rit, Head of State Commerce, pp. 1-2; **D6.1.1122**, S-21 Confession of Sak Man *alias* Voeun, Written Record of Biography of Sak Man *alias* Voeun, Secretary of Battalion 702, Regiment 601, Division 174, Central Zone, dated 19 October 1977, p. 1; **D6.1.1123**, S-21 Confession of Sao Tong Li, a new person living in Khsaoy village, Kampong Preh commune, Bak Prea sub-district, Sector 4, Northwest Zone, About the historical details of traitorous activities of Sao Tong Li, dated 22 October 1977, p. 1; 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**D6.1.1003**, S-21 Confession of Chan Mon *alias* Tol: Transcribed Text from Audio Tape, Responses of Chan Mon *alias* Tol, Sector 42, North Zone, dated 11 June 1977, pp. 1, 22; **D6.1.1005**, S-21 Confession of Sieng Phon *alias* Pha, Former Farmer-Prior to Arrest, Assistant, Battalion 701, Division 174, Central Zone, 2 October 1977, date 28 October 1977, pp. 1-2 [Khmer]; **D6.1.1006**, S-21 Confession of Ol Ham, Battalion Secretary, Mobile Unit of Regiment 40, 1st Division, Northwest Zone, dated 9 September 1977, pp. 1-2, 4 [Khmer]; **D6.1.1007**, S-21 Confession of Taing An, Deputy Secretary of Battalion 709, Regiment 608, Division 174, Central Zone: On the History of Taing An's Traitorous Activities, dated 31 October 1977, [pp. 1-2 [Khmer]; **D6.1.1008**, S-21 Confession of Nob Soeun, Chairman of Battambang Rice Mill, Northwest Zone: On Nob Noeun's Traitorous Activities, dated 13 September 1977, pp. 1-2 [Khmer]; **D6.1.1009**, S-21 Confession of Iv Eang, Formerly: A teacher, later a company chairman of a mobile work unit in Ou Mal commune, Phnom Sampov district, Sector 3, Northwest Zone: On the History and Traitorous Activities of Iv Eang, dated 19 September 1977, pp. 1-2; 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**D131/2.1.126**, S-21 Confession of Yan Palat, Worksite Chairperson, Security, Northwest Zone, arrested in late 1977, dated 14 February 1978, pp. 1-2; **D131/2.1.127**, S-21 Confession of Tol, Secretary of Sector 42, North Zone, Arrested on 22 November 1977, dated 30 August 1977, p. 52 [Khmer]; **D131/2.1.128**, S-21 Confession of Taing An, Military Chairperson of Battalion 709, Regiment 602, Division 174, Central Zone, arrested on 21 October 1977, pp. 1-2 [Khmer]; **D131/2.1.129**, S-21 Confession of Oeu Much, 52, Platoon Chairperson, Rong Cooperative, Sangkae District, Sector 1, Northwest Zone, arrested on 25 October 1977, dated 30 March 1978, pp. 1-2 [Khmer]; **D131/2.1.130**, S-21 Confession of Uk Sam Oeun, Member of Sector 1, the Northwest Zone, arrested in August, pp. 1, 33; **D131/2.1.131**, S-21 Confession of Ruos Khehoung *alias* Ran, 45, Company Chairperson, Cooperative, Sam Rang Commune, removed for replacement in charge of cane plantation in Sangkae district, Sector 1, Northwest Zone, arrested on 4 August 1977, dated 17 August 1977, pp. 1-3 [Khmer]; **D1.3.4.1**, S-21 Confession of Cham Tol (Excerpt), Sector 42, Kampong Cham Province, dated 31 August 1977, p. 1 [Khmer]; **D1.3.4.1**, S-21 Confession of An Maong, Secretary of Preah Netry Preah District, Sector 5, Northwest Zone, Arrested on 28 June 1977, dated 3 July 1977, pp. 1, 58 [Khmer]; **D1.3.4.10**, S-21 Confession of Ruoh Mavv *alias* Say, Member of the Northwest Zone, Arrested on 27 June 1977, dated 3 January 1978, pp. 1-2; **D1.3.4.11**, S-21 Confession of Sun Hoeun *alias* Im, 34, Chairman of Security of the Central Zone, Arrested on 6 July 1978, dated 3 September 1978, pp. 1-3 [Khmer]; **D1.3.4.12**, S-21 Confession of Tep

Rum, Chairperson of Kanghort Dam, Sector 1, Northwest Zone, Arrested on 13 September 1977, dated 16 October 1977, pp. 1-2 [Khmer]; **D1.3.4.3**, S-21 Confession of Chun Chhum *alias* Taing, Chairperson of Sector 1, North Zone, Arrested on 15 1977, dated 8 March 1977, pp. 1-2, 31 [Khmer]; **D1.3.4.4**, S-21 Confession of Heng Rin *alias* Mei, 28, Water Truck Company, Arrested on 8 May 1977, dated 8 May 1977, pp. 1,9; **D1.3.4.5**, S-21 Confession of Kheom Chhum, Deputy Secretary of Sector 43, Central Zone, arrested on 13 August 1978, dated 18 September 1978, pp. 1-2 [Khmer]; **D1.3.4.7**, S-21 Confession of Nen Tuy *alias* Hit, Secretary of Battalion 513, Sector 5, Northwest Zone, arrested on 28 June 1977, dated 16 July 1977, pp. 1, 95 [Khmer]; **D1.3.4.8**, S-21 Confession of Phork Sari *alias* Tom, Secretary of Sector 3, Northwest Zone, arrested on 28 June 1978, dated 25 August 1978, pp. 1-2 [Khmer]; **D1.3.18.3**, S-21 Confession of Yim Sam Ol *alias* Nhar, 37, Secretary of Regiment 55, Division 502, Arrested on 9 December 1978, p. 1; **D1.3.18.1**, S-21 Confession of Chan Phat *alias* Phok, Chairma, Central Zone Security, History of Phok's Personal Activities, dated 24 November 1977, p. 1; **D1.3.18.2**, S-21 Confession of Moul Un *alias* Moul Sambath *alias* Nheum, 56, Former Secretary of Northwest Zone, dated 14 June 1978, p. 1; **D6.1.334**, S-21 Confession of Prak Phon *alias* Keat, 35, Secretary of Cheung Prey District, North Zone, pp. 1-2 [Khmer]; **D6.1.335**, S-21 Confession of Ran Chet *alias* Kou, 48, Deputy Secretary of Sector 3, Northwest Zone, Former Khmer Issarak Struggler, Arrested on 18 November 1977, dated 6 January 1978, pp. 1-2 [Khmer]; **D6.1.336**, S-21 Confession of Rith Norl *alias* Tha, 41, Secretary, Ampil District, Sector 3, Northwest Zone, Arrested on 23 November 1977, dated 19 January 1978, pp. 1-2 [Khmer]; **D6.1.337**, S-21 Confession of Seat Chhae *alias* Tum, Former Secretary of Sector 22, East Zone: On His Personal History of Traitorious Activities against the Party, dated 27 August 1977, pp. 1-2 [Khmer]; **D6.1.338**, S-21 Confession of Suon Sorn, 27, Secretary of Serei Sophaon District, Sector 5, Northwest Zone, arrested on 26 June 1977, p. 1; **D6.1.339**, S-21 Confession of Toek Man, Secretary of Bak Prea District (41), Sector 4, Northwest Zone, dated 19 November 1977, pp. 1-2 [Khmer]; **D6.1.340**, S-21 Confession of Uon Thuon *alias* Pan, Secretary of Sandan District, Sector 43, Central Zone, dated 20 June 1977, pp. 1-2 [Khmer]; **D6.1.341**, S-21 Confession of Chin Chham, Member of Kampong Puoy Dam Worksite, dated 7 February 1978, pp. 1-2 [Khmer]; **D6.1.541**, S-21 Confession of Chan Sam *alias* Sae, Secretary of the New North Zone, arrested on 15 August 1978, dated 10 September 1978, p. 1; **D6.1.545**, S-21 Confession of Meas Mem, Preparing document for Northwest Security Ministry, dated 4 February 1978, pp. 1-2; **D6.1.66**, S-21 Confession of Phan, dated 8 November 1976, p. 1; **D6.1.876**, S-21 Confession of Sieng Pauly *alias* Sean, Former Company Secretary, Battalion 45, Sector 4, Northwest- Before his arrest, he was a combatant at Daun Tri District Office (Secretary of 42), Sector 4, Northwest Zone, dated 28 October 1977, p. 1; **D6.1.879**, S-21 Confession of Suos Nov *alias* Chhouk, Secretary of Sector 24, East Zone, Arrested on 31 August 1976, pp. 1-3 [Khmer]; **D6.1.881**, S-21 Confession of Kong Chea Sin *alias* Sun, Deputy Chairman of Cooperative, dated 5 June 1978, pp. 1-2.

¹⁴³⁹ **D117/18**, Written record of Witness interview of Witness PICH Cheum, 28 February 2013, pp. 2-6; **D1.3.29.7**, Interview with Kaing Guek Eav, aka Duch, Chairman of S-21, dated 18 June 1999, p. 4; **D6.1.707**, Written Record of Interview of Witness SUON Kanil *alias* Neang, 19 August 2009, pp. 2-3; **D117/20**, Written Record of Interview of Witness Lim Seng, 5 March 2010, pp. 3-4; **D117/71**, Written Record of Interview of Witness Prak Yut *alias* Yeay Yut (6th Interview), 19 June 2013, p. 10 (A56); **D6.1.730**, Written Record of Interview of Witness PRAK Yut *alis* Yeay Yuth (1st Interview), 21 July 2009, p. 5; **D191.2**, DC-Cam Interview of **AO An**, 1 August 2011, by Long Long Dany and Vanthan Peou Dara, p. 15; **D29** Written Record of Interview of Witness SUON Kanil, revolutionary name: Neang, 10 June 2011, p. 3; **D1.3.15.2**, Karl Jackson, "Cambodia 1975-1978: Rendezvous With Death", published by Princeton University Press 1989, p. 15 [Khmer]; **D219/250**, Written Record of Interview of Witness Phan Chhen, 30 March 2015, p. 3; **D219/249**, Written Record of Interview of Witness Suon Kanil, revolutionary name Neang, 28 March 2018, p. 3; **D6.1.690**, Written Record of Interview of Witness Pech Chim, 6 December 2009, p. 3; **D219/855**, Written Record of Interview of Witness Nhem Chen, 27 October 2016, p. 4; **D219/178**, Written Record of Interview of Witness KUCH Ra, 5 February 2015, p. 5.

¹⁴⁴⁰ **D219/731**, Written Record of Interview Witness NHEM Chen, 15 March 2016, p. 10.

¹⁴⁴¹ **D6.1.1.1259 [E3/198]**, SOAS/HRW Interview of Khieu Samphan, aka Hem, Former President of the State Presidium of Democratic Kampuchea, dated 17 August 2005, p. 1.

¹⁴⁴² **D1.3.19.1**, Decision of the Central Committee Regarding a Number of Matters, dated 30 March 1976, p. 1.

¹⁴⁴³ <http://unictr.unmict.org/en/tribunal>; <http://unictr.unmict.org/en/genocide>.

¹⁴⁴⁴ <https://infogram.com/bosnian-genocide-1grv02gr0vojplx>

¹⁴⁴⁵ **D308/3**, Closing Order (Reasons) regarding Im Chaem, Case File No.004/1/07-09-2009-ECCC-OCIJ, dated 30 July 2017, Classification: Public, para. 40, p. 18.

¹⁴⁴⁶ Military Court, Detention Order No.15/2002 DK, dated 22 February 2002; Military Court, Detention Order No.10/03 DK, dated 22 February 2003.

¹⁴⁴⁷ Draft Law on the Establishment of Extra-ordinary Chambers, Searching for the Truth (English) (Number 13: February 2001), p. 86.

¹⁴⁴⁸ **D308/3**, Closing Order (Reasons) regarding Im Chaem, Case File No.004/1/07-09-2009-ECCC-OCIJ, dated 30 July 2017, Classification: Public, para. 35, pp. 16-17.

¹⁴⁴⁹ **D308/3**, Closing Order (Reasons) regarding Im Chaem, Case File No.004/1/07-09-2009-ECCC-OCIJ, dated 30 July 2017, Classification: Public, para. 9, p. 8.

¹⁴⁵⁰ **D351/5**, International Co-Prosecutor's Rule 66 Final Submission, Case No.004/02/07-09-2009-ECCC-OCIJ, dated 21 August 2017, para. 666, p. 171; **D351/6**, AO An's Response to the Co-Prosecutors' Rule 66 Final Submissions, requesting the CIJs to dismiss the case against AO An, Case No.004/02/07-09-2009-ECCC-OCIJ, dated 24 October 2017, para. 97, p. 30.

¹⁴⁵¹ **D6.1.525**, DC-Cam, DK Prison, "Updated by February 18, 2008," prepared by Pheng Pong-Rasy- The number of prisons totals 186, pp. 1-9.

¹⁴⁵² 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 International Reserve Co-Investigating Judge Laurent Kasper-Ansermet, and hence the Case File document numbering should run from the last document put on the Case File by former Co-Investigating Judge Siegfried Blunk and not count any documents filed by Judge Kasper-Ansermet. The National Co-Investigating Judge further notes that in the framework of practices by Cambodia and ..., the facts that failed to be notified or disclosed during the investigation are inadmissible for legal consideration in this Closing Order; however, given that this Closing Order dismisses the case on the mere ground of lack of personal jurisdiction, the criteria that are not applicable under the national law, the National Co-Investigating Judge recognizes that apart from describing the facts relating to the involvement of the accused and the gravity of the alleged crimes, it is necessary to give specific legal considerations to those facts at least to determine if they fall under the ECCC's jurisdiction, which may result in determining the gravity of the alleged crimes in the framework of personal jurisdiction.