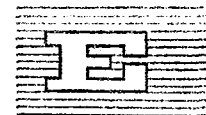


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COMMISSION ON HUMAN RIGHTS
Thirty-sixth session
Agenda item 12

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND
FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD,
WITH PARTICULAR REFERENCE TO COLONIAL AND
OTHER DEPENDENT COUNTRIES AND TERRITORIES

Letter dated 8 February 1980 from the Permanent Mission of the
Socialist Republic of Viet Nam addressed to the Chairman of
the Commission on Human Rights at its thirty-sixth session

I have the honour to transmit to you herewith for your information the following documents :

- (1) A/C.3/34/1, the indictment of Pol Pot-Ieng Sary for genocide;
- (2) A/34/491, the judgement of the Revolutionary People's Tribunal of the People's Republic of Kampuchea held in Phnom Penh from 15 to 19 August 1979 to judge the crime of genocide committed by the Pol Pot-Ieng Sary clique.

I should be grateful if you would have the text of this letter and the enclosures distributed as official documents of the Commission on Human Rights under agenda item 12.

(Signed) TRUONG QUAN PHAN
Chargé d'affaires a.i.

GE.80-10668

ANNEX

PEOPLE'S REPUBLIC OF KAMPUCHEA

PEOPLE'S REVOLUTIONARY TRIBUNAL HELD IN PHNOM PENH
FOR THE TRIAL OF THE GENOCIDE CRIME OF THE POL POT-
IENG SARY CLIQUE

August 1979
Document No. 3.7

INDICTMENT OF THE POL. POT-IENG SARY CLIQUE
FOR THEIR CRIMES OF GENOCIDE

The Public Prosecutor at the People's Revolutionary Tribunal held in
Phnom Penh,

- Having regard to Decree-Law No. 01 of 15 July 1979 of the People's Revolutionary Council of Kampuchea providing for the setting up, in Phnom Penh, of a People's Revolutionary Tribunal to judge the genocidal crimes committed by the Pol Pot-Ieng Sary clique;
- Having regard to article 4 of the above-mentioned Decree-Law laying down the tasks and powers of the Public Prosecutor;
- Having regard to point 8 of the 11-point Declaration issued on 2 December 1978 by the National United Front for the Salvation of Kampuchea;
- Having regard to Decision No. 2 of 25 July 1979 by the Public Prosecutor's Office initiating proceedings against Pol Pot and Ieng Sary and Order of Arrest No. 3 of 26 July 1979 by the Public Prosecutor's Office concerning the said defendants; and
- Having regard to the results of the investigation that has been carried out;

We find that:

Running counter to our people's deeply felt wish to live in peace, independence and democracy and to build a prosperous and happy country after complete liberation, the Pol Pot-Ieng Sary clique have, over the last four years, betrayed our people and driven them to the brink of extermination: about 3 million innocent people have been killed, and the more than 4 million survivors have been seriously injured physically and morally by this inhuman régime; the

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national economy has been ruined, national culture destroyed, and disastrous consequences suffered by all strata of the population in different parts of the country, by all families and by the whole of our nation as a result of the Pol Pot-Ieng Sary clique's policy of genocide.

A. The Pol Pot-Ieng Sary clique are charged with the following criminal acts:

I. Systematically carrying out a planned massacre of people of all strata of the population in an increasingly savage manner:

The Pol Pot-Ieng Sary clique divided the people into three categories:

The first, the "old inhabitants", were those who had been living in the resistance base areas before liberation;

The second, the "new inhabitants" had been living in areas under the control of the former régime of Lon Nol;

The third was composed of those who had collaborated with that régime.

The policy of the Pol Pot-Ieng Sary clique was to exterminate the third category and purge the second category; the first category at first received privileged treatment but since 1977 has also been purged (proceedings of the Kompong Eo district two party Committee, Svai Rieng province, 7 July 1977, document No. 2.5.12).

(a) The Pol Pot-Ieng Sary clique advocated eliminating all, and actually massacred almost all, the officers, soldiers and civil servants of the old régime together with their families.

Let us quote from some statements by witnesses - which are borne out by many others - regarding the massacres of persons in this category:

According to the statement made by Mrs. Khoeun, an official in Chao May village, Tuc Phoc district, Kompong Chnang province, she was told by District Committee Chairman Meak Vei on 17 April 1975: "The former Lon Nol officers and men are our enemies. We must kill them all to celebrate our victory. That is the order of our leader Pol Pot." Mrs. Khoeun and one of her militia officers thereupon lured 2,005 former officers and men from their barracks to a deserted place, tied their hands and hit them on the back of their heads with sticks until they died, then threw their corpses into ditches which had been dug beforehand (document No. 2.2.01).

Witness Soc Li Mut, who lived in Pursat, says:

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"In April 1975, about 4,000 former Lon Nol civil servants and troops and their families were beaten to death or shot dead on the banks of the Chroi river, at the foot of Mount Pray in Con Ray hamlet, Chu Tum commune, Keo Ro district, Pursat province" (document No. 2.1.5.24).

Bun Sat, warden of the Kothom district gaol (Kandal), and Siv Samau, security agent in Mean Chay Thmây district (Svai Rieng), admit that they took part in the massacre of 200-300 Lon Nol officers, soldiers and civil servants and their families. Chum Sary also reports the massacre of thousands of Lon Nol troops and civil servants in the internment camp set up at Chom Puh Kech pagoda in Kandal (documents Nos. 2.3.7.03, 2.2.05 and 2.3.7.01).

Similar cases of mass killings of Lon Nol officers and civil servants in Battambang, Monkol, Borey, Sisophon, Kompong Speu and other places have been confirmed by foreign accounts (document No. 2.6.2).

- (b) The Pol Pot-Ieng Sary clique advocated and carried out in a systematic way the extermination of ethnic minorities.

According to a survey by a group of Kampuchean ethnologists, soon after liberation on 17 April 1975 the Pol Pot-Ieng Sary clique ordered the forced assimilation into the Khmer race of 13 ethnic minorities. The people in question were ordered to speak Kampuchean; those who refused to do so were killed. These people were driven from the plateaus and mountains of the North-east and South-west where they had been living, and herded into "people's communes". Those who opposed the order were massacred.

Bun Thoang, a cadre of the Ta Poun minority, Rattanakiri province, says that dozens of militiamen belonging to ethnic minorities in the northeastern zone were killed in the vicinity of Stung Treng. Many able cadres with great prestige were killed, including Comrade Seda of the Lao minority, Secretary of the Party Regional Committee, and Chan Den of the Lao minority, a member of the Party Regional Committee. Almost all cadres of the Lao minority, including military cadres and guerrillas who had taken part in the resistance to the United States aggressors, were killed.

Numerous members of the Thai ethnic minority in Koh Kong province, southwestern zone, were massacred by Pol Pot troops on 25 May 1975. Before liberation on 17 April 1975, there were 20,000 Thai people in this area; now there remain only 8,000; out of 700 households in the town of Ko Pa Ki, there remain only 30 (document No. 2.4.02).

In addition, large numbers of foreign residents, especially Vietnamese, were killed. Kampucheans who were relatives of Vietnamese residents were killed together with their families (statements made by Bun Sat and Khieu Kola, (document No. 2.3.7.03).

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(c) The Pol Pot-Ieng Sary clique persecuted and massacred in a systematic way those who opposed them or were likely to oppose them

After largely exterminating the third-category people, the Pol Pot-Ieng Sary clique, in order to consolidate their power, called for massive repressive action against those suspected of opposing them and carried out purges within the Party, the Administration and the Army.

- Early in 1977, they ordered the authorities in all the "people's communes" to exterminate most of the so-called "reactionaries", including those who opposed them or were suspected of opposing them (document No. 2.5.10).

- On 11 April 1978, they instructed all units and all organs at all levels to continue to purge their ranks (document No. 2.5.23).

- In a communiqué issued on 3 June 1978, they praised the killing of 18 leading Party cadres as a great victory. Among those murdered were Son Ngoc Minh, former Chairman of the Issarak Front (1945-1954) and member of the Party Central Committee; Hu Nim, Minister of Information; Toch Phuon, Minister of Public Works, and Coi Thuôn, Commander of Military Zone 304 (document No. 2.5.16).

- On another list of victims were the names of 262 leading cadres of various branches who had been arrested and massacred in the period from 1976 to 9 April 1978. They included two members of the Party Central Committee, four secretaries of Party inter-zone committees, four Cabinet Ministers, nine senior Ministry officials, eight divisional political commissars and deputy political commissars, and 24 secretaries and members of Zone Party Committees (document No. 2.5.24).

- An end-of-year report on Party work in 1977 stated: "The great victories we have won (i.e. the mass murder of leading cadres) are due to the fact that we have tracked down the enemy, conducted purges of our ranks and eradicated the whole enemy network" (document No. 2.5.15).

- Vang Phiep of Kandal, former warden of the Tua Svai Prey prison in Phnom Penh, declares that in that prison the Pol Pot-Ieng Sary clique held and killed many Army officers, from company commanders to division commanders, and government officials, from the district to the central level, and their families. During the period December 1975-June 1977 alone about 10,000 persons were killed in the Phnom Penh prison (document No. 2.1.4.02).

- In May 1978, in order to suppress an uprising in the eastern zone under the leadership of So Yan, alias Phim, Secretary of the Party Zone Committee, the Pol Pot-Ieng Sary clique waged actual war against the people, using troops of the Kandal military zone, tanks, aircraft and heavy artillery. They savagely massacred almost all the officers and men of divisions 280 and 290, which were under the Army High Command, those of divisions 3, 4 and 5 of the eastern military zone, and the regional forces of sectors 20, 21, 22, 23 and 24, including soldiers who had been wounded in battle in the resistance against United States aggression.

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According to statements made by Mhat Huon, former deputy political commissar of the artillery company of sector 21, almost all the members of this company were murdered after being summoned ostensibly in order to attend courses or build dykes. Of its 160 men, there remain only 3, and of the 3,000 troops in sector 21 there remain only 17 (document No. 2.1.4.01). Whole villages were massacred, such as Boc, Dom, Tay, Pren Ley, Chiec, Pon, Corobân, Coronhung and Don Doc in Pon Nhia Rêch and Kom Chai Mia districts; Feucadon, Krobay, Kric and Don Nac Popon in Krech Chma and Tenboong Khencun districts and Kontuot and Ponau in Mimot district (documents Nos. 2.6.19 and 2.6.22).

Not only the people and troops of the eastern zone were massacred, but also people from the eastern zone who had been driven to other areas. This happened to 40,000 people from the eastern zone who had been conscripted to dig the canal running from Pursat to Battambang in June 1978 (document No. 2.1.5.24).

According to the depositions of witnesses Kung Kari Muoni, Che Van Thon, Nuong Thœc and Xum Moro Thi (in Siem Reap), tens of thousands of inhabitants of communes were buried in cremation pits and wells in the area of Siem Reap (documents Nos. 2.3.3.01, 2.3.2.02 and 2.3.2.03).

Similar massacres occurred at the Chup hevea plantation in Kompong Cham province (document No. 2.3.5) and in Kratie (statement by Thong Xin, document No. 2.1.5.15).

Evidence of such genocidal massacres is now being found in many other localities: smashed skulls, limbs, bones with ropes around them, in some places children's clothes, Lon Nol troops' caps and boots and sticks and iron bars used in the massacres.

Thousands of pits, each containing hundreds and even thousands of corpses, have been discovered in various localities.

II. Forced evacuation of the cities without advance notice and systematic displacement of the rural population, causing many deaths

(a) Forced evacuation of the urban to rural and mountain regions

- On 17 April 1975, using violence combined with deception, the Pol Pot-Ieng Sary clique forced the more than 2 million inhabitants of Phnom Penh to leave the city. Those who refused or who procrastinated were beaten or shot to death. Old people, invalids, pregnant women and even patients in hospitals had to leave without any exceptions. The people had to keep walking, rain or shine. They were robbed of all their possessions. Deliberately mistreated along the way and subjected to every sort of hardship, tens of thousands of them died a slow death from starvation, thirst, disease, exhaustion and suffering.

This was a premeditated policy. In an educational document intended for leading cadres in 1975, it was said: "The policy of evacuation of the population

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was decided upon by our Party Central Committee as early as 1970. Wherever the army comes, the population must evacuate. When Phnom Penh is liberated, we will hold full control of the capital. The enemy hiding among the population will be eliminated. He will come to the liberated zones empty-handed and will fall under the control of the co-operatives" (Central Committee directive: documents Nos. 2.5.01 and 2.5.02).

The report on the inquiry into the crimes committed by the Pol Pot-Ieng Sary clique against the population of Phnom Penh and statements made by numerous witnesses, such as the monks of San Sam Ko Sal pagoda, Thon Sary, Kham Bory and others have denounced the above-mentioned crimes (documents Nos. 2.4.01, 2.1.2.01, 2.1.5.04 and 2.1.5.05).

According to Mrs. Yasuko Naito, the Japanese widow of a Kampuchean and a former resident of Phnom Penh: "In the afternoon of 17 April Pol Pot-Ieng Sary troops used megaphones to call on the population of Phnom Penh to leave their houses. They opened fire on houses with closed doors. The population was forced to leave. They were told that enemy planes would come to bomb the city. Thinking that they would be allowed to return within a few days, they took with them only a few articles of clothing. On my way, I met patients who had been forced out of hospitals. One was accompanied by a nurse who continued to give him a blood transfusion. He had been operated on just a few hours earlier. A naked man was seen nailed to a door panel, bearing on his chest a sign reading 'enemy' in large letters. When night came, everyone had to sleep in the open. At dawn, all were ordered to resume their journey. Along the road I saw many corpses in military uniform" (document No. 2.1.1.07).

Miss Pun Chan Toni, who was driven from Phnom Penh to Kandal, says that the road was so crowded with people that she could hardly walk. Many died. She saw five corpses (document No. 2.1.5.07).

The population of other cities and towns was also evacuated and suffered the same fate as the people of Phnom Penh (documents Nos. 2.1.5.16 and 2.1.1.01).

The report on the inquiry into the crimes committed by the Pol Pot-Ieng Sary clique against the population of Phnom Penh contains the following figures:

- Among 100 families which returned after being evacuated to various rural areas for four years, 42 per cent of their members had been killed, 11 per cent had died of starvation and disease, and 6 per cent were missing; only 41 per cent survived (document No. 2.4.01/6).

- In the Phsev Doeun Thoan commune, 33 per cent of the population were killed, 11 per cent died of starvation and disease, and 9 per cent were missing; only 47 per cent survived (document No. 2.4.01/d).

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- (b) Policy of intermingling people from different areas of the country in order to destroy all existing ties and prevent people from organizing against the régime

Together with the transfer of the urban population to the countryside, the Pol Pot-Ieng Sary clique compelled the rural population to move to other places after handing over all their property to Angkar. Late in 1975, the population of Svai Rieng, Prey Veng and Takeo provinces (South-east) were forced to move to Pursat, Battambang, Sisophon (North-west) and Oddar Mean Chay (North) provinces. The population of the Western zone had to move to the East.

Khieu Kola states that in August 1975, after being driven out of Phnom Penh and sent to Kandal, his family was put on a truck and taken to Pursat without any explanation. They were not allowed to take anything with them. In Pursat they had to sleep in the open. About 100 other people had to live under the same conditions. Pol Pot soldiers searched them every day and took whatever they had. Each day, four or five people died (document No. 2.1.1.02).

The members of Nhen Hen's family were driven from their native village to a commune in Kompong Chnang province where they lived together with 20,000 people from different parts of the country. There was no housing or other living facilities in the commune (document No. 2.1.5.10). Tuk Hol's family, comprising 13 persons, was split in two: 8 were taken to Battambang and 5 to Kompong Thom (document No. 2.1.1.05).

Statements by witnesses from different areas, such as Ai Na Suong (Kompong Cham), Lat Sarat (Svai Rieng), Yasuko Naito (Phnom Penh), Soc Ruot (Kandal), Doc Chhoi (Kompong Chnang) and Sala Sên (Kampot) show that these population transfers were conducted throughout the country. They went on for years and were even more devastating than the forced evacuation of the cities (documents Nos. 2.1.5.01, 2.1.5.14, 2.1.5.07, 2.1.5.25, 2.1.5.08 and 2.1.5.17).

III. Organization of a system of repression and coercion in the people's communes, where the population, forced to work to the point of complete exhaustion, was reduced to slavery and ruined physically and morally

In order to control the people, the Pol Pot-Ieng Sary clique herded them into "communes", which were disguised concentration camps. That is why the people said: "Angkar runs a huge prison. It has neither walls nor chains, but there is nowhere you can go". (excerpts from the proceedings of the enlarged session of the Sector 21 Party Committee in early 1977, document No. 2.5.20).

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(a) Imposition of hard labour on the inhabitants, without regard to age or state of health

The people were put to work building dykes, digging canals, clearing forests, etc. with their bare hands or only the most primitive tools. They worked 12 to 16 hours a day and sometimes longer. The norms set for a day's work were well beyond a man's normal capacity. The people were not allowed to enjoy the fruits of their labour. They did not have enough to eat and were in rags. They lived in miserable huts. Lacking medicine of any kind, they suffered from such diseases as dysentery, beriberi, cholera, malaria, tuberculosis and mental illness. Many women became sterile; old people and children died in large numbers. A great many people were condemned to a slow death from starvation and disease.

Mrs. Ai Na Suong of Kompong Cham says that she was forced to join a shock brigade and had to work every day until 10 at night. When she asked for an opportunity to rest during menstruation, she was accused of laziness and opposition to the régime. Her children died of starvation and disease.

Many other women in the "people's commune" suffered the same fate (document No. 2.1.5.01).

Prak Sok, a former student at the State Administration college in Phnom Penh was driven to the countryside. He says: "The people had to work harder than convicts. They had to work day and night, rain or shine" (document No. 2.6.20).

Mok Mun (63 years of age), Khay Chiem (74) and Ties Muon (71) of Siem Reap say that they were forced to carry manure, transplant rice and look after the children. They also had to keep the birds away from the rice fields. They were given only thin gruel cooked with sliced banana stems (documents Nos. 2.1.5.22 and 2.1.5.20).

Many witnesses in different localities say that their daily ration was usually no more than one tinful of rice for 10 persons. They had to eat banana stems (documents Nos. 2.4.01 and 2.1.1.07).

Alfonço Denise, a resident of Phnom Penh, who was driven into the countryside, says that as she was hungry all the time, she had to eat crickets, scorpions and cockroaches. One day, when she tried to take a piece of raw hide from a dog, she was bitten (document No. 2.6.21).

-- During the first six months of 1977, there was a famine in the Eastern zone, especially in Krot Chmar, Diem Chi Lang, Koasotinh and Muc Com Pukt districts, where the population had to live on the rice gruel. Many commune members were exhausted, but they had to go on digging canals and fulfilling the plan set for them (proceedings of the Congress of the Eastern Zone Party Organization, (document No. 2.5.13).

The report on the general situation in Kompong Ro district, Svai Rieng province, during the first six months of 1977 stated that the population of the people's communes suffered from many dangerous diseases (document No. 2.5.08).

(b) Setting up a network of spies and encouraging mutual denunciation for the purpose of paralysing the people's will to resist

Angkar maintained strict control over every thought and action of members of the "people's communes".

Commune members had only the right to think and act the way they were instructed by Angkar. Those who showed any sign of free and independent thought or who complained were classified as "doubtful elements" and opponents of the régime and were liquidated (document No. 2.4.01).

- Witnesses Chieng Phan and Alfonso Denise testified:

"At night, the spies eavesdropped on family conversations. During the day, they mingled with the peasants and reported every complaint to Angkar" (documents Nos. 2.1.1.12 and 2.6.21).

One night, Suôt and his young wife talked about the hard régime at the people's communes. The next day, the couple and their four children were beaten to death (statement by My Sam Bach of Battambang, document No. 2.1.5.23).

According to Thôn Sary of the Ouloth co-operative, Chok commune, "The owner of the house in which we lived observed what I did and reported everything to the authorities. I lived in constant fear of being called in and killed" (document No. 2.1.5.04).

The members of the people's communes were not allowed to visit one another. A directive dated 26 April 1975, No. 203, of the Zone Committee implementing the order of the Permanent Bureau of Pol Pot's Party Central Committee stated: "All evacuees are forbidden to move from one place to another; they are only allowed to go from their houses to their places of work" (document No. 2.1.5.21).

(c) Meting out arbitrary, severe punishment for all violations of Angkar's regulations

There were only two penalties: first, more work with double or triple norms and less food; second, death.

Eight of the nine members of Kung Cari's family from Siem Reap were condemned to death for lack of work enthusiasm (document No. 2.3.2.01).

Pun Heun was condemned to death because he had stolen some maize to appease his hunger (statement made by Pun Chen To Ni in Phnom Penh, document No. 2.1.5.07).

Anyone who attempted to escape from the "people's communes" was tracked down and punished (documents Nos. 2.1.5.11 and 2.1.5.14).

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Repression in the "people's communes" resulted in a great many deaths. Mrs. Kham Nari says: "The Parei Lovia people's commune in Takeo, which had 23,000 members in 1975, had barely 5,000 left after liberation on 7 January 1979 (document 2.1.5.05).

Soclimum, a resident of Pursat, says:

"When I worked on the docks, another worker and I had to load 15 trucks a day with 50 bags of rice each. Anyone who spilled rice on the ground was killed. Ten out of 15 members of my team were killed.

"In the people's communes, after three warnings a man was condemned to death. On three occasions, the Khnom Bot commune (Pursat province) had to have people sent in from other areas (about 10,000 in all) to replace those executed or dead from starvation." (document No. 2.1.5.24)

IV. Abolishing all social relations, all thinking, turning man into a solitary slave wholly dependent on Angkar

(a) Abolishing traditional family relations

Husbands and wives were not allowed to live together: children were separated from their parents (statements by Thon Sarey, Tung Muon, Lat Sarat, Thong Xin, Yeng Tinh and others; documents Nos. 2.1.5.04, 2.1.5.20, 2.1.5.14, 2.1.5.15 and 2.1.5.03).

Love-making among young people was forbidden: men and women married on orders from Angkar. A resolution of November 1978 issued by the Pol Pot-Ieng Sary clique stated: "Families should be built by Angkar on the basis of political and ideological considerations. This principle should be maintained" (document No. 2.5.22).

According to the statements made by Mrs. Duong Ma La of Barai district (Kompong Thom) and Mr. Nhen Hen of Kompong Chnang, young men and girls who were caught in private conversation were put to death. Sometimes an M.79 shell was rammed into the vagina of the girl (documents Nos. 2.1.5.06; 2.1.5.10).

In some cases young lovers who attempted to run away were tracked down and punished like criminals (document No. 2.5.14).

Widows were forced to marry disabled war veterans. That happened to Nguon Vuoch My and 19 other women in Krala commune, Kompong Seam district, Kompong Cham province. Mrs. My committed suicide, while the others, having refused to comply, were jailed, raped and then killed (report on the inquiry into the crimes committed by the Pol Pot-Ieng Sary clique against the population of Phnom Penh, document No. 2.4.01).

Mrs. Nuol Thok of Siem Reap was jailed because she refused to marry a crippled man selected for her by Angkar (document No. 2.3.3.01).

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(b) Abolishing all ties and feelings between human beings and all sense of solidarity between relatives, friends and neighbours

No expression of sympathy was permitted for those who were beaten or killed. Mrs. Soc Bun of Pursat was condemned to death on the spot because she had dared to mourn the death of her husband (document No. 2.1.5.24). Soc Chhoi was jailed because he wept when he saw one of his relatives savagely murdered (document No. 2.1.5.08).

People could not help one another because they feared the consequences. They did not even dare to take care of orphans, lest Angkar should accuse them of helping children of the enemy (statements by Tuon Muon and Mrs. Yasuko Naito, documents Nos. 2.1.5.20 and 2.1.07).

In addition to these criminal acts, the Pol Pot-Ieng Sary clique abolished money, trade, markets and postal and telegraphic communications in order to cut off all relations between man and man and between man and society and thus isolate people completely (from evidence produced in court).

The abolition of social relations created a 'wall of silence' between people. There remained only one kind of relationship for the individual: dependence on Angkar.

V. Elimination of Buddhist priests and religious believers: systematic elimination of intellectuals: abolition of religion and national culture

(a) Abolition of Buddhism, the religion of 85 per cent of the population

The Pol Pot-Ieng Sary clique forced the Buddhist priests to put aside their priestly robes and work in the 'people's communes'. They killed many of them, destroyed pagodas, temples, statues of Buddha and Buddhist books, turned pagodas into granaries and manure depots and forbade the people to worship Buddha or become priests. None of the 2,800 pagodas which adorned Kampuchea remain, and very few of the more than 82,000 priests managed to survive (document No. 2.1.2.02).

Tep Vong, a Buddhist priest, testified that 57 monks were killed in Siem Reap province in April 1975. Superior Tit Phan, aged 78, died in 1977 as a result of mistreatment. In the years 1976 and 1977, 4,800 monks were forced to give up their religious life. Many statues of Buddha were destroyed, such as the two famous bronze statues of Angkor Wat times, Reah Ang Chek and Push Ang and two five-metre-high stone statues, Push Antep and Push Ngooc. Numerous pagodas and mausoleums, objects of veneration by the people, were also destroyed (document No. 2.1.2.03).

The Cham Puh Kech pagoda (Kandal) was used as a prison where 300 monks were detained and later killed (document No. 2.3.7.01).

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The report by the monks of Wat San Sam Kosal pagoda (Phnom Penh) and statements by many witnesses speak of similar cases (document No. 2.1.2.01).

Answering questions by Yugoslav newsmen, Yun Yat, Minister of Culture and Propaganda of the Pol Pot-Ieng Sary régime, said: "At present, there is no longer any question of Buddhism in Kampuchea" (document No. 2.6.02).

(b) Together with Buddhism, Islam was abolished

The Pol Pot-Ieng Sary clique advocated the extermination of Moslem believers. In the very first months after liberation on 17 April 1975, they tracked down Islamic priests. They killed Hari Roslos, leader and El Hadj Sley-man Sokri, deputy leader of the Islamic religion in Kampuchea.

They forced believers to renounce their religion and to eat pork at gunpoint. They punished those who refused to eat pork and in many instances put them to death. According to Nhat Huôn, now working in Army Corps I, over 1,000 people were killed in Svai Rieng, Kompong Cham province (document No. 2.1.4.01).

The Koran was banned and mosques were destroyed or turned into manure depots, pigsties and prisons.

Adbal Kodom, a Moslem physician, testified: "In Kompong Xiem district, Kompong Cham province, there used to be five hamlets with 20,000 Moslems. Now there is not a single survivor. In Kompong Meas district, Kompong Cham province, there were seven hamlets with tens of thousands of Moslems, and only four survived (report on an inquiry by a group of Kampuchean ethnologists, document No. 2.4.02).

(c) Indiscriminate killing of intellectuals and, indeed, of anyone with any technical knowledge; destruction of the national culture and obscurantist policy designed to wipe out all opposition

The Pol Pot-Ieng Sary clique advocated the extermination of all intellectuals. An Eastern Zone directive of 5 September 1977 issued pursuant to a decision of their Party Central Committee said: "We must redouble our revolutionary vigilance towards those who have served in the old administration, such as technicians, teachers, physicians, engineers ... Our Party's policy is not to employ these people. If we run after technology and employ them, the enemy will infiltrate deeper and deeper every year into our State apparatus. That will be very dangerous" (document No. 2.5.06). In fact, they regarded these people as criminals under a suspended death sentence and liable to be killed at any time (document No. 2.4.01).

In 1975, at the time of the evacuation of the urban population, the Pol Pot-Ieng Sary clique forced the intellectuals to go to the countryside, allegedly to be "re-educated" in the "people's communes" but in reality to be gradually exterminated.

Many intellectuals had to hide their identity and their past to escape death. Tuk Hol, a resident of Phnom Penh and a graduate of the Faculty of Literature,

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managed to survive because he concealed the extent of his education (document No. 2.1.1.05).

Those who were known to have some education were killed. For example, when Chan Sary's cousin had an attack of malaria but refused to submit to an injection of a home-made medicine he was suspected of being a physician and was immediately put to death (document No. 2.3.7.01).

Khieu Ko Ia, a former professor of history working at the Ministry of National Education in Phnom Penh, describes the life of an intellectual in the people's commune of Prek Tanch, Saang district, Kandal province: Angkar cadres declared: "Educated people like doctors and teachers are also part of the dominant exploiting class." They killed teachers without giving any explanation. The professor himself saw six teachers condemned to death. Early in 1978, when the Pol Pot clique formally ordered the hunting down and killing of intellectuals, he tried several times to commit suicide (document No. 2.1.1.02). The husband of Mrs. Luong Ba Da of Kompong Chnang was killed because he was an intellectual. She says that in some localities the Pol Pot clique killed even school-teachers and secondary school students together with their families (document 2.1.5.19).

According to numerous witnesses, a thousand or so intellectuals who had been deceived by the Pol Pot-Ieng Sary clique into returning to Kampuchea from abroad were all assigned to forced labour and hundreds were later killed (report on the inquiry into the crimes committed by the Pol Pot-Ieng Sary clique against the population of Phnom Penh, statement by Ung Pech, documents Nos. 2.4.01 and 2.1.1.01).

The medical corps, which formerly included 643 doctors, pharmacists and dentists, now has only 69 (document No. 2.4.03a).

Many documents from foreign sources also confirm the killing of intellectuals under the fascist régime of the Pol Pot-Ieng Sary clique.

(d) Abolition of the system of education at all levels

Schools were turned into prisons, torture chambers, granaries and manure depots. All books and documents in libraries, universities and research centres were burned or ransacked.

A survey conducted by the Ministry of Culture and Education has disclosed that, during the four years of the Pol Pot régime, four-fifths of all teachers were killed, including college professors, lecturers, pharmacists and doctors. In Kandal, Prey Veng, Kompong Cham, Kratié, Kompong Speu and other provinces, the Pol Pot clique set up concentration camps where teachers and students were murdered in batches starting with those at the higher level (document No. 2.4.04).

(e) Abolition of national culture

According to the report on the survey conducted by our Ministry of Information and Culture, the Pol Pot-Ieng Sary clique planned to eliminate all the material

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bases of our traditional national culture and to massacre all those who were working for its maintenance and development:

- Cultural establishments such as museums, theatres, cinemas, television stations, the College of Fine Arts, the Music Conservatory, stadia and sports clubs were destroyed or abandoned.
- 90 per cent of the country's creative artists were killed, including such prominent individuals as Neang Huon Meas, Has Salan, Pecu Sipho and Voy-ho. Out of a total of 1,241 known to be alive in 1975, only 121 remain.
- Some 2,000 well-known athletes who had taken part in international competitions and more than 300 coaches were killed.
- Large libraries in Phnom Penh, major scientific institutes and famous pagodas and temples were destroyed.
- 50 per cent of the country's 1,225 famous ancient architectural works and monuments were destroyed. The Angkor Thom and Angkor Wat temples were damaged (document No. 2.4.03).

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VI. Massacring small children, persecuting and corrupting young people and transforming them into brutal thugs devoid of any human feelings

Children above 6 years of age were not allowed to live with their parents and were forced to pasture cattle and collect cow dung.

Those over 10 had to do very hard work in the same manner as adults. They were not allowed to go to school or to play (testimony by Ung Peck, Alfonso Denise and Thon Sary, report on the survey by the Ministry of Education, documents Nos. 2.1.1.01, 2.6.21, 2.1.5.04 and 2.4.04).

Khieu Samphan, head of State under the Pol Pot-Ieng Sary régime, praised this exploitation of child labour in the following terms: "Our children enjoy themselves building dikes and digging ponds and canals."

Orphaned children were denied care on the grounds that their parents had offended Angkar. Many orphans had to lead a wandering life and were not admitted to the "people's communes".

Children caught begging were beaten to death (testimony by Duong Ma La of Kompong Thom, document No. 2.1.5.06). The surviving children are now in a state of serious malnutrition and suffer from numerous diseases, particularly those of the digestive tract, and from mental retardation (testimony by Brom Bos at Siem Reap hospital, document No. 2.4.03c).

Some children were put to death and their flesh eaten by Pot Pot-Ieng Sary troops.

Miss Saini, of Kandal, says that that was the fate of her younger brother (document No. 2.1.5.11).

Huor, a 13-year-old now living in an orphanage at Siem Reap whose parents and older brothers and sisters died during the forced evacuation declares that Pol Pot-Ieng Sary troops killed and ate the flesh of two little girls. As they were trying to cut his throat, someone came along and the killers fled. He still has a large scar on his neck (document No. 2.1.5.18).

In addition to mistreating and persecuting children, the Pol Pot-Ieng Sary clique forcibly enlisted children under the age of 15 in their army units or mobile shock brigades, since they were thought to be "pure" and loyal to the clique. They were trained to become killers in wars against neighbouring countries and in repressive campaigns against the Kampuchean people.

A document of the Conference of the Northern Zone dated 15 July 1976 stated: "Even children can serve as a framework. Only in that way can we build up our Party and create a framework for the children will grow up with the movement" (document No. 2.5.26).

Children were used as spies in the "people's communes" (documents Nos. 2.4.01 and 2.6.21).

VII. Total sabotage of the national economy,
dooming the people to starvation

The Pol Pot-Ieng Sary clique destroyed the structure of the national economy and brought production to a standstill, with serious consequences for the people's living conditions.

In the industry, they made no use of the skilled cadres and workers of the former régime (directive of 5 September 1976 of the Eastern Zone implementing a decision of the Party Central Committee, document No. 2.5.06). Engineers and technical cadres were massacred, while workers were sent to the countryside.

Before 1975, although Kampuchean industry had been backward, there had been hundreds of factories, of which Phnom Penh had had 37 with 12,000-13,000 workers. There had also been 3,700 units of handicraft production. These production units, already insufficient, had to close their doors or reduce production as a result of the harsh policy towards former technical cadres and workers.

Thus, a cement works with a capacity of 50,000 tons per year and a glass works with a capacity of 40,000 tons had to stop functioning.

A number of small factories such as a saw mill and a textile mill had only a few workers left. All production slowed down as productive forces were destroyed.

As far as agriculture is concerned, our country had exported hundreds of thousands of tons of rice in some years.

However, under the slogan "to have rice is to have everything" the Pol Pot-Ieng Sary clique wrought havoc with the people's traditional production methods. The peasants were relocated, massacred or forced into "people's communes" where they were subjected to a régime of exhausting forced labour.

There was a shortage of means of production. Large areas of land were left fallow, and rice was largely exported to pay for weapons or stockpiled in case of war, while the peasants were starving and ill-clad.

Areas formerly reserved for industrial crops, such as hevea and pepper, were also reduced.

Fishing, which formerly yielded 100,000-140,000 tons a year, provided only 20,000 to 30,000 tons under the Pol Pot-Ieng Sary clique.

As to the monetary and distribution system, money and markets were abolished, thus putting an end to commerce.

As regards communications and transport, civilian transport facilities were destroyed to prevent people from moving about, while military communications, ports, airfields and strategic roads, were developed.

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This reactionary economic policy of the Pol Pot-Ieng Sary clique ran counter to all objective economic laws, to the people's interests and to national realities. It destroyed productive forces, causing the collapse of industry and agriculture and a slow death for the working people through physical exhaustion (report of the survey of the economy and report of the inquiry into the crimes committed by the Pol Pot-Ieng Sary clique against the population of Phnom Penh, document No. 2.4.07).

VIII. After their overthrow (7 January 1979), the Pol Pot-Ieng Sary clique committed new crimes and perpetrated mass killings of people who refused to follow them in retreat

As they retreated, the Pol Pot-Ieng Sary clique compelled the population to follow them in order to serve as human shields. Wherever they went, they destroyed property, crops and granaries and robbed people.

In many places, before fleeing they massacred the population in order to prevent them from joining the revolution (testimony by Yeng Ting and Sok Ruot, documents Nos. 2.1.5.03 and 2.1.25). Yen Mara of Kompong Chnang confirmed that many persons had been tied together and pushed into the Porang So Kao river (document No. 2.1.50).

At the Puk Kach pagoda (Kandal province), on the morning of 7 January, the district head personally led his troops in killing 200 detainees, including women and children. They had no time to bury the bodies (document No. 2.3.7.01).

The Pol Pot-Ieng Sary clique staged mass murders of those who refused to follow them. In February 1979, in Amleang commune (Kompong Speu province), 12,000 were killed, including workers at the Kompong Chnang airfield and wounded, demoralized soldiers belonging to their own army (document No. 2.3.6).

Kampuchean refugees in Thailand who were driven back into Kampuchea by the Thai authorities were accused of treason and executed on the spot. All supplies that could not be carried away were destroyed so that the local inhabitants would be forced to choose between accompanying the retreating troops and starving.

The Phnom Penh people on their way back home could see many rice granaries burning for weeks, especially the big granary at Tong lehet, near the city of Kompong Cham, had been burning for a month.

IX. Using savage methods of torture and killing and many other means of terrorizing the people

(a) Methods of killing far more cruel than Hitler's which made it possible to liquidate hundreds and even thousands of people at one time

- Striking victims on the back of the head with hoes, pick-axes, sticks and iron rods (see evidence produced in court).

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- Using knives and the sharp-edged leaves of sugar palm trees to cut people's throats, open their bellies and remove their livers to be eaten and extract bile for the preparation of "medicines" (see evidence produced in court).
- Using bulldozers to crush people and explosives to kill large numbers at once.
- Burying people alive or burning them alive if they were suspected of opposition to the régime; cutting up their flesh little by little and letting them die a slow death.
- Throwing children into the air and letting them fall on a bayonet; dismembering them; smashing their heads against a tree.
- Throwing people into ponds where crocodiles were kept.
- Killing by the "swing" method, i.e. hanging them up on trees by their necks, arms or feet and letting them dangle in the air.
- Injecting poison into the victims' veins, poisoning people en mass (testimony by witnesses Long Lai, Sieu Sien, Man Bien, Ny Sam Bach, Soklimut, Nhan Hen, Chah Sarin, Alfonso Denise, Mitnarin, Kung Cari; confessions by torturers Man Nho-eum, Mien Xen, et al.; report on the crimes of the Pol-Pot-Ieng Sary clique prepared by various departments in Phnom Penh; documents Nos. 2.3.5.01, 2.3.5.02, 2.3.4.01, 2.1.5.23, 2.1.5.24, 2.1.5.10, 2.3.7.01, 2.6.21, 2.3.01, 2.3.2.01, 2.2.01, 2.2.02 and 2.4).

(b) Use of brutal torture to extract confessions from suspected opponents of the régime, especially among cadres and Party members, before they were put to death

- Innocent people were tortured until they admitted being CIA agents (report on a conference on methods of interrogation used by Pol Pot-Ieng Sary security service, document No. 2.5.27).
- People were tortured over a period of 2-3 months until they confessed and signed a paper supporting the régime; 10 days later, they were put to death.
- Women were stripped of their clothes, tortured and raped, then had their breasts cut off and their genitals mutilated.
- Victims were suspended head down, and an electric current was sent through their bodies; their finger-nails were torn out with pincers; the victim's head was wrapped in a plastic bag or in strips of cloth, after which water was poured over him to produce choking; victims were forced to drink two litres of salt water at one time (statements by Ung Pech, Van Pheap; files found in Tuol Sleng prison; documents Nos. 2.1.1.01, 2.1.4.02 and 2.3.8).

(c) Use of coercive methods to paralyse the will and thinking

- People were compelled to work without let-up the whole day so that they had no time to think of rebelling; sick people who asked for a rest were accused of showing attachment to the past.
- Members of "people's communes" were told to remain silent under all circumstances and act as though they saw nothing, heard nothing and knew nothing.
- A network of secret agents was organized to watch people night and day; children were used to spy on and denounce their parents.
- Efforts were made to sow suspicion among the different categories of commune members; old members were used to harass and spy on new ones.
- Extremely harsh, arbitrary discipline was enforced in the "people's communes", and anyone who violated it was put to death (statements by witnesses Yi Thone, Chieng Phana, Eva Darakum, Phun Chan Tony, Kung Cari and Duong Nala; reports on the crimes of the Pol Pot-Ieng Sary clique prepared by various departments in Phnom Penh; documents Nos. 2.1.1.16, 2.1.5.07, 2.3.2.01, 2.1.5.06, 2.4 and 2.1.1.17).

B. Concerning the schemes, motives and consequences of the Pol Pot-Ieng Sary Criminal Acts

I. These criminal acts are being perpetrated with intent to commit genocide

Testimony by witnesses inside the country, investigative reports by various branches of our State apparatus, the records of on-the-spot inquiries and documents collected from various sources in foreign countries all show that the Pol Pot-Ieng Sary clique's criminal acts were committed in a systematic way, in various places throughout the whole territory of Kampuchea, with the deliberate aim of carrying out genocide.

Those schemes have been discussed in Party meetings of the Pol Pot-Ieng Sary clique, cited in resolutions and translated into directives addressed to various levels of the Party and State apparatus, study materials for cadres and official documents. Their implementation was monitored by the Pol Pot-Ieng Sary clique (document 2.5).

II. Motivation of the Pol Pot-Ieng Sary clique and the support they had in their practice of genocide against the people

(a) The Pol Pot-Ieng Sary clique was a group of power-greedy individuals who shrank from nothing in their drive to grab power for themselves and their families.

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In 1960, taking advantage of the enemy's terrorist and repressive acts, which led to the break-up of many party bases and the arrest and liquidation of a large number of loyal party members, Pol Pot-Ieng Sary usurped leadership of the Party, and set up the Angkar, a fascist, dictatorial organization, to serve their own ambitions. From early 1970 on, they endeavoured to spread their influence and build up their personal power.

In 1971-1972, they eliminated a number of people from the anti-US resistance Government and replaced them by their own loyal men.

In 1973, they liquidated many genuine revolutionaries in Koh Kong province, among them Comrade Prasit, deputy Secretary of the Party Zonal Committee, and ordered the dissolution of a number of units of the resistance army suspected of opposition to their political line.

- In 1975 Cabinet Minister Hu Youn was liquidated.
- In 1976, they organized fake elections and set up a government with Pol Pot, Secretary of Angkar, as Prime Minister, and Ieng Sary, member of the Standing Committee of Angkar, as Vice Prime Minister in charge of external relations.
- In 1977, they falsified Party history and brought into the open their Angkar (organization) under the name of "Communist Party of Kampuchea", which they alleged to have been founded in 1960, the year when Pol Pot took power. All this was aimed at adding lustre to their clique.
- In 1977-1978, they went on liquidating people considered as potential obstacles to their domination, among them Hu Nim, Minister for Information and Propaganda, Toch Phoeun, Minister for Public Works (1977), So Phim, Vice President of so-called Democratic Kampuchea (1978).

(b) The Pol Pot-Ieng Sary clique pursued reactionary policies which went counter to the people's interests and aspirations, and were consequently increasingly opposed by the people.

In the year 1967-1968, while the situation in Kampuchea and the balance of forces were not favourable to the revolution, they nevertheless staged armed uprisings at Sam Luat (mid-1967) and in other places (beginning 1968). As a result, those uprisings were severely repressed, entailing heavy losses to the revolution.

During the years 1970-1975, they started to implement policies which went against the interests of the people and the anti-US resistance, for instance, forced population redistribution and herding people into "co-operatives" and "communes".

During the four years of their rule from 1975-1979, the Pol Pot-Ieng Sary clique implemented their repressive policy against the people on a large scale and stepped up purges within the ranks of their followers, so as to maintain their dictatorial personal power. They ordered the total evacuation of the cities,

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classified the population into various categories and killed en masse those suspected of opposition to them. They forced the population of one region to move to another, suppressed all family and social ties, turned people into slaves and condemned them to a slow death.

With such slogans as "a leap forward in economic development", "make big leaps" etc., they imposed a régime of forced labour, in which people starved, received no medical care, suffered from exhaustion and eventually died of hunger and disease.

In foreign policy, they refused all relations with and aid from foreign countries and international organizations which might have helped our people heal the wounds of war. They carried out a policy of hostility towards all neighbouring countries, provoked conflicts with Thailand (mid-1975 and early 1977), seized dozens of islets on the Mekong River belonging to Laos and started a large-scale war of aggression against Viet Nam by:

- launching attacks against the Vietnamese islands of Phu Quốc and Thô Chu in May 1975;
- starting border skirmishes with Viet Nam in north-eastern Kampuchea by invading the Vietnamese provinces of Gia Lai Kontum (end of 1975);
- rejecting the many proposals made by Viet Nam to negotiate a peaceful settlement of the border issue (1976 and 1977), holding that "differences with Viet Nam can never be settled by political means" and that in seeking a military solution to those differences, "Viet Nam should be annihilated on her own territory" (document for the propagation of Angkar's policies at the Conference of the Eastern Zone, 1977);
- unleashing an aggressive war along the whole length of the Eastern Zone bordering the Vietnamese province of Tây Ninh (April 1977). From the end of December 1977 onwards, the war of aggression against Viet Nam was brought into the open and stepped up.

The policy of war against foreign countries was used by Pol Pot-Ieng Sary as a pretext to increase repression against the people, conduct internal purges, slander and get rid of those who challenged their political line or were suspected of obstructing the exercise of their power. That policy of war and repression resulted in tremendous losses of life and property for our people and in a growing paralysis of our economy. At the same time, the Pol Pot-Ieng Sary clique committed atrocious crimes against neighbouring peoples, especially against the Vietnamese people (see the "White Book" published by the Foreign Ministry of Thailand), ("Truth about the Vietnam-Kampuchea border problem" published by the Foreign Ministry of the Socialist Republic of Viet Nam in May 1978, documents 2.6.17; 2.6.18).

Faced with the danger of annihilation, our people rose up in numerous localities beginning in 1976 and the movement is gaining momentum.

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In 1976, in Pnom Penh and in the Central and Eastern Zones;

In 1977, in the North-western, Eastern and South-western Zones;

In 1978, in the whole of the Eastern Zone, and shortly thereafter, in five out of seven other zones of Kampuchea.

The more they felt isolated and cut off from the people, the more the Pol Pot-Ieng Sary clique intensified their repressive measures and internal purges and the deeper they became involved in the crime of genocide - and the more they met with resistance from broad segments of the population, until they were finally overthrown by the people on 7 January 1979.

(a) Lacking popular support from the outset and faced with growing opposition, they relied on the support of external reactionary forces, in particular, the reactionaries in Peking, in order to build up and maintain their dictatorial rule. At a press conference held on 3 October 1975 in Peking, Pol Pot admitted that as early as 1960, he and his clique had relied on "Mao Zedong's works" in opposing the line of the genuine revolutionaries and in imposing their own reactionary line.

In the nearly four years of their rule (1975-1979), the Pol Pot-Ieng Sary clique advanced the theory of "the 100 per cent socialist revolution", "the revolution of great leaps forward, great progress, the supreme miracle" with a view to "building a nation without cities or countryside" - which really means the abolition of cities, concentration of the population in people's communes, no markets, no money, no schools and no postal service. All social and family ties and all human feeling were eliminated (document 2.5.01 on the present situation in Kampuchea). This line was encouraged and praised by Mao Zedong in these terms: "Comrades, you have won an amazing victory. You have abolished all classes in one blow. People's communes in the countryside with poor and lower-middle level peasants throughout Kampuchea - therein lies our future" (conversations between Pol Pot and Mao Zedong, June 1975, Archives of the Angkar Party Central Committee - excerpts from The People's Republic of Kampuchea, an illustrated magazine).

The Pol Pot-Ieng Sary policy of mass killings, repression in "people's communes", internal purges and conflicts with neighbouring countries met with opposition from our people and was angrily condemned by large sectors of world opinion, but the Peking authorities lauded and encouraged them. Hua Guofeng declared: "Comrades, you are skillful not only in eliminating the old world, but in building the new one, and you have won important victories in crushing the subversion and sabotage of enemies inside and outside the country". Pol Pot declared at the time: "We have creatively and successfully applied Mao Zedong's thoughts to the realities of Kampuchea ... For Kampuchea, Mao Zedong's thoughts represent the most valuable aid we have received from China" (addresses made by Hua Guofeng and Pol Pot at the reception of 28 September 1977, document 2.6.04).

Pol Pot-Ieng Sary relied on Chinese economic and military aid for their survival. Beginning in October 1975, Peking sent economic and military aid, thousands of military advisers, workers, technicians and large consignments of equipment to rebuild airfields, ports and strategic roads, beefed up Pol Pot's army from 50,000 men in 1975 to 70,000 in 1977 and provided it with equipment and logistic support (documents 2.5.05, 2.5.25).

With Chinese assistance, Pol Pot-Ieng Sary intensified their repression of the people in 1976-1977. According to witnesses, Chinese advisers were present at certain places where massacres took place (documents 2.3.5.01 and 2.3.5.02). But the harsher the repression, the more the people rebelled and squeezed them to the wall. At a meeting of the Standing Committee in May 1978, they were forced to admit that "... right now, we are still holding, but we have already taken some losses, and if this continues, we will be facing collapse" (document 2.5.26).

Confronted with that situation, Pol Pot-Ieng Sary began to depend more and more on the reactionary authorities in Peking. To help them rapidly to increase their troop strength from 70,000 to 130,000 men, China stepped up shipments of weapons and other military equipment by sea and air.

Since 1978, while China was pursuing a policy of open hostility towards Viet Nam, the Pol Pot-Ieng Sary clique, with Chinese encouragement, were intensifying their war of aggression against Viet Nam (conversations between Chinese leaders and Son Sen, Pol Pot's Defence Minister, during the latter's visit to China in October 1978). They concentrated the bulk of their elite troops, equipped with modern weapons and supported by tanks and long-range artillery newly received from China on the Eastern front.

Moreover, Pol Pot-Ieng Sary acted in concert with Peking in their activities in South-East Asia. During his talks with Hua Guofent in September 1977, Pol Pot said: "... if the revolution in South-East Asia takes advantage of this opportunity to launch an offensive, the situation will improve and we will be able to resolve our problems. We have exchanged views with our Burmese, Malaysian, Indonesian and Thai friends and we have reached agreement. That is a great political victory. Of course, the situation is still very complicated when you examine the details, but we have the support of our Chinese friends, in the North. The unity achieved in South-East Asia is a strategic beacon which gives us much encouragement. Before, we felt confident of the friendship of China; now we feel even more secure". (Excerpt from Pol Pot's remarks at the Kampuchea-China talks held on 29 September 1977.)

After Pol Pot was overthrown on 7 January 1979, he sent Ieng Sary to Peking periodically to work out a plan of action against our people. According to documents seized at Tasanh, Peking promised to continue to send them money, arms and ammunition and food, set up a radio station for them and laid down the propaganda line and foreign policy they were to follow.

It is to be noted that at one of their meetings with the Chinese in January 1979, Hua Guofent and Deng Xiaoping even discussed a plan to muster all the counter-revolutionary forces in Kampuchea - the reactionaries and lackeys of imperialism - and discussed with Ieng Sary how commands should be divided among the leaders so as to pursue their action against the power of the people (document 2.5.18).

To sum up, after usurping power, Pol Pot-Ieng Sary became subservient to Peking in all things. They regarded Peking as their sole support ideologically, politically, economically and militarily. They entered into collusion with the Chinese leaders and ultimately became dependent on Peking in their criminal schemes and activities against our people and the peoples of the neighbouring countries.

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III. The serious consequences of the criminal acts of the Pol Pot-Ieng Sary clique and how they are reflected in all aspects of life in Kampuchea

The consequences of almost four years of domination by the Pol Pot-Ieng Sary clique and of the genocide they practised during those years weigh heavily on our people. They brought the nation to the brink of annihilation.

Some 3 million innocent people were massacred. On the basis of a sample survey of the population living in Phnom Penh and at a commune in Siem Reap province (documents 2.4.01 and 2.4.05) and of data collected on the spot by foreign journalist W. Burchett in three provinces - Prey Veng, Kompong Speu and Svay Rieng (document 2.6.06), there is good reason to think that during the four years of their rule, the Pol Pot-Ieng Sary clique killed about 3 million people, including many patriots, genuine revolutionaries, all the intellectuals, scientists and technicians, writers and artists, many able-bodied and educated young university and high-school students, all of whom constitute front-line forces indispensable to the building of the nation and its defence.

The more than 4 million survivors have been seriously traumatized both physically and mentally, with permanent effects: ill health, serious diseases such as tuberculosis, beriberi, malaria, mental illness and sterility, in the case of women.

There is an abnormally large proportion of widows and orphans. In the village of Brum Duon, out of 1,449 survivors, 1,169 were women, or 77 per cent of the population. A survey conducted in dozens of villages shows that among adult survivors, from 70 to 85 per cent are women and the rest are mostly children under 12 (survey by journalist W. Burchett, document 2.6.06).

The disastrous effects on future generations cannot yet be foreseen. According to a report of damage conducted at ... Hospital in Phnom Penh, surviving children found and hospitalized there after liberation were classified into three categories: class "A", comprising children under four, class "B", those over four and class "C", those born after 7 January 1979. Class "A" children are the most seriously damaged in their intellectual growth and affective development. Most of them suffer from various kinds of diseases. Class "B" children are also physically damaged and their height and weight are below average. How class "C" children have been damaged will be seen in the future and they should be watched (report of damage by Dr. Nuth Sovcenn, 16 July 1979, document 2.4.03).

Pol Pot-Ieng Sary caused the collapse of the national economy.

Social production and distribution were very seriously disrupted, the physical plant and means of production, destroyed. In the cities, almost all factories and workshops, scientific research centres and public welfare facilities were seriously damaged. In the countryside, there is an acute shortage of agricultural implements, draught animals, fertilizer and seeds. Customary

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agricultural methods and techniques and experience of production were lost. Productive manpower has been decimated: the technical cadres and the former workers have virtually disappeared. The rural as well as the urban population is in a state of total exhaustion.

As a result of this Pol Pot-Ieng Sary policy of economic destruction, 2.5 million of our compatriots are now threatened with starvation. Our State and people will have a long and arduous struggle to restore production and stabilize living conditions.

Pol Pot and Ieng Sary have destroyed our national culture, the educational and the health systems.

As a result of their policy, our people have sunk into ignorance and our national culture has been set back for years.

Cultural and scientific establishments, schools and hospitals have been destroyed. Professors, teachers, students and pupils it has taken us many years to train have largely been exterminated. There are at present very few university professors left (there were 725 before 1975); there are only 207 secondary school teachers (there were 2,300) and only 2,717 primary school teachers (there were 21,311). There are only 15 pharmacists and 54 medical doctors left (in 1975, there were 196 pharmacists and 487 medical doctors).

Pol Pot and Ieng Sary have destroyed the social fabric of the country and our national unity.

The basic units of our society, the family and the village, have disintegrated. The ethnic communities in our country have been thrown into disarray. The Thai ethnic minority in Koh Kong province and nearly all the other ethnic minorities in the Northeastern Zone, like the Moslem community, have been exterminated. The sabotage of Kampuchea's social, political, economic and cultural structures has had and is still having permanent and disastrous effects, which still cannot be measured.

In foreign policy, our country's prestige and position has been severely undermined.

As a result of the collusion between Pol Pot-Ieng Sary and the Peking reactionaries, our national independence and sovereignty were sacrificed.

Their criminal policy of genocide unleashed a wave of indignation throughout the world.

Kampuchea was a preserve of Pol Pot-Ieng Sary, in alliance with Peking. It was closed to the outside world and isolated from the many friends who had wholeheartedly supported it during the period of resistance against the United States.

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By provoking hostilities and waging wars with our neighbours, Pol Pot-Ieng Sary undermined peace and stability in South-East Asia for the benefit of interests completely alien to our country and our people. With incursions into Laos and a war of aggression against Viet Nam they jeopardized the militant solidarity and friendship between the peoples of Kampuchea, Laos and Viet Nam - a factor indispensable to the victory of each of those three peoples in their struggle for independence, sovereignty and national prosperity.

On 7 January 1979, the Pol Pot-Ieng Sary clique were overthrown and our people once again became masters of their own destiny. With our tradition of indomitability, with our nation's vitality with the generous aid given by fraternal and friendly countries, we are determined to overcome the disastrous consequences of the national genocide committed by the Pol Pot-Ieng Sary régime.

C. Criminal responsibility of Pol Pot-Ieng Sary

1. On the basis of article 1 of Legislative Decree No. 1 of 15 July 1979 of the People's Revolutionary Council of Kampuchea, and with reference to international law governing the crime of genocide, especially the Convention of 9 December 1948 on the prevention and punishment of the crime of genocide, we find that the deliberate criminal acts committed by the Pol Pot-Ieng Sary clique mentioned above constitute the crime of genocide.

The crime of genocide is defined in article 1 of Legislative Decree No. 1 of 15 July 1979 in the following terms: "Planned mass killing of innocent people, forced evacuation of the population from cities and villages, concentration of the population and forcing them to work in physically and morally exhausting conditions, abolition of religion, destruction of economic and cultural structures and of family and social relations".

2. Consider that the crime of genocide was committed by Pol Pot-Ieng Sary in the following aggravating circumstances:

- Genocide committed on a large scale, against many social classes throughout the country and with increasing savagery;
- Genocide committed by particularly barbarous means and methods, aimed at physically and morally destroying the victims;
- Massacre of whole families, of parents in the presence of their children, and of children in the presence of their parents;
- Genocide with very serious consequences on all aspects of the people's life, driving the whole nation to the brink of annihilation.

After being overthrown on 7 January 1979, Pol Pot and Ieng Sary, continuing their collusion with the reactionary elements in power in Peking, are maintaining their campaign against the people of Kampuchea in the hope of restoring their régime of dictatorship and genocide.

3. Concerning the individual responsibility of the two accused, Pol Pot and Ieng Sary:

(a) Pol Pot:

Secretary of Angkar (Party) and Prime Minister, he held the highest office, directed all Party and State activities, established domestic and foreign policies and supervised their implementation.

He personally directed internal affairs, organized and commanded the implementation of the policy of genocide in localities where the people strongly opposed the repressive régime such as the South-Western, Northern, North-Western and Eastern regions. In each region, genocide was carried out more ruthlessly than in the previous one.

After he was overthrown, he continued to order the massacre of those who did not follow him and directed the burning of State granaries and other property with a view to creating famine and misery.

Pol Pot must assume responsibility for being the instigator and author of the plan for genocide, as defined in paragraph 1, article 2 of Legislative Decree No. 1 of 15 July 1979.

(b) Ieng Sary:

As a member of the Standing Committee of Angkar, he participated in leadership and specifically directed the implementation of the policy of genocide.

As Vice-Premier in charge of external relations, he deceived about 1,000 intellectuals, students and high-ranking civil servants then residing abroad into returning home, supposedly to help build the fatherland, then ordered them killed. He defended the criminal policy of genocide in international forums. He actively maintained collusion with the Peking reactionaries for the implementation of their criminal plan.

After he was overthrown (7 January 1979), he repeatedly went to China to continue his collusion with a foreign Power with a view to opposing the people's power and restoring his dictatorial and genocidal régime.

He had a record of close co-operation with Pol Pot in efforts to seize the leadership of the Party and State so that, together, they could implement their reactionary domestic and foreign policies.

Ieng Sary bears full responsibility as instigator and author of plans for carrying out genocide as defined in paragraph 1, article 2, Legislative Decree No. 1 of 15 July 1979.

ANNEX

PEOPLE'S REVOLUTIONARY TRIBUNAL HELD IN PHNOM PENH
FOR THE TRIAL OF THE GENOCIDE CRIME OF THE
POL POT-LENG SARY CLIQUE

August 1979

PEOPLE'S REPUBLIC OF KAMPUCHEA
Independence Peace Happiness

JUDGEMENT OF THE REVOLUTIONARY PEOPLE'S TRIBUNAL
HELD IN PHNOM PENH FROM 15 TO 19 AUGUST 1979

THE REVOLUTIONARY PEOPLE'S TRIBUNAL

Created by Decree-Law No. 1, dated 15 July 1979, of the Revolutionary People's Council of Kampuchea, held its public sittings at the capital city of Phnom Penh from 15 to 19 August 1979. It is composed of:

Mr. Keo Chanda	President of the Revolutionary People's Tribunal, Chairman of the Council of Judges.
Messrs. Chhour Leang Hourt	People's Assessor
Pen Navuth	"
Mrs. Chea Samy	"
Messrs. Moa Savatha	"
Nonth Savocun	"
Nouch Than	"
Mrs. Chnouh Chhim	"
Messrs. Kim Kun	"
Kim Kameth	"
Luk Sarat	"

The court sessions have taken place

In the presence of Messrs. Mat Ly, Prosecutor, acting as public Minister at the Tribunal, and Lun May

With a secretariat composed of Messrs. Houll Sans Ol and Duh Chandara

For the purpose of pronouncing first and last instance verdicts against:

1. Pol Pot alias Saloth Sar, born in 1925 at Phum Prek Seau, Kompong Thom province, with secondary school education, former Prime Minister of the overthrown Democratic Kampuchea, married to Khieu Ponnary, now in hiding and the object of a warrant of arrest;

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2. Ieng Sary, born in 1925 at Hòa-lao hamlet, Lién Hòa village, Châu Thành district, formerly Tra Vinh province and now Cuu Long province, Viet Nam, with university education, former Deputy Prime Minister of the overthrown Democratic Kampuchea Government, married to Khieu Thirit, now in hiding and the object of a warrant of arrest.

The accused Pol Pot and Ieng Sary are prosecuted for committing genocide, under article 2 of Decree-law No. 1, dated 15 July 1979, and referred to in the Indictment, dated 15 August 1979, of the Prosecutor of the Revolutionary People's Tribunal.

On the basis of articles 5 and 6 of Decree-law No. 1, dated 15 July 1979, of the Revolutionary People's Council of Kampuchea, the Tribunal has decided to hold sessions to judge in absentia the accused Pol Pot and Ieng Sary.

The decision to bring the present case before the Tribunal and the subpoenas summoning the accused before the Tribunal have been made known through broadcasting over the National Broadcasting Station and have been posted at the offices of the Administrative People's Committee and the Revolutionary People's Tribunal of the City of Phnom Penh.

The Revolutionary People's Tribunal has appointed: Messrs. Dith Mouny and Duos Por, Kampuchean lawyers, and Mr. Hope R. Stevens, an American lawyer, to defend the two accused.

Also taking part in the court sessions were the following civilian plaintiffs: Mr. Abdul Kodom, Mrs. Affonso Denise and Miss Chhay Sani.

The Revolutionary People's Tribunal has agreed to the appointment of Mr. Mohammed Hikmot Turkmanee, a Syrian lawyer, for the defence of the rights of the civilian plaintiffs.

After hearing the Indictment dated 15 July 1979 of the Prosecutor;

After hearing the investigation reports made by representatives of various branches and circles - economy, culture, health, education, religion and national minorities - of the Revolutionary People's Council of Kampuchea and representatives of various strata of the Phnom Penh population, who have been directed by the Prosecutor to testify before the Tribunal;

After hearing the declarations of witnesses, victims and civilian plaintiffs;

After hearing the declarations of witnesses who have made on-the-spot investigations, namely,

- (1) Mr. Francisco Varona Duque Estrada, a Cuban lawyer;
- (2) Mr. Susumu Ozaki, a Japanese lawyer;
- (3) Mr. John Quigley, an American lawyer;

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After the study and examination of documents and evidence related to the case, such as texts and photos of the Pol Pot-Ieng Sary clique, which had been seized, as well as texts, films, photos and other evidence related to the sites of the crimes and acts of genocide perpetrated by the Pol Pot-Ieng Sary clique;

After hearing the charges by the Prosecutor;

After hearing the lawyers defending the rights of the civilian plaintiffs;

After hearing the lawyers defending the accused;

After thorough examination of all the documents of the dossiers of the case, after debates and deliberations according to the law;

The Council of Judges of the Revolutionary People's Tribunal held in Phnom Penh has determined the nature of the present case as follows:

After a valiant, protracted and arduous struggle, shoulder-to-shoulder with the fraternal peoples of Viet Nam and Laos, against the French colonialist invaders and subsequently the American imperialists and their stooges, the Lon Nol clique, our people have gained a glorious victory. On 17 April 1975, our dear Kampuchea was completely liberated.

The most profound aspiration of all strata of our people is to live in an independent, peaceful and happy country in a society which is truly equal, just and democratic and to unite in building and defending our Kampuchean Fatherland in advance on the road to prosperity to develop to the highest degree our glorious traditional Angkor civilization and to entertain peaceful and friendly relations with the fraternal neighbourly nations.

But, during the four years in power, the accused Pol Pot-Ieng Sary have betrayed our people and our Fatherland. The Tribunal finds that the accused have committed the following crimes:

- I. Implementation of a plan of systematic massacre of many strata of the population on an increasingly ferocious scale: indiscriminate extermination of nearly all the officers and soldiers of the former régime, liquidation of the intelligentsia, massacre of all persons and destruction of all organizations assumed to be opposing their régime

The Pol Pot-Ieng Sary clique divided the population into three categories subjected to different treatment: category I comprising "old citizens", that is, persons living in resistance bases existing before liberation; category II comprising "new citizens", that is, persons living formerly in areas controlled by the old régime; and category III comprising those who have co-operated with the former régime.

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Their policy was to exterminate category III, purge category II, sparing only category I. Persons of the latter category, although well treated at the beginning, were in their turn subjected to purges as from 1977. (Minutes of the meeting of Kompong Ro District, Party Committee.)

A. Indiscriminate extermination of officers, soldiers and civil servants of the former régime and their families

The Pol Pot-Ieng Sary clique decided to exterminate all the officers, soldiers and civil servants of the former régime.

Many puppet officers have been slaughtered together with their families.

Immediately after 17 April 1975, the Pol Pot-Ieng Sary clique resorted to various tricks, such as summoning them for political courses and then mowing them down with gunfire, as was the case with a great number of rallied soldiers in different provinces and towns: Battambang, Mongkotborey, Sisophon etc., or marching them to a forest, then surrounding them and binding them up and killing them by hitting them with bamboo sticks.

One of those executioners is Men Khuon, who has admitted the following before the Tribunal:

"The slaying of 2,005 was done upon orders from Pol Pot to celebrate the great victory of 17 April 1975. The chairman of Tuk Phok district, named Miec Vay, summoned 50 guerrillas from various villages of his district and gave them this oral order: The former Lon Nol soldiers are our enemies. We must kill all enemies to celebrate the day of victory. This is the order of our leader Pol Pot. Anyone who refuses to kill is disobeying orders and must inflict on himself due punishment. We obeyed the district chairman's order and all the 50 of us killed 2,005 Lon Nol soldiers."

In April 1975, according to witness Soklimut from Pursat, about 4,000 Lon Nol civil servants, officers and soldiers were beaten to death or gunned down at O Chroi brook, near Mount Prey, Chum Tum Village, Keo Ko district, Pursat province.

As has been admitted by Sin Samonh, who belonged to the Pol Pot-Ieng Sary security service, the Pol Pot clique continuously searched for and killed the Lon Nol officers and men and their families who were still in hiding.

On 12 and 13 August 1978, together with eight others, he killed 250 Lon Nol soldiers and their families.

B. Liquidation of the intelligentsia

The Pol Pot-Ieng Sary clique considered students and intellectuals, professors, scientists and technicians as persons seriously contaminated by the former régime, as reactionaries not fit for any use. Their policy was to submit them to purges so as to "purify society".

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This policy was reflected in a document seized on a directive of the Executive Bureau of the Eastern Region Party Committee, which reads as follows:

"We must heighten our revolutionary vigilance as regards those elements who have served in the administrative machinery of the former régime, such as technicians, professors, doctors, engineers and other technical personnel.

"The policy of our Party is not to employ them in any capacity. If we run after technology, we will feel that they submit to us and we will use them, but this will create an opportunity for enemies to infiltrate our ranks more deeply with every passing year and this will be a dangerous process".

The Pol Pot-Ieng Sary clique held that "there are still many intellectuals hiding and this is harmful to our country" and they gave orders to the effect that "at every commune at least 15 intellectuals must be discovered and killed".

Intellectuals and students are hunted to be exterminated. Many of them had to conceal their identity with infinite care and patience and do such work as making manure or other farm work in the communes. Those whose identity was discovered were taken to an unknown destination.

Doctor Phlek Chat, of Proaket Meales Hospital, was arrested in July 1975 and submitted to torture. He died in gaol after a burning torch was forcibly driven into his throat.

Doctor Ten Beng Phoun, arrested in April 1976, was thrown into a crocodile-breeding lake at Trey Khling Khum village, Sandal district, Kompong Thom province.

According to the report on the investigation of crimes committed by the Pol Pot-Ieng Sary clique, as presented by the representative of the Phnom Penh population before the Tribunal, those who had the appearance of intellectuals, such as those wearing myopic or presbyopic eye-glasses, were under suspicion. Those suspected of being intellectuals were closely watched, because they were considered as undesirable or as persons with a suspended death sentence. The authorities in "communes" could kill those persons when they discovered that the latter were intellectuals, or at any time they liked.

At Prek Kal, Strung Treng district, Kompong Cham province, teacher Chan and a number of students and former civil servants were put on boats and taken to the middle of the river, then slain with spades.

Doctor Ich Kim Seng, who was once Assistant Minister of Health and professor at the Medical College, has related the days of his hiding in a "commune" as follows:

"I have been keeping cattle for four years in a forested area in Takeo, I didn't have any occasion to read a page of a book or to hear a news broadcast and I didn't have even a piece of paper to write on. For more than 1,000 days, I did not touch a cake of soap, and I had to smoke dried forest leaves. I had to eat rice gruel all the year round and I have become allergic

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to this food and shudder at the sight of a bowl of gruel. My wife and four children have either disappeared, they may have been killed or have died of starvation or of diseases."

The Pol Pot-Ieng Sary clique have also used deceptive propaganda to lure intellectuals like diplomats and students who had been working or studying abroad to go home, supposedly to build the country. But, as soon as these persons arrived at the airport, they were taken into custody after being robbed of foreign currencies, gold and whatever valuable things they had.

According to some surviving returned intellectuals who have testified before the Tribunal, under the Pol Pot-Ieng Sary régime, about 1,000 intellectuals came home from abroad, but now only 85 of them are left.

Mr. Ung Pech, road construction engineer from Kompong Som, testified that, when he was working in Kompong Som, he was assigned the task of maintaining the unloading facilities of the port, but for food, he had only banana stems and salted fish, while the Chinese advisers had plenty to eat. In April 1977, he was accused of being an enemy and was gaoled at Tuol Sleng Prison in Phnom Penh, together with a number of teachers and intellectuals. He knows that about 600 foreign-returned officials and students were kept in this gaol and then killed.

Numerous articles carried by the international press and news agencies also confirm the extermination of intellectuals by Pol Pot-Ieng Sary.

C. Intensified repression and systematic massacre of individuals and organizations suspected of opposition to the régime

In order to consolidate their power, the Pol Pot-Ieng Sary clique intensified efforts to purge their own organizations, destroying by the most sanguinary means individuals and organizations suspected of opposing them.

Early in 1977, they gave orders to the "communes" to the effect that various categories of "reactionaries", including the opponents or potential opponents, must be thoroughly exterminated.

On 4 April 1977, during a Standing Committee meeting, this order was issued: "All committees and branches must actively carry on the task of purification by wiping out enemy elements".

Any high-level cadre of the Party, the Administration, the Army, who happened to disapprove their bloody crimes, are accused of being spies of foreign countries and killed. It also happened that whole big units were massacred.

Early in 1977, they accused Coi Thuon, Commander of the North-western military zone, of being a traitor. Following Coi Thuon's murder, scores of other high-level cadres like Hu Nim, Minister of Information, Tich Phuom, Minister of Public Works, Duon Fo, Commander of the North-western military zone, were killed.

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A seized document, dated 3 June 1978, reveals that 18 high-level cadres in the Party were killed between 1972 to 1978. It is noteworthy that on the list was the name of Comrade Son Ngoc Minh, former President of the Issarak Front, a most important leader in the Central Committee of the Kampuchea Communist Party and whom the Pol Pot-Ieng Sary clique had murdered, using the hand of the Peking reactionaries, at a Peking hospital in 1972.

These bloody internal purges were considered by the Pol Pot-Ieng Sary clique as great victories.

A seized report read: "We have won these great victories thanks to our decision to track down and liquidate enemies in a systematic way, uprooting their important organizations at the base level".

As time passed, their purges became increasingly bloody and extensive.

On a seized list were the names of 242 high-level cadres, killed from 1976 to 9 April 1978. Among them there were 2 Party Central Committee members, 4 Interzone secretaries, 24 secretaries of regions and regional committee members, 4 ministers, 5 vice-ministers, 9 leading officials of ministries, 8 political commissars and deputy commissars of divisions and a number of ambassadors who had been recalled from abroad etc. ...

In May 1978, they killed Mr. So Sar Yan, alias So Phim, Political Bureau Standing Board member, Secretary of the Eastern Region. Following this event, a great number of officers and soldiers of Military Zone 203, of Divisions 280 and 290, and of all divisions of the Eastern Region, including units at the district level, were considered as not faithful to them and were massacred. Tens of thousands of persons, officers and soldiers, together with their fathers, mothers, wives and children, and even invalids who had been credited with many exploits in battle were killed. Even people native to the Eastern Region, but who had been forcibly evacuated to other areas, were also tracked down and massacred by the tens of thousands in June 1978. (Declarations of witnesses Sokl Mut from Pursat and Yen Tinh from Kompong Cham.)

Soldiers from the Kandal Military Zone were used as butchers in this massacre with support by aeroplanes, tanks and artillery.

Even a close associate of Pol Pot-Ieng Sary, Von Vet, Political Bureau Standing Board member in charge of the economy, was also killed in November 1978.

- D. Together with these internal purges, from 1978, and particularly from April 1978, the category I citizens, who had been Pol Pot-Ieng Sary reliable support, were in their turn subjected to bloody repression

Unable to bear the harsh Pol Pot-Ieng Sary régime any longer, these people rose up against the ruling clique. This provided the latter with a pretext to massacre extensively category I citizens in Chup, Prey Veng, Kompong Cham, Svay Rieng, Rattanakiri and Mondulakiri.

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Witnesses from Chup declared before the Tribunal that:

"Workers at the Chup Rubber factory and other persons taken from other places to Chup to be killed during July and August 1978 in the presence of Chinese advisors numbered tens of thousands. Their corpses were thrown into craters dug by B-52 bombers. There were about 40 such craters, which were filled with human remains. This white terror caused more than 3,000 surviving Chup workers to flee and take refuge in Viet Nam".

A witness, Mr. Nan Xomit, a leader of those refugee workers, unveiled before the Tribunal these atrocious crimes committed by the Pol Pot-Ieng Sary clique (procès-verbal of on-the-spot investigation at Chup).

II. Massacre of religious priests and believers, eradication of religions; systematic extermination of national minorities without distinction between opponents and non-opponents, for the purpose of assimilation; extermination of foreign residents

The Pol Pot-Ieng Sary clique ordered the shelling of pagodas and Islamic mosques, destroyed pagodas and churches, forced the priests to leave their frocks, to quit places of worship and join "communes" for hard labour. Statues of Buddha and objects of cult were damaged or destroyed. Many pagodas were turned into depots for rice, manure or arms. More serious still, many pagodas were transformed into gaols or concentration camps for re-education, places of torture and grounds for the killing of a great number of our compatriots.

Bonze Long Xim, of Phnom Penh, revealed at the Asian Buddhist Congress that there had been in Kampuchea 2,800 pagodas (with 82,000 bonzes) but under the Pol Pot regime none was left.

A witness, Bonze Tep Vong of Bo pagoda, Seam Reap town, declared before the Tribunal:

"The Pol Pot-Ieng Sary clique have killed 57 bonzes at Prep Look, Cham Xo village, Xo To district, Seam Reap province. In this province, there were 173 pagodas and 4,700 bonzes. The religious men were forced to abandon their robes, to go to work at the "communes" and to get married, young or old."

Many bonzes were tortured and beaten to death. Hundreds of Buddha statues, made of stone or wood, were destroyed, some of which were historical relics hundreds of years old. Religious books were all burnt. The pagodas of Ba Kon (Sot Nikum district) of Xo Xay, Phnom To Rung Bat (Kompong Thkhau village, Kralank district, Seam Reap province) were turned into places of torture and massacre ...

The cathedral of the Christian community in the heart of Phnom Penh was blown up by the Pol Pot-Ieng Sary clique.

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Yun Yat, Pol Pot-Ieng Sary's Minister of Culture and Propaganda, has confirmed this policy of eliminating religions in his talk with Yugoslav journalists. He said: "Buddhism is a tool for exploitation, that is why there is no longer any question of Buddhism".

Together with Buddhism, Islam was also eliminated even more ruthlessly, as the policy towards this religion was closely linked with the fascist policy of forcible assimilation of the national minorities, including those of the Muslim faith.

According to the report on national minorities, after 17 April 1975, along with their policy of forcible and immediate assimilation, the Pol Pot-Ieng Sary clique tracked down all the Muslim priests in order to exterminate them:

- (a) Grand Mufti Hari Roslos, imam of the Muslim community, was killed at Sonchon hamlet, Peamchor district, Prey Veng province;
- (b) Mufti Hachi Sleyman Sokri, first deputy imam, had his skull smashed;
- (c) Mufti Hachi Natobo Sleyman, second deputy imam, was killed in Battambang province;
- (d) Hachi Matly Haron, former President of the Central Committee of the Muslim Society of Kampuchea, was killed in Kandal province.

All the 114 Islamic mosques were destroyed. The most beautiful ones were razed to the ground by explosives or bulldozers.

With a view to forcing the national minorities to forsake Islam and finding a pretext for massacring them, the Pol Pot-Ieng Sary clique compelled them to eat pork, contrary to their customs and Islamic precepts. Those who refused to do so were killed on the spot. Anyone caught using his mother tongue was also killed.

The Muslim population of many hamlets, villages and even districts was exterminated for daring to oppose forcible assimilation.

Abdul Kodom, a Muslim and a doctor, denounced: The district of Kompong Xiem, province of Kompong Cham, has five hamlets with a total Muslim population of about 20,000, but not a single inhabitant survived.

Koong Neas district, Kompong Cham province, has seven hamlets with about 20,000 Muslim inhabitants too, of whom only four survived.

Ninety per cent of the Muslim population was exterminated for the only reason that they wanted to keep their religion and preserve their mother tongue.

In order to ward off total extermination some 3,000 Muslims had to flee to Thailand and later settled in Malaysia.

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As regards other ethnic minorities like the Thai, troops were used to exterminate them, as was the case with the Thai population of Kokong province on 25 May 1975.

Formerly in Kokong province there were about 20,000 Thai people, but, after liberation on 7 January 1979, only 8,000 survived. Many hamlets formerly inhabited by 500 to 600 Thai families, now have only five to seven families left. Of the 700 Thai families living formerly in Kopaki township, only 30 are left (see the report on national minorities).

Mr. Buon Thoang, a cadre of the Tapuon minority, Rattanakiri province, affirmed that tens of thousands of ethnic people in the North-eastern Zone had been massacred in areas around the town of Stung Treng. Many leading cadres belonging to ethnic minorities, who had been able and respected men, were killed. Among them were Regional Secretary Seda, of the Lao minority, and Regional Committee member Chan Den, also of the Lao minority. Nearly all cadres of ethnic minorities from the provincial down to the village level who had taken part in the resistance against United States aggression, were massacred.

Foreign residents, including Chinese, Vietnamese and those who had close relations with them, like Khmero-Chinese or Khmero-Vietnamese, were mass massacred. Tens of thousands of Chinese and Vietnamese were persecuted and killed. Tens of thousands of Chinese had consequently to take refuge in Viet Nam.

The population of Stung Treng have discovered a lake with an area of some 10 hectares, lying south-east of the town, which is full of human remains. Those are the bones of some 2,000 Vietnamese victims.

III. Forcible evacuation of the population from Phnom Penh and other liberated towns and villages; breaking up or upsetting of a family and social structures; mass killing and creation of lethal conditions

After Phnom Penh, the capital city, was liberated on 17 April 1975, the Pol Pot-Ieng Sary clique immediately ordered the population to leave the city without any exception within three days. Forced at gunpoint, they were deceptively told that they "would have to go for a few days to escape an expected bombing by the United States air force and to allow the revolutionary forces to wipe out the enemy in the capital". The more than 2 million inhabitants had thus to leave the city. Those who refused to leave, procrastinated or showed some opposition, were beaten or shot dead. Old folk, disabled people, children, pregnant women and patients just operated on all had to evacuate the city.

A number of small children abandoned in kindergartens ate excrement, drank urine and finally died of starvation.

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Without any preparations, deprived of all daily necessities and without knowing where to go and what to do, endless files of people were forced to go to trek, rain or shine, to remote places. At check-points, Pol Pot-Ieng Sary soldiers robbed them of almost all the possessions they had left.

Tens of thousands of people died on the roadsides and in the bushes of starvation, diseases or exhaustion and were shot or beaten to death by Pol Pot soldiers.

Phnom Penh, the capital city, became completely lifeless.

On the following days, other cities and townships suffered the same fate as Phnom Penh. Such was the case of Battambang with 200,000 inhabitants, Svay Rieng with 130,000, Kompong Chhnang with 60,000, Kompong Speu with 60,000 and Seam Reap with 50,000.

At the Tribunal, representatives of various strata of the Phnom Penh population, as was mentioned in reports on the investigation of conditions in the capital city during the first days following the event of 17 April 1975 have related the following:

"During the long journey to remote places, a great majority of Phnom Penh inhabitants, especially old folk, children, pregnant women, sick and disabled people, died in horrible conditions from lack of food, medicine, and midwives' care".

Mrs. Yasuko Naito, a victim of Japanese nationality, native of Tokyo, who was living in Phnom Penh, made the following denunciation:

"In the afternoon of 17 April 1975, Pol Pot - Ieng Sary troops used megaphones to call on the Phnom Penh population to leave their houses. They opened fire on houses with closed doors ... On my way, I met patients who had been forced out of Calmette Hospital and other hospitals, some accompanied by nurses and with blood transfusion needles still stuck to their arms; some had been operated on only a few hours before, the cuts were still bleeding with swarms of flies around them. All were in white clothes. This sight made me think of a picture of hell I had seen somewhere ...".

During this forced evacuation, Mrs. Yasuko Naito lost all her dear ones: her husband and two children were slain.

The above-mentioned crimes committed by the Pol Pot-Ieng Sary clique are premeditated and planned, as may be seen in a captured document which says that the evacuation of the population of cities makes the revolution in Kampuchea different from those in other countries. "It is a total destruction of the feudal régime and the capitalist régime. We disperse enemy forces to the countryside so as to wipe them out."

At a press conference in Peking on 2 October 1977, Pol Pot said that:

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"This policy had been worked out before the April 1975 victory, for we were not strong enough to defend the revolution in face of attacks by enemy intelligence organizations of all kinds ... The enemy forces were dispersed to the co-operatives under our control and in this way we have the situation in hand."

After having evacuated the people from big cities and urban centres, the Pol Pot-Ieng Sary clique put up the label of "extending land reclamation to enrich the country" to forcibly relocate the population in the countryside, especially in the former occupied areas, according to a definite plan. This was the case of the population of the Eastern provinces near the common border with Viet Nam who had to move to the West and the North, because Kampuchean and Vietnamese living in the border area had friendly relations, which had been built up in the course of their common struggle against the French, the United States imperialists and their lackeys. The population of the provinces of Svay Rieng, Prey Vang, Takeo were forced to move to the provinces of Pursat, Battambang in the West while the population in the West near the common border with Thailand had to move to the East etc.

Like the population of cities and towns, the rural population in many provinces was also severely affected by the Pol Pot-Ieng Sary policy. They were forced to leave their homes and were separated from their dear ones. They too were robbed of their belongings and forced to move to other provinces.

Mr. Khieu Kola in Kandal said that, in August 1975, he was put on a truck and sent to Pursat without any explanation. He was not allowed to take anything with him. At Pursat he had to sleep in the open. Hundreds of other people had to live in the same conditions. Furthermore, Pol Pot soldiers came to rob him of his belongings. Each day four or five persons died, he said.

Mr. Tukhol's family, comprising 13 persons, were split in two: six were taken to Battambang, five to Kompong Thom.

IV. Herding of people into "communes", that is, disguised concentration camps, where they were forced to work and live in the conditions of physical and moral destruction, were massacred or died in large numbers

1. Physically, the people were put to do hard labour like slaves. They did not have enough to eat, they wore rags and were condemned to a slow death from exhaustion and disease.

The urban population and the rural people in the newly liberated areas were expelled from their localities. And after a long and bloody journey, they arrived in new places, where they were sent to the "communes". There they were forced to do hard labour because a "thorough and all-sided revolution" had to be carried out, and "to have rice is to have everything".

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The labour force was divided into male and female groups living and working separately. The working people, including children and old folk, had to work 10 to 16 hours a day, using rudimentary tools, sometimes only bare hands. Their daily ration was only a bowlful of rice with salt. At certain periods there was only thin gruel. The "communes" were placed under the control of agents, many of whom lost all human character. These agents forced people to work day and night. Any violation of the labour discipline would result in beating, cutting of the daily ration, harder work, and in more serious cases, the person to be punished would be taken to a forest and beaten to death. Obviously, communes were only huge concentration camps to detain the majority of the Kampuchean people. Lacking food, medicine and medical care, clothed in rags, living in miserable huts, their nerves always strained, people were dying a slow death, physically and morally. The largest number of dead was among old folk, pregnant women, those having babies and children, as those people were not able to work and received reduced food rations. Many women became sterile.

In a number of seized documents, some Party committees and administrative committees at different levels could not cover up this tragic reality.

The minutes of the Party Conference in the Eastern Zone in 1977 admitted that:

"Since May 1977, the people's living conditions have worsened, especially in Krot Chhmar, Piem Chilang, Kos Sotinh, Muk Comul districts where the people have been suffering greatly from privations and have only thin rice gruel to eat. Though exhausted, they have to work hard, digging irrigation canals, doing farm work ...".

The report on the situation in Kompong Ro district, Svay Rieng province, during the first six months of 1977 read as follows:

"The population in the communes suffered from many diseases, such as cholera, dysentery, eruptive fever, whooping-cough, consumption, hemotysis, typhoid fever, beriberi etc. ..."

Mrs. Affonso Denise, who used to live in Phnom Penh, was sent to a commune. She said that as she was hungry all the time, she had to eat scorpions, cockroaches ... One day she tried to get a piece of raw hide from a dog, she was bitten by the animal.

Mrs. Affonso also denounced that a man named Touch in the same commune, who stealthily rooted up a manioc plant simply because he was too hungry, was condemned to death. More barbarous still, the murderers had roasted his liver and ate it on the spot.

Mr. Koc Choi of Kompong Chhnang denounced that, as Mr. Ket's family of eight persons had eaten some stolen rice, all the members were killed in June 1977.

2. In the moral aspect, all social relations were abolished, and man was turned into a solitary slave. The right to freedom of expression and independent thinking was also abolished.

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The division into male and female groups for working together, eating together and living together completely destroyed the family structure. Children above six years of age were separated from their parents. When they reached the age of 13 or 14, they were sent to mobile shock brigades to build irrigation networks or reclaim land outside their villages.

Children were taught to be loyal only to Angkar, some were assigned to eavesdrop when their parents were talking and to report to Angkar.

If a person disappeared, his relatives dared not inquire about him for fear of also being killed.

According to Soklimut of Pursat, Mrs. Sok Bun was killed simply because she had dared to lament the death of her husband.

Love between men and women constitutes a normal social relation existing in every social system. This, however, was strictly forbidden under the Pol Pot-Ieng Sary régime.

According to Pol Pot-Ieng Sary directives, marriage in the "communes" and in the army should be carried out upon the designation of Angkar or army unit commanders.

A number of seized documents on instructions and resolutions by the Pol Pot-Ieng Sary Party were quite explicit in this matter. Take, for instance, the resolution of November 1978, which stipulated that: "Families should be built according to the established line... This method proves to be the best one and should be maintained".

Freedom of love was forbidden on the ground that young people should concentrate their efforts on agricultural production. Collective marriages were organized for couples upon designation by Angkar, contrary to traditional customs.

If lovers seriously violated those regulations, their throats would be cut in public.

Young lovers who attempted to run away from the communes were punished like criminals.

According to the report on the investigation made by representatives of various social strata in Phnom Penh, the Pol Pot-Ieng Sary clique forced widows to marry invalid soldiers, as was the case of Mrs. Nguon Vnoch Ny, Bachelor of Arts (literature), and 19 other women. They all refused. The 20 women were gaoled. Mrs. Ny committed suicide to remain faithful to her slain husband, while the 19 others were raped, then killed.

In another case, girls in a shock brigade were forced to line up face-to-face to invalids, each was ordered to marry the man in front of her. This forced marriage caused the suicide of two girls.

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In order to drive the citizens into a state of utter isolation, right after 17 April 1975, the Pol Pot-Ieng Sary clique abolished money, trade, markets, postal communications and transportation services. In fact, practically all citizens were under house arrest. All relations with the outside world, or with family and friends, were forbidden, so were cultural relations.

Angkar kept strict control over the population with a large network of secret agents spying day and night. If someone uttered a careless word, he would be "invited to a meeting" and then liquidated.

Witness My Sam-Bach said that:

"Mr. Suot and his wife talked at night about the harsh régime of the commune, Angkar learnt it and the next day, the couple and their four children were beaten to death".

The population underwent untold hardships, were ruthlessly repressed and threatened. This was the reason why whole families committed suicide by eating poisonous leaves or drowning themselves in rivers.

Witness Kham Nari denounced the harsh life in the Paroi Lovia commune of Takeo province. Starting with 28,000 members, in January 1979 after liberation by the FUNSK, there remained only less than 5,000.

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V. Massacre of small children, persecution and moral poisoning of the youth, transforming them into cruel thugs devoid of all human feelings

Children above six years of age were not allowed to live with their parents, and were forced to pasture cattle and collect cow dung. Those over 10 had to do very hard work just like grown-ups. They were not allowed to go to school and to play (according to witnesses Ung Peck, Affonço Denise and Thon Savay, and the report on the investigation by the Ministry of Education).

Khieu Samphan, Head of State of Pol Pot-Ieng Sary's Kampuchea, praised this exploitation of child labour in the following terms: "Our children enjoy themselves in building dykes, digging ponds and irrigation canals".

Taking care of orphans was forbidden on the ground that their parents had offended Angkar. Many orphans had to lead a wandering life and were not admitted into "communes". Children caught in the act of begging were beaten to death.

Mrs. Duong Ma La from Kompong Thom denounced that begging orphans were killed by Angkar.

Children were put to death and eaten by Pol Pot-Ieng Sary soldiers. Such was the fate of the younger brother of Miss Chhai Sani of Kandal and of Huor, 13, whose parents, elder brothers and elder sisters had died during the forced evacuation. The boy, who is now living in an orphanage at Seam Reap, declared that Pol Pot-Ieng Sary soldiers had eaten two little girls. And as they were trying to cut his throat, somebody came and the soldiers fled. He still has a big scar on his neck.

Apart from ill-treatment and persecution, the policy of Pol Pot-Ieng Sary was to use children in spying in the communes and to forcibly enlist children under 15 into army units or mobile shock brigades. Angkar considered children to be pure and loyal to them. Accordingly they trained children to use them in wars against neighbouring countries and in campaigns of repression against their own compatriots. A document of the conference of the Northern Zone on 15 July 1977 read as follows: "Small children should be used as a core. Only in so doing can we build up our Party and build up a core, because "children will grow up with the movement".

VI. Undermining of structures of the national economy: abolition of culture, education and health service

1. Prior to 1975, Kampuchea, though not industrially developed, had hundreds of factories in the State and private sectors. Phnom Penh alone had 37 factories with from 12,000 to 13,000 workers. Besides, the country had 3,700 units of handicraft production supplying consumer goods and art goods for

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home needs and for export. In agriculture, the country had fairly developed rice culture, animal breeding and fishing.

During their four years in power, Pol Pot-Ieng Sary destroyed the structure of the nation's economy. Under the slogan "To have rice is to have everything", they completely destroyed handicraft. Industrial production was almost at a standstill. More than 50 per cent of the factories were closed down, machinery and equipment became unusable, as at the cement works with a capacity of 50,000 tons per year and the glassware works with a capacity of 40,000 tons per year. Prior to 1975, the sacking mill had 180 workers for each shift, but now only 10 are left. Engineers and technicians all have been put to death. Skilled workers were compelled to go to the countryside to be employed in agricultural production, many were killed. The policy of Pol Pot-Ieng Sary was not to use workers of the old régime. Those who were employed to train apprentices were killed when the training was completed.

Prior to 1975, fishing yielded from 100,000 to 140,000 tons. Under Pol Pot-Ieng Sary, the figure was reduced to between 20,000 and 30,000 tons.

With regard to communications and transport, in 1969, Kampuchea had 9,700 trucks, 1,300 buses, the ports of Kompong Som and Phnom Penh, railway and waterway networks for the transportation of passengers and goods. Under the Pol Pot-Ieng Sary régime, these means of transport were used mainly for military purposes or for the transportation of goods to be exported to Peking. The public transportation service was put to an end.

The postal and telephone services were abolished and post offices stopped functioning. They even suppressed money and destroyed the Central Bank building in Phnom Penh. The people were not allowed to hold markets or to trade.

The extremely reactionary economic policy of Pol Pot-Ieng Sary caused the production forces to be seriously impaired; the national economy was ruined. As a result, the population was living miserably, lacking food, daily necessities and clothes. An extremely reactionary policy of Pol Pot-Ieng Sary was to concentrate and destroy almost all the belongings of the urban and rural population, which they considered as vestiges of capitalism. The population was forced to wear only black clothes. They were not allowed to wear shoes, sandals, to possess such cooking means as pots, pans etc. (report on the investigation of the economic situation).

While the population was living on thin gruel, the Pol Pot-Ieng Sary clique exported rice to Peking in exchange for weapons and war materials, so as to build up a fascist army, an instrument for repression, purges and waging wars against the neighbouring countries. This army increased from seven divisions in 1975 to 23 in 1978.

In 1976, 150,000 tons of rice were exported. In order to increase the export of rice in 1978, at a session of study of the 1978 State Plan, Pol Pot said:

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"In 1978, we must export to China from 100,000 to 150,000 tons of rice, and from 20,000 to 25,000 tons of rubber. The contract has been signed and we cannot do otherwise".

2. Concerning culture and education, the Pol Pot-Ieng Sary clique advocated total abolition of our culture and education, and destruction of the cultural and educational establishments.

According to the report on the investigation by representatives of various strata of the Phnom Penh population, the damage in the field of culture is extremely serious. Right after 17 April 1975, the Pol Pot-Ieng Sary clique destroyed five principal libraries in Phnom Penh and many other important libraries of the universities and scientific institutes. The National Library was turned into a crockery storehouse. A great number of valuable art objects were either destroyed or taken away.

Of 1,225 objects and relics of traditional culture, more than one half were either destroyed or taken away. Of the total number of 1,241 artists of various branches, only 121 survive (report on the situation of national culture).

Before Pol Pot-Ieng Sary took office, the country had nine universities and colleges with more than 30 faculties comprising 11,000 students and 725 professors. Under Pol Pot-Ieng Sary, all educational establishments were closed down and became either prisons, such as Tuol Sleng, or depots of weapons or fertilizers. Now there are only two or three university professors left. Of 2,300 secondary-school teachers, there remain only 200. Of 21,311 primary-school teachers, there remain only 2,793.

3. With regard to the health service, according to an investigation report, there were 62 hospitals with nearly 6,000 beds. Under Pol Pot-Ieng Sary, all these institutions were closed down. Of the 19 professors of medicine, none is left. Of 462 doctors, there remain 54. Of 156 pharmacists, there remain now only 15.

There was one medicine and pharmacy college with 2,124 students and one dentistry institute with 847 students. Both were suppressed.

The Pol Pot-Ieng Sary clique instead organized three-month courses to train a number of loyal cadres as "bare-foot doctors". These people knew nothing about medical science and moreover lacked professional responsibility. They considered patients as objects of experiments, as in Kompong Cham Hospital, where a group of surgeons opened the chest of a patient just to see his heart, though he had no heart disease.

In another case, one patient died of kidney trouble. They operated on the dead body to take out the kidney, then took out the kidney of a healthy man to make a comparison.

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- VII. After their overthrow by the genuine revolutionary forces, the Pol Pot-Ieng Sary clique still persisted in opposing the revolution and committed new crimes in massacring those who refused to follow them

In their flight, the Pol Pot-Ieng Sary gang compelled part of the population to follow them to their hide-outs. Wherever they came, they plundered, destroyed crops and burnt rice granaries.

They carried out bloody repression against those who opposed them and wanted to return to live under the genuine revolutionary régime.

The liberation of Am Leang, a commune in Kompong Speu province, saved the lives of 60,000 people. These people denounced that the Pol Pot-Ieng Sary clique massacred 12,000 persons, including soldiers of their own army, who had been wounded or had lost all fighting spirit, and workers at the Kompong Chhnang airfield and others.

At the Cham Puh Kech prison in Kandal province, in the morning of 7 January 1979, before their fleeing, the head of district came in person and, together with his soldiers, killed some 200 persons still detained, among them men, women and children. Then they fled without burying the corpses of the victims.

On 27 April 1979, at Kot Kache Hamlet, Men Thy May village, Men Xa Cot district, Battambang province, Pol Pot-Ieng Sary men took 100 inhabitants to a forest and beat them to death. Mr. Soo Mut, who, together with his three children, had succeeded in surviving, testified before the Tribunal about these crimes of the Pol Pot-Ieng Sary clique.

Kampuchians who had fled to Thailand and were subsequently driven back were all considered guilty of high treason and were consequently put to death.

- VIII. During their four years in power, the Pol Pot-Ieng Sary clique have used the most barbarous methods of torture and killing

Pol Pot-Ieng Sary men massacred hundreds, thousands and even tens of thousands of persons at a time without firing a simple bullet. They led files of tied-up victims to the brink of a newly-dug pit, and the executioners, standing on both sides, used spade handles, pick handles or bamboo clubs to hit violently at the victims' nape and pushed the corpses down into the pit. When the pit was full of corpses, they used bulldozers to cover it with earth and proceeded to another pit to continue the killing until all the victims had been disposed of.

Many medieval methods were resorted to, such as cutting a man's throat with a palm-leaf, disembowelling and taking out human livers to eat, taking human gall bladders to make, after drying, a medicine, or using gallows etc.

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Women were stripped of all clothes, tied to trees and the thugs thrust pointed sticks or M.79 shells into their sexual organs until they died.

They tied victims together and used bulldozers to crush them or killed them with electric shock or explosives.

Suspected opponents were buried or burnt alive, were cut up piece-by-piece or were thrown into crocodile-breeding lakes.

Children were put into plastic bags, which were tied up, and hung on branches until they died of suffocation. The criminals also threw children into a dry well, soaked them with gasoline and burned them alive. The executioners laughed merrily while the children were agonizing.

The criminals amused themselves by throwing children up in the air and used bayonets to receive them, thus piercing through their bodies. Another amusement consisted in tearing up children's feet etc.

Many victims were submitted to live surgery with ordinary knives to satisfy their criminals' curiosity about human bodies, male and female.

If the victims were high-ranking cadres, after beheading them, the executioners put the heads back on the corpses, stuck a number and took photos so that Pol Pot and Ieng Sary themselves might be convinced that their order had been carried out.

They let the corpses of the victims rot in the pits, then ordered the inhabitants to dig up the remains for use as manure. In case some parts of the corpses had not sufficiently disintegrated, they ordered the inhabitants to tear them up into smaller pieces.

At some places, such as Seam Reap, they heaped corpses into cremation furnaces with a layer of corpses alternating with a layer of rice husk, poured gasoline and set them on fire. The ashes were used as fertilizer. If any bones were found to be insufficiently cremated, they ordered the inhabitants to grind them into powdered fertilizer. Today, those who did this gruesome task still shudder when thinking of it.

Witness Yen Ting in Kompong Cham said that for seven days Pol Pot-Ieng Sary men used trucks to take 5,318 persons to the Xo Phia forest and used bulldozers to crush them to death.

Miss Chhay Sani said that Pol Pot soldiers had cut the throat of her brother, sliced off his flesh and wrapped it in leaves, and also killed her mother, whose liver was eaten.

Mr. Sim Phia of Seam Reap confirmed before the Tribunal that Pol Pot's agents had thrown children and men into crocodile-breeding lakes in his province.

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Messrs. Cung Kari, Non Ne and Chevan Thom of Seam Reap testified about the cremation of human corpses at Do doan Terong hamlet, Cam Buon village, and at Phnom hamlet, Kompong Chean village for the purpose of making fertilizer.

The investigation report of representatives of Phnom Penh population, read before the Tribunal, described as follows the Tuol Sleng prison, a centre for torture and detention of Phnom Penh inhabitants:

"This prison was formerly a school. We saw rooms for torture and interrogation equipped with horrifying tools for torturing: electric shock devices, gallows, iron bars, knives and chains. In these rooms, there still were on the tiled floor heaps of hair, which had been pulled out of the victims' heads and puddles of dried-up blood.

"There remain on the walls and ceilings many blood stains. Gardens were turned into graveyards. There one can still find heaps of clothes of various types - clothes stripped off the victims before they were led into torture rooms and killed".

In Mr. Ung Pech's words, this is how a prisoner was tortured at the Tuol Sleng prison:

"The prisoner sat on the ground, his hands and feet were chained to a table. One of the two thugs did the questioning, the other with a rod in his hand was ready to lash the prisoner at any moment. Women were stripped of their clothes before being led to the torture rooms; the pretty ones were raped.

"Electric shock, hanging onto the ceiling by the feet, pulling of fingernails with pincers, wrapping the head with a plastic bag and suffocating with water poured through a towel covering the face were other methods of torture".

One can find in communes common graves, where lie heaps of corpses, broken skulls, bones of limbs with binding ropes. Exhibits collected from the prisons of Tuol Sleng, Chup, Seam Reap, Battambang, etc. displayed for examination at the Tribunal are but a few among countless proofs of the genocide committed by the Pol Pot-Ieng Sary clique.

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Upon the verification by the Tribunal of proofs of the above criminal acts, as perpetrated by the accused Pol Pot and Ieng Sary, the Tribunal rules that these acts are intended to achieve genocide.

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Considering that the policy of carrying out the above-mentioned criminal acts had been discussed at meetings held by the Pol Pot-Ieng Sary clique, written down in such documents as resolutions, directives, teaching materials etc. as presented in the Indictment Act of the Public Prosecutor citing a large number of documents whose originals have been presented at the Tribunal for examination,

Considering that the acts of genocide carried out in accordance with the policy of the Pol Pot-Ieng Sary clique were systematically perpetrated throughout Kampuchea with the same methods and under close guidance and supervision by Angkar at various levels,

The general investigation reports of the representatives of various services and organizations of the people's power with exact figures and tangible proofs, the minutes on field investigations conducted at sites of the crimes with pieces of evidence collected, witnesses' statements, as well as materials of foreign sources, have proved that the Pol Pot-Ieng Sary clique's criminal acts are genocidal in purpose.

The defence has also admitted that it is well grounded to charge Pol Pot and Ieng Sary with genocidal acts and intent.

Considering that the criminal acts of the accused Pol Pot and Ieng Sary have left extremely serious far-reaching consequences on social life; after 17 April 1975, we should have enjoyed peace and happiness and have lived in solidarity and friendship with the brotherly neighbouring countries. But, during nearly four years when they were in power, the Pol Pot-Ieng Sary clique set up a most brutal dictatorial militarist régime and traitorously acted against the interests of the country and the people, committed mass killings and resorted to medieval methods of torture and killing, which are in some aspects more barbarous than those used by the Hitlerite fascists. In many places they massacred the population of an entire hamlet, an entire village and, in some cases, of nearly a whole district, including children, old men and women, pregnant women, the invalid, the wounded etc.

On the basis of the investigation reports of various public organs and mass organizations, the findings of a sample census, conducted at a number of villages and streets, and of other available data, the Council of judges establishes that the estimate of about 3 million persons having been killed by the Pol Pot-Ieng Sary clique is well grounded.

The extermination of about 40 per cent of the population has brought untold sufferings to millions of families, caused irretrievable losses to the country, an under-developed country just emerging from the resistance war against United States aggression, when the productive force consists mainly in the labour and creativeness of its industrious people. Particularly noteworthy is the fact that the massacred included genuine patriots, workers, peasants, intellectuals, patriotic personalities, technicians, scientists, artists, writers and the youth, which is the main labour force. Especially the teenagers and the children

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were persecuted, physically ill-treated and morally corrupted, and a large number were killed. The Pol Pot-Ieng Sary clique have destroyed the buds of the country.

Worse than what medieval slaves underwent, over 4 million who were left alive were herded into huge concentration camps to do hard labour and to live like animals. Their lot was worse than slaves' in medieval times. They were hungry, clad in rags and without medical care, and were seriously impaired physically. Morally, they were constantly threatened, spied on and separated from their families. They might be arrested and killed at any moment together with dear ones. As a result of the victory of the National United Front, for the Salvation of Kampuchea and the Revolutionary People's Council with the liberation of Phnom Penh on 7 January 1979, leading to the overthrow of the criminal Pol Pot-Ieng Sary clique, 4 million people were saved from genocide. Now that national liberation has been achieved and the danger of extermination warded off, there are problems of convalescence, eradication of dangerous diseases, bringing up orphans, caring for the invalid, stabilizing living conditions etc. These tasks require so many things to be done, and it takes time to fulfil them so that the survivors may resume a normal life and go back to their national occupations.

Serious damage has also been done in the political, economic, cultural and social fields.

National unity has suffered enormous losses as a result of the reactionary policies of dividing the people into three categories to serve the purpose of extermination, and of denying the existence of the ethnic minorities in the great family of fraternal nationalities, carrying out a fascist-type assimilation and liquidation of the leaders of various nationalities and of the nationalities themselves.

Owing to the genocide policy of the Pol Pot-Ieng Sary clique, a considerable number of youths have been turned into executioners so bloodthirsty, that they no longer show any traces of human nature and whose reformation demands great patience.

The friendship and solidarity between the peoples of the three Indochinese countries resulting from their struggle against the common enemy and for the maintenance of peace and stability in South-East Asia have been a precious tradition and a factor ensuring independence and prosperity for each nation. The Pol Pot-Ieng Sary clique have ended this fine tradition. They have sown hatred among fraternal nations. They have provoked armed conflicts with Thailand and Laos and waged a large-scale war against the Vietnamese people, treating friends as enemies. Waging a war of aggression against Viet Nam while intensifying oppression of the people and purges among their own ranks, the Pol Pot-Ieng Sary clique caused tremendous losses to our people in lives and properties, exhausting our national economy and driving our people into destitution. The Pol Pot-Ieng Sary clique have committed extremely barbarous war crimes against the people in the neighbouring countries.

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In external affairs, our international relations and prestige under the Pol Pot-Ieng Sary régime sank low.

The crimes of genocide committed by the Pol Pot-Ieng Sary clique have raised a world-wide wave of condemnation and indignation, tarnishing the image and prestige of our country on the international arena.

In the economic, cultural and social fields, all scientific and technical institutions of the national economy, enterprises, schools, research institutes and hospitals were destroyed or turned into prisons or manure depots. Libraries and science books were burnt, markets and money were abolished. Large sections of workers, peasants, scientists, technicians, professors, artists etc. were eliminated. There was no school for our youth and children. Illiteracy was widespread. In effect, the Pol Pot-Ieng Sary clique have pushed the Kampuchean society back to the slave age. The Pol Pot-Ieng Sary clique have destroyed the conditions for the existence of our Kampuchean nation. Our nation was on the brink of extinction.

They have pushed back and impeded the development of our society, leaving behind extremely grave consequences which could not be remedied overnight. The problems to be solved are the restoration of production, stabilization of the people's living conditions, supplying millions of people faced with imminent famine, construction of the material and technical bases for the national economy to proceed towards industrialization, training of scientific and technical cadres etc.

They have wiped off all fine traditions and customs of our people and destroyed our age-old great Angkor civilization.

The family, the cell of society, has been destroyed, marriage was forced and culture ruined.

Family and social structures, economic foundations, cultural and educational establishments, health services, religious institutions - all have been destroyed in the name of a "model society" described by the Pol Pot-Ieng Sary clique as "genuine and pure socialism". In reality it is no more than slavery of a new type copied from a foreign country and has absolutely nothing to do with genuine socialism.

During nearly four years in power (1975-1979), the Pol Pot-Ieng Sary clique spared no devilish and perfidious tricks to concentrate power in their own hands, to maintain a dictatorial fascist régime and to practise nepotism. They carried out a policy of coercion and oppression on a large scale. They expelled the people from towns and cities, dislodged them and drove them from one region to another, classified them with a view to exterminating them and they eliminated en masse all persons and organizations suspected of opposing them.

The Pol Pot-Ieng Sary clique sought every means to oust and eliminate their political opponents from the Party. The murder of Comrade Son Ngoc Minh in

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Peking is a case in point. During the years 1977-1978, they liquidated those who were considered as hampering the exercise of their power, among whom were Hu Nim, Minister of Information and Propaganda, Toch Phoeun, Minister of Public Works, So Phim, Vice-Chairman of the National Assembly etc.

Owing to their extremely reactionary domestic and foreign policies, which were against the interests of the people and the nation, the Pol Pot-Ieng Sary clique became more and more isolated politically, and were opposed by our entire people, who rose up to fight against them on an ever-larger scale in many localities. By 1978, the revolutionary movement, under the banner of the National United Front for the Salvation of Kampuchea, against the Pol Pot-Ieng Sary clique, developed in the Eastern Zone and later in five out of the seven zones of the country.

To maintain and consolidate their power Pol Pot-Ieng Sary took fascist measures. They carried out massacres and purges without let-up and with greater and greater ferocity, under the signboard of "class struggle", against individuals, organizations and communities labelled as reactionaries, opponents or potentially hostile elements.

The more ferociously their oppression was carried out, the more widespread their barbarous crimes extended, the more vigorously our people's struggle surged ahead and the more divided their followers became. Politically isolated at home and in the international arena, the Pol Pot-Ieng Sary clique had to rely more and more on Peking to maintain their power.

Pol Pot once said:

"We have creatively and successfully applied Mao Tse-tung's Thought to the realities of Kampuchea. For Kampuchea, Mao Tse-Tung's Thought is the most precious aid given by China". (Pol Pot's speech on 28 July 1977).

The Pol Pot-Ieng Sary clique have constantly been encouraged and supported by the Peking reactionaries, while all progressive mankind indignantly condemned their crime of genocide. When he received Pol Pot and Ieng Sary, Mao Tse-tung said:

"Comrades you have scored a splendid victory. Just a single blow and no more classes. The rural communes with poor and lower-middle peasants all over the country, that is our future".

In reality, the Pol Pot-Ieng Sary clique closely colluded with the Peking big-nation expansionist reactionaries and were dependent upon them. "People's Commune", that huge concentration camp, that slaughterhouse for the Kampuchean people, was copied from the Chinese model. The instigation of the youth and their use for killing Kampuchians, including their own relatives, were lessons learned from the Chinese cultural revolution. The Pol Pot-Ieng Sary clique's policy of relying mainly on the poor and lower-middle peasants to carry out revolution, negating the leadership of the working class, is also a product of

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Mao Tse-tung's Thought. The Pol Pot-Ieng Sary clique themselves admitted in a letter to the Peking reactionaries:

"We have been learning and we will learn continuously the precious experiences of the great cultural revolution and Mao Tse-tung's Thought, the ever-victorious leading star".

Hua Kuo-feng praised and encouraged the Pol Pot-Ieng Sary clique as follows:

"Comrades, you are very effective not only in destroying the old world, but also in building a new one, and you have won important victories in smashing the subversive and sabotage plots of the enemies ..." (Hua Kuo-feng's speech at a banquet for Pol Pot in Peking on 28 September 1977).

The devilish Peking reactionaries seized this opportunity to interfere in Kampuchea's internal affairs. They tried to turn the Pol Pot-Ieng Sary clique into a shock brigade to carry out their expansionist strategy in Indo-China and South-East Asia, as confirmed by Mao Tse-tung in 1965:

"We must take back the South-East Asian region, including Viet Nam, Cambodia, Laos, Thailand, Burma, Malaysia, Singapore ... South-East Asia is very rich in mineral resources. It is well worth recovering. In the future, this region will contribute much to the development of Chinese industry. Thus, we can compensate for the losses ..."

The Peking reactionaries wanted to turn our country into a military base and a springboard for the realization of their big-nation expansionist scheme in South-East Asia. They supplied to the Pol Pot-Ieng Sary clique massive military aid, installed in Kampuchea a network of thousands of military advisers to supervise this clique's activities, encouraged them to carry out a savage genocidal policy against our people, to provoke armed conflicts with Thailand and Laos and to step up their war of aggression against Viet Nam. Without the Peking reactionaries' assistance, encouragement and direction, the Pol Pot-Ieng Sary clique could not have perpetrated the crime of genocide against our people on such a large scale and with such ferocity, provoked armed conflicts with the neighbouring countries and stepped up their war of aggression against Viet Nam. In encouraging the Pol Pot-Ieng Sary clique to carry out their policy of genocide and destruction of Kampuchean social institutions, the Peking reactionaries aimed at tightening their control over this clique and made them more dependent on Peking. This is an extremely wicked plot of the Peking reactionaries, who confronted our nation with the danger of extinction which we succeeded in warding off thanks to the historic victory of 7 January 1979. After their overthrow, the Pol Pot-Ieng Sary clique continued to have the Peking reactionaries' support. The documents captured at the Tasseing base show that the Peking reactionaries have assured Ieng Sary of a continued supply of financial aid, weapons and food-stuffs through Thailand and the installation for Pol Pot of a radio station. Hua Kuo-feng and Deng Xiao-ping have worked out a plan for the Pol Pot-Ieng Sary clique to rally Kampuchean reactionary forces to oppose the revolutionary power.

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To sum up, since their coming to power, the Pol Pot-Ieng Sary clique have consistently colluded with Peking and, together with Peking, they have carried out criminal acts against our people and the people of the neighbouring countries. No doubt, the crime of genocide perpetrated by the Pol Pot-Ieng Sary clique against the Kampuchean people is master-minded by the Peking reactionaries. No doubt it is the Peking reactionaries who used the Pol Pot-Ieng Sary clique to start a war of aggression against Viet Nam in co-ordination with their plan of aggression against Viet Nam in the North. In fact, shortly after, the Pol Pot régime was overthrown the Peking reactionaries launched an aggression against Viet Nam with a force of 600,000 to avenge their defeat in Kampuchea, but they were completely defeated.

On the basis of Decree-law No. 1 of 15 July 1979 of the Revolutionary People's Council, with reference to international law on the punishment of the crime of genocide, including the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, we find that the above-mentioned criminal acts perpetrated by the accused Pol Pot and Ieng Sary, with the intention of genocide, do constitute a crime of "genocide".

The crime of genocide is defined in article 1 of the Decree-law No. 1 of 15 July 1979 in the following terms:

"Planned mass killing of innocent people, forced evacuation of the population from cities and villages, concentration of the population and forcing them to work in physically and morally exhausting conditions, abolition of religion, destruction of economic and cultural structures and of family and social relations".

Considering that the crime of genocide committed by the accused Pol Pot and Ieng Sary with grave and far-reaching consequences is particularly serious, unprecedented in world history, much more serious than the definition of the crime of genocide in the 9 December 1948 Convention. The accused not only exterminated the intellectuals, officers and civil servants of the previous régime, abolished religion, liquidated the ethnic minorities for the sole reason they were intellectuals, officers and civil servants of the puppet administration, religious believers, ethnic minorities etc., they also killed en masse and in a planned way innocent people of different social strata. The accused sought to exterminate their own people, their own nation and drive the people of different social strata to the danger of extinction.

The accused committed the crime of genocide not only in concentrating the people, oppressing them and forcing them to work in physically and morally exhausting conditions, but also in doing criminal acts in the cultural and economic fields.

They have denied the existence not only of the Kampuchean nation, but also of our national cultural traditions and they have destroyed family and social structures, the economic system, national culture and education, and the health service.

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The accused Pol Pot and Ieng Sary even sought to extirpate the national conscience and spirit of the Kampuchean people. They have destroyed the conditions for the existence of the Kampuchean nation.

Considering that the accused Pol Pot and Ieng Sary are found guilty of genocide on all counts as defined in Decree-law No. 1 of 15 July 1979:

- (a) Planned massacre of innocent people;
- (b) Forced evacuation of people from towns and villages;
- (c) Concentrating people and forcing them to do hard labour in physically and morally exhausting conditions;
- (d) Abolition of religion and destruction of economic and cultural structures and family and social relations.

After 7 January 1979, while most of those who had served in the armed forces and the government apparatus of the Pol Pot-Ieng Sary clique have presented themselves and benefited from the lenient policy of the National United Front for the Salvation of Kampuchea and the Revolutionary People's Council of Kampuchea, the accused still hold on to the Peking reactionaries and continue their betrayal of our nation, and their opposition to the revolution.

The accused have deliberately used extremely cruel methods of torture and killing and savage means of persecution to demoralize people with a view to destroying them physically and morally. The grave consequence of their acts is that about 3 million persons lost their lives, over 4 million who survive are suffering from serious injury physically and morally and the victims include many teenagers and children.

Considering that the accused Pol Pot and Ieng Sary have a record of collusion with each other in fighting against the Kampuchean revolution; the accused mapped out together extremely reactionary domestic and foreign policies and organized and directed the implementation of such policies. They are held responsible for ordering and planning the perpetration of the crime of genocide. They are also held responsible for all the grave consequences due to their genocidal acts.

Considering that defence of justice and the just cause of the Kampuchean people and the response to the wishes of various actions of our people and world opinion demand severe punishment of Pol Pot and Ieng Sary for their crime of genocide with a view to preventing the repetition of such acts,

Considering that the testimonies made before the Tribunal, the pieces of evidence, the witnesses, including those from foreigners and famous lawyers in the world, have proved that an important factor of the crime, namely, the instigation and aid from outside, must be denounced so as to stop it, prevent it and defend the right to life, independence and freedom of nations,

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Considering that the defence has admitted that the criminal acts of genocide of which the defendants are accused have been fully proved. All the dossiers and deliberations before the Tribunal indicate no attenuating circumstances in favour of the accused, but aggravating circumstances are numerous, particularly their continued betrayal of the nation,

Considering the personal responsibility of each of the accused:

Pol Pot, as Secretary of the Angkar (Party organization) and Prime Minister, held the highest office to lead the entire State apparatus, mapped out home and foreign lines and policies and directed their implementation. Pol Pot himself, on many occasions, toured different localities to direct and inspect personally the purges of forces accused of opposing him and his clique. Pol Pot is an extremely dangerous criminal, deserving no lenient treatment.

Ieng Sary, as Standing Political Bureau member of the Angkar and Deputy Prime Minister in charge of foreign affairs, held high offices with real power, shared leadership with Pol Pot, built up and conducted the collusion with the Peking reactionary forces in the world and defended the criminal acts of genocide committed by his clique on international tribunes. Ieng Sary himself gave orders for the recall of intellectuals and students from abroad. It is Ieng Sary who is directly responsible for the execution of intellectuals and students living in the country or returning from abroad. Ieng Sary is an extremely dangerous criminal deserving no lenient treatment.

With the above-mentioned considerations,

Acting on articles 1, 2, 7 and 8 of Decree-law No. 1 of 15 July 1979 of the Revolutionary People's Council of Kampuchea,

THE COUNCIL OF JUDGES OF THE REVOLUTIONARY PEOPLE'S TRIBUNAL HELD IN PHNOM PENH

Rules

1. That the accused Pol Pot, alias Saloth Sar, and Ieng Sary are guilty of the crime of "genocide".
2. That the accused Pol Pot, alias Saloth Sar, and Ieng Sary be condemned to death in absentia.
3. That all the properties of the accused Pol Pot and Ieng Sary be confiscated.
4. That all the pieces of evidence in the case be handed over to the Ministry of Internal Affairs and the Ministry of National Defence.

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5. That the accused Pol Pot and Ieng Sary are entitled to appeal to the Revolutionary People's Council for leniency within seven days as from the date of posting the public notice of the judgement at the office of the Municipal People's Committee.

6. That the present judgement be affixed at the office of the Municipal People's Committee in Phnom Penh.

This trial is public and final.

THE PRESIDENT OF THE SESSIONS,
PRESIDENT OF THE
REVOLUTIONARY PEOPLE'S TRIBUNAL
HELD IN PHNOM PENH
