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INTERNATIONAL COVENANTS ON HUMAN RIGHTS

Letter dated 17 September 1979 from the Permanent Representative
of Viet Nam to the United Nations addressed to the Secretary-
General

I have the honour to transmit to you herewith for your information 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 for the trial of the genocide crime of the Pol Pot-Ieng Sary clique" and kindly request that this letter and its enclosure be circulated as an official document of the General Assembly under item 84 of the provisional agenda.

(Signed) HA VAN LAU
Ambassador Extraordinary
and Plenipotentiary,
Permanent Representative
of the Socialist Republic
of Viet Nam to the United Nations

* A/34/150.

ANNEX

PEOPLE'S REVOLUTIONARY TRIBUNAL HELD IN PHNOM PENH
FOR THE TRIAL OF THE GENOCIDE CRIME OF THE
POL POT-~~IE~~NG 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 Pen Navuth	People's Assessor "
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 Nay

With a secretariat composed of Messrs. Houl 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;

/...

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;

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.

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, Mongkothborey, 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".

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

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 of 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.

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 Mondulkiri.

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.

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.

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.

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:

"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".

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.

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.

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.

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 wondering 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

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 sawing 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:

"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.

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.

Kampuchéans 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.

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 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.

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.

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

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.

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

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 Kampuchéans, 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

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.

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.

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,

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.

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
