



Document Hearing Continues with Prosecution Presentations on Cooperatives, Enemies

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On Tuesday, June 25, 2013, the Extraordinary Chambers in the Courts of Cambodia continued to hear the presentation of key documents in Case 002 by the prosecution. The proceedings were watched by 200 university students from various academic institutions in the Phnom Penh area. All parties were present, with Nuon Chea observing the tribunal by video link due to his medical conditions.

Prosecution Continues to Present Documents on Cooperatives

Vincent de Wilde, Senior Assistant Prosecutor, continued where he left off on Monday, presenting documents that related to cooperatives and forced labor camps. He began by citing a Communist Party of Kampuchea (CPK) document that declared that poor farmers were the true masters of the new communes. In addition, the document stated that since the liberation of the entire country in 1975, the vast majority of the population had been obliged to live in the countryside and to sustain themselves agriculturally in communes. The document described how it was perceived that there were enemies mixed in with the “new people”² and so it was necessary for the communes to strengthen and maintain their security. The Khmer Rouge movement was described as constantly fighting and “sorting out” enemies within its population. Within the document it was claimed that as a result of the commune system coming into place, wastefulness had been eradicated, as had pacifism and the desire to be “fully equipped.”³

As reported in the *Revolutionary Flag* magazine, from which the prosecutor read next, Pol Pot gave a speech on September 30, 1977, in which he claimed, “Nowadays the cooperatives are

¹ Cambodia Tribunal Monitor’s daily blog posts on the ECCC are written according to the personal observations of the writer and do not constitute a transcript of the proceedings. Official court transcripts for the ECCC’s hearings may be accessed at <http://www.eccc.gov.kh/en/case/topic/2>.

² Those evacuated from the cities were known as the ‘new people’

³ It is unclear exactly what this means, and it could be the result of an interpretation error.

transforming the countryside into a more beautiful countryside.” He went on to say that a “new clean egalitarian society” had developed, with a “sufficient lifestyle in terms of health and education.” Pol Pot also claimed that “the cooperatives are working well, though only a small number are as large as villages.” Mr. de Wilde commented that this speech indicated a movement from small cooperatives to village-size cooperatives.

Next another article from the *Revolutionary Flag* magazine was quoted to the court. In that article it was claimed that the Khmer Rouge must “strengthen and improve the cooperatives so they may be transformed to achieve the objectives of 1976.” Six essential tasks were described in that article, of which Mr. de Wilde read four to the court, specifically:

1. To rally the grassroots for general production;⁴
4. To resolve issues regarding trade between co-operatives;
5. Security; and
6. Indoctrination of members at the political level.

At this stage Mr. de Wilde faced an objection from Ms. Guissé, who argued that one of the documents he was seeking to introduce before the court related to the implementation of policy, rather than solely the matter of policy itself. In response Mr. de Wilde clarified that these documents related to what the policy of the party was, with an emphasis on “was.” He was not simply trying to establish what happened on the ground, the prosecutor asserted. Ultimately, the chamber held that the objection was to be overruled, as it is implementation in the field that could not be presented and these documents concerned policies at the center.

Following this objection, a speech by Khieu Samphan at the third National Congress was read to the court. In that speech Khieu Samphan emphasized the policies of collectivization. “All the main means of production belong to the collective,” he told the congress. “They are directly controlled and administered by the people. ... They are work sites of our people everywhere.” These make the countryside more beautiful, he claimed, echoing Pol Pot.

In addition, Khieu Samphan had written in a document next presented that “everyone is working on the worksite because our workers are collective owners; it is another reality in Cambodia today that each peasant is the owner of the land he or she farms.” It was cooperatives which were directly responsible for the demise of “the enemy,” he concluded, according to the document.

Subsequently, the court was shown documents the prosecution said establish a link between cooperatives and the evacuation. “After the liberation, we deported all inhabitants from Phnom Penh city and from all areas we liberated. This should complete the national democratic revolution and finish the socialist revolution,” it was claimed. In the September/October 1976 edition of the *Revolutionary Flag* magazine, it was stated that the introduction of the commune system had led to the complete redistribution of wealth. In a speech by Pol Pot, published in the magazine the leader said, “Our society of the current Kampuchea no longer has classes – only a peasant and worker class.”

⁴ Tasks 2 and 3 were excluded from the prosecution’s presentation.

In a separate speech presented to the court from the same issue, Pol Pot also claimed that differences in work output by individual workers and peasants could be explained by differences in “zeal for the socialist revolution.” Again, a link was made between the evacuation and the establishment of cooperatives, and the leader asked rhetorically:

As far as we are concerned, have we engaged in this class struggle? Indeed we have. We have deported the population of the cities and in so doing, we have engaged in the class struggle. We have consolidated and developed cooperatives. This policy is part of the class struggle, which objective was to attack and disperse forces of feudalists and forces of the capitalists.

Inside these cooperatives there were divides between feudalists and capitalist workers, he continued. With regard to these feudalists and capitalists, Pol Pot declared that this group of people must be supervised. He instructed the cadres, “Be careful you do not authorize feudalists and landowners to move about everywhere. . . . If this group moves about, they will contact one another. It is imperative to educate our cooperatives to be vigilant toward this group.” Later he purported that “if there were not cooperatives, the true nation of the revolution would not exist; the nature of imperialism would be back.”

In a document produced in 1996 by the Document Center of the United Democratic Movement entitled the “Truth about the Dictatorial Regime of Pol Pot: 1975 to 1978,” Ieng Sary is recorded as discussing the separation of people in the rural areas. Pol Pot ordered the people to be separated into two groups, he said, base people and new people. New people were sent to work on sites, rice cultivation, and dam construction where they endured suffering, the leader admits.

Mr. de Wilde then turned to a report on a visit of the Standing Committee to the Northwest Zone in August 1976. In that report a recommendation is made that “in concrete terms we have to expand the cooperatives.” It goes on to say that they need to be turned into “a hard core,” that is to say, they must be hard in order to absorb the new people, who themselves must submit to the economic and ideological reality of the communes. “The people only harden if the cooperatives are hard,” the report stated.

The Role of the Communes after Complete Liberation

The next sub-topic of Mr. de Wilde’s submissions was the situation in the cooperatives following the complete ‘liberation’ of Cambodia and the takeover of the Khmer Rouge of the entire country.

First, he cited a document in which it was affirmed that the cooperatives had absorbed all of the “new people,” those who had been evacuated from the cities, with all of their “bad elements.” The cooperatives, it was claimed, had provided them with food and given them work to do. Provided that the cooperatives remained strong, “the enemy” would be noticed, as problems do not arise from the old people⁵; it is the new people who “take advantage.” The document went on to boast that the Democratic Kampuchea had an advantage of four to 10 years over the revolutions in China and Vietnam. “Our society is a fully collectivized one,” it maintained. “We manage the powers of men, oxen and instruments.”

⁵ ‘Old’ people are those who were already working in the countryside prior to the evacuation of the cities.

Consequently, an extract from the minutes of a zone assembly meeting held June 3-7, 1976, entitled "The biggest problem is having mastery over the popular masses," was cited. The party must have mastery of the co-ops, it was affirmed. The people need to understand the party political line, and that dykes, canals, and three tons of rice per hectare are necessary for the defense of the country. It was up to local leaders to master the command of the people, through a step-by-step process including the taking of biographies of the workers. The Khmer Rouge had what Mr. De Wilde described as ambitious aims, including the cultivation for 10 to 11 tons of rice per hectare in the course of the 1980s.

In the August 1977 issue of *Revolutionary Flag*, which was read to the chamber, a speech by a party representative is cited in which the representative makes a number of policy recommendations that he says all regional leaders should take note of. "In a good many cooperatives power is not in the hands of the workers," claimed the representative; instead it is in the hands of other classes who are not on the side of the revolution. As a result the Khmer Rouge must educate the workers and lower classes so they "smash" the upper classes. "From here to the end of the year [1977], we have to organize so that poor and lower class can seize power," the document concluded.

According to Mr. de Wilde, the Khmer Rouge party leaders were particularly keen on the production of salt. In the May 1976 issue of the magazine *Revolutionary Youth*, it was written, "Our young men and young women in salt fields must reinforce the salt beds so they become more productive." Similarly in 1978 speech celebrating the third anniversary of the April 17th liberation of Phnom Penh, Khieu Samphan said triumphantly, "Last year the salt bed unit achieved salt production higher than the plan." Production in March and April had "easily exceeded the plan," and so the unit responsible was declared a model for the whole country.

The Khmer Rouge also wished to construct additional airports. At a meeting of the Standing Committee in February 1976, which, it was asserted, was attended by both Khieu Samphan and Nuon Chea, a new military airport was proposed, to be built in Kampong Chhnang.

A BBC report of a meeting held in Phnom Penh in March 1976 documented the Khmer Rouge leaders' intention to produce more salt, construct new dams, and dig new rivers, Mr. de Wilde continued. According to the report, Khieu Samphan told the meeting that "today we have achieved 60 to 70 percent of our work objectives." Future plans must include projects to have land irrigated all year round, he declared. Canal construction was taking place with 3000 workers per canal. This demonstrated that the Khmer Rouge were achieving their aims not with machinery, but with people and was demonstrative of the heroism and strength of the Cambodian people, the report quoted Khieu Samphan as stating. Khieu Samphan purportedly also affirmed that the aim of such construction projects was both to simultaneously work to build the nation and to acquire technical skills. It did not matter whether the dams being built lasted, as new skills and methods would be acquired within five to 10 years.

A report was read to the chamber in which a Chinese delegation reported that they could not help but admire the Cambodian people for their "revolutionary zeal." The delegation had been shown

the 1st January dam⁶ that had been built in only two months, following a request by the Khmer Rouge leaders for major retention reservoirs.

Khmer Rouge Policy on Enemies and Targeting of Specific Groups

After a brief morning recess, Assistant Prosecutor Dale Lysak took over the presentation of documents. He focused first on the Khmer Rouge's policies towards "enemies" and their targeting of specific groups. Mr. Lysak explained that he would show how the Khmer Rouge intended to eliminate by violence all perceived enemies. Documents to be presented to the chamber would show the origins of this policy, as well as how it was developed, he asserted. In addition he would demonstrate how each key organ, including the central and standing committees, was involved in the process. These documents would also demonstrate that these were key party lines and there was a clear decision to use "revolutionary violence" against enemies. Such enemies were described by the Khmer Rouge as having "antagonistic" or "life and death" ideas. As they were perceived as "burrowing from within," there were directions for cadres to be constantly on the offensive, the prosecutor concluded.

Mr. Lysak stated that the second half of his presentation would look at the targeting of the Lon Nol regime. The targeting of other groups, such as the Muslim Cham, Vietnamese, and Buddhists, would also be covered through a few key documents as part of the first presentation on general enemy policy.

The first area which was presented to the court on this topic regarded the origins of the policies on eliminating the enemy. A passage was read out from Philip Short's book *Pol Pot: The History of a Nightmare*, in which the author discussed meetings that took place between the future Khmer Rouge leaders when they were studying in Paris and were members of the Marxist Circle. Cells met once a week to study Marxist texts, such as *ABC of Communism*⁷ and Karl Marx's *Communist Manifesto* and Mao Tse-tung's *On New Democracy*. Mr. Short also mentioned that there were "evenings of criticism and self-criticism" among the group.

Mr. Short wrote about the specific impact on this group of the works of Josef Stalin, which he reported to be the "official rallying cry of the French communist party at the time." Stalin's *The History of the Communist Party of the USSR* was said to be especially influential on Pol Pot. "This work written by Stalin in 1938, in the aftermath of the great terror, was used as a political primer by communist parties all over the world," stated Mr. Short. It was translated into Chinese by Mao Tse-tung and Vietnamese by Ho Chi Minh and was a "crucial formative influence" on Pol Pot. The history "hammered home" a number of lessons, such as the need to stay close to the masses so as not to become dizzy with power, the importance of correct leadership, and the importance of criticism and self-criticism; above all it urged eternal vigilance. "We can no more tolerate opportunism as we can tolerate an ulcer in a healthy body," it avowed.

One of the main messages of Stalin's text was that saboteurs from international powers could sabotage and betray a revolutionary communist party. The only correct response was "pitiless repression." Mr. Short also noted that the future CPK leaders rejected "the idea that in the era of

⁶ Located in Kampong Thom Province

⁷ Although stated in court that this text was written by Marxist leader Vladimir Lenin, it is believed that this reference is actually to *The ABC of Communism*, written in 1920 by Nikolai Bukarin and Evgenii Preobrazhensky.

coexistence of power blocs, communists could gain power through elections rather than revolutionary violence.”

In the book *Behind the Killing Fields* by Gina Chon and Sambath Thet, the influence of Mao Tse-tung on Pol Pot and Nuon Chea was discussed, the prosecutor continued. “The two searched for the principles to be at the foundation of the communist party,” the book recounted. Pol Pot examined the leadership in the cities, often studying in the National Library, while Nuon Chea focused on the situation in the countryside. The authors cited Nuon Chea as declaring that he “liked reading books about how to work in secret and Vietnamese books that talked about the arrest and torture of communists.”

Having set out the ideological foundations of the Khmer Rouge’s policies on dealing with enemies, Mr. Lysak then moved on to present documents on the party lines, or policies, on this matter. In a speech reported in the *Revolutionary Flag* magazine on the 17th anniversary of the formation of the party, Pol Pot declared to an audience of 10,000 that Kampuchea had been a semi-colonial country and a satellite of American imperialism; the “mission of national revolution meant attacking and driving out imperialism to liberate the country,” he said. Pol Pot went on to explain that the National Congress had “analyzed and defined the contradictions inside society.” At the time at which they were working out the party line, there were five classes: workers, peasants, petty bourgeoisie, capitalist, and feudalist; “contradictions” existed between them all. Pol Pot told his audience that “it was from the landowners that the peasants suffered the most; 85 percent were in contradiction with the exploiting class – the landowners.” He continued, “This contradiction was a life and death contradiction. A profound contradiction in Kampuchean society.” The “peasants being swiped up and fighting against the oppressive class” was the only way this “antagonistic” contradiction could be resolved, the leader concluded.

In the same speech Pol Pot talked about Buddhism, which he regarded as a means of appeasing the masses and burying society’s contradictions. According to Pol Pot, “the contradictions generated hatred, but in the past the contradiction were buried. Why? Because the landowner class and the spiritual leaders disseminated information to hide these contradictions.”

Pol Pot explained that there are two enemies that had to be fought, the U.S. imperialists and the landowning class. His speech continued with a discussion of how some persons in the capitalist class and some landowners could be used as tactical forces or allies. Yet in the subsequent page of the *Revolutionary Flag*’s account of his speech, a reference is made to three categories of enemy: those that could be won over; those that would have to be “neutralized” as they could never be won over; and finally, the most vicious, who had to be isolated and attacked.

Pol Pot went on to describe the forms of revolutionary struggle to be used:

The first congress of our party specified the following forms of revolutionary struggle. The first is to use revolutionary political violence and armed violence, that is, to use violence in both political and armed struggle to resist and strike the enemy. The second is to use illegal, semi-legal, and legal struggle - taking illegal struggle as the basic form. The third is overt, semi-overt and clandestine forms of struggle - with the clandestine form as the basic form.

Geographically, Pol Pot was clear that the enemy was concentrated within urban areas. “Our operational line was that the country was the support base,” he maintained; this was because the cities could not be used; the network of the enemy’s repressive apparatus was located there. The countryside was vast with badly organized enemies who were spread out, he stated, and the class composition was also better there.

When it came to how to attack the enemy, Pol Pot explained that the enemy’s food supply could be cut off. In a reference to Phnom Penh, he recounted how the U.S. was “obliged” to go to great lengths to provide food to the city in response to the Khmer Rouge’s destruction of its supply lines. “Our party also defined its line of combat so it could attack the enemy in any circumstances - to launch offensives constantly,” he pronounced.

Since 1961 it had been the line of the CPK party that national revolution was necessary to eradicate the “imperialists.” It was an additional aim that the “feudalist” regime be eradicated. These two aims were achieved in April 1975, Pol Pot declared in his speech.

After this speech Pol Pot travelled to China with Ieng Sary, Mr. Lysak continued, where he conducted a press conference that was covered by the New China News Agency. This coverage was in turn summarized by the BBC on October 3, 1977. In that summary, the prosecutor told the court, the BBC proclaimed that the party line on enemies was reiterated, quoting Pol Pot as stating, “After putting forward the task of opposing imperialism, we set forth the task of attacking feudalism and the petty bourgeoisie, thus confirming the targets of the revolution.” Covert and overt struggles were undertaken, with covert as the “base.” An emphasis on violent struggle was affirmed by Pol Pot, while the “democratic model”⁸ of Soviet leader Nikita Khrushchev was wholeheartedly rejected.

In a subsequent speech cited by Mr. Lysak, Nuon Chea discussed the tactical lines of the party, repeating the position purported by Pol Pot: “We held the well-defined stance that to crush and overthrow the U.S., political action alone would not succeed. The enemy used arms and totalitarian tools to oppress our people. After 1960 our party decided that armed violence must be used.”

In the June 1976 issue of the *Revolutionary Flag* magazine, an opinion piece contained a response to a National Conference. “What will the enemy do next? Are they strong or weakening?” the author asks rhetorically. “The enemy will carry out activities against us and our revolution.” There would be a continuing struggle between revolution and counter-revolution, he continued, concluding that whether the counter-revolutionary powers are strong or not “does not depend on them, it depends on us. “

In a subsequent speech, read by Mr. Lysak, it was declared by a senior leader that “as for the enemy, they have received serious blows of defeat.” External enemies such as the CIA and KGB were said to have been “fundamentally smashed.” Such enemy forces were described as being like rats being hit and falling from their nests into water. “We must constantly be on the offensive against them.”

⁸ This reference appears to be the reforms introduced in the Soviet Union by Khrushchev after the regime of Josef Stalin, in which Khrushchev condemned the excesses of his predecessor and called for a “de-Stalinization” of Soviet policy.

Later in the same speech, the party cadres were instructed that “past experience leads us to better understand that even though external and internal enemies have been defeated in the past, they have not forsaken opposing our revolution.” As a result it was said that it was important to maintain a “high spirit of vigilance against the enemy among the people,” and the masses must be indoctrinated to “seek out the enemy ... capture the enemy, and smash the enemy like a rat surrounded by a group of people smashing it.”

The party itself was described as being internally well-purged, however it was noted that “the embedded enemies are not yet all gone, veteran forces with holes bored into it still remain.” In order to address this problem, three measures were prescribed:

1. It is imperative to have stance that the fight against the embedded enemy is not finished.
2. It is imperative to take absolute measures and not hold back.
3. The objective during the second half of 1977 is to sweep the enemy clean, especially from the cooperatives.

Contained within the *Revolutionary Flag* issue of May/June 1978 is an article, which maintained:

The experience of our perpetual past combat has been one of unremitting tense class combat. We have attacked and smashed chunks of them. The measures which we are putting forward are no different from previous measures, but must be more acute. Our duty is therefore to attack CIA and Yuon⁹ KGB agents, to attack them and attack them again so that they are liquidated again and again.

Later in this same issue, another article puts emphasis on the Vietnamese as an enemy, stating that “our sharpest attack is on the aggressive Yuon.” It highlighted again that cadres must “sweep cleanly away the enemies burrowing from within.”

Having presented documents on the policy regarding the enemy, Mr. Lysak quoted part of the CPK statute, in order to demonstrate the collective nature of decision-making:

Article 6.1: All party leadership organizations must implement collective leadership.

Article 6.2: All of the decisions of the party must be made collectively.

He went on to introduce the next group of documents as having been selected in order to show how each of the organs of the CPK agreed to and participated in the plan to “smash the enemies.”

The first of these documents was a circular from Committee 870 that discussed an explosion in Siem Reap in February 1976, which the standing committee claimed was caused by U.S. aircraft. In the last paragraph of that document it said that the “standing committee suggests using the event to re-educate internally to stir up hatred of the enemy.”

On March 8, 1976 a meeting was held on “base work.” Minutes of that meeting recalled the persons who attended as including Pol Pot, Khieu Samphan, and Nuon Chea. A regional cadre

⁹ The term “Yuon” was used to refer to the Vietnamese people.

requested instructions regarding what to do with two groups he had arrested. Similarly, Comrade Soth from Siem Reap reported on the bomb attack and stated that “no clear routes of the events on 24 February have been discovered.” Another senior cadre reported that along the border with Thailand, the Thai had been sending spies. “Since January almost 100 had been arrested,” he stated. In response the standing committee issued orders that all those arrested should have their case files submitted to the central committee.

There was a right to smash the enemy if doing so was “in the base framework to be decided by each zone, in independent sectors to be decided by standing committee, or by the military if decided by the military standing staff.” This statement was argued by Mr. Lysak to be particularly relevant with regard to the joint criminal enterprise allegation to “smash the enemy.”

Additional Standing Committee documents were brought to the attention of the court, which related to the Khmer Rouge policy on enemies. These included a June 20th Standing Committee document that provided guidance on party policy concerning the CIA, Vietnamese, KGB and other “agents opposed to Democratic Kampuchea.” An additional document from the Standing Committee was entitled “Buddhism: Follow-up of Implementation of Political Line of Mobilizing the Front Forces of the Party.” This document detailed how pagodas had been abandoned, and religious practice disappeared.

In response to the introduction of this document, Ms. Guissé unsuccessfully objected on the grounds that the document concerned implementation and not policy.

Moving on, the prosecutor quoted a presentation by Pol Pot that took place during the first meeting of the council of ministers, which was held on April 22, 1976. Pol Pot advised, “No matter how well we do things, if the imperialists are alive, if their CIA is alive and their reactionary groups are not eliminated... they will continue opposing the revolution.” Instructions were then given on common tasks to protect the government of Democratic Kampuchea. These were to defend the revolutionary state authority, the party, the people, and the army, and the independent sovereignty of Democratic Kampuchea against interference both overt and covert.

The next document read to the court concerned Foreign Affairs and was dated January 18, 1977. It was a portion of the Ministry Congress that discussed the enemy in Cambodia, stating that “1976 was the key year.” It continued, “Our enemies are now weakening and are going to die. Revolution has pulled out their roots.” However, there was still a threat from the American imperialists, who, while defeated, could still block the Khmer Rouge. “They are in our bodies, in the cooperatives and among our ranks.” As a result, the document prescribed that they must be progressively wiped out “as soon as possible.”

These “imperialists” were to be handed over to the security department, as “there is no need to do such things as education, which is to no avail.” Ironically, the document goes on to explain how illicit rumors around the ministry about arbitrary arrest were being reported to the ministry leaders – those spreading them were presumably arrested.

In a report of the Ministry of Commerce Meeting from July 1976, the first agenda item was the “enemy.” It was reported that the “activities of the bad elements have been calmed after we carried out education sessions.” Reference was then made to one of the seven Super Traitors, and

it was stated that future measures were to include the examination and screening of personal biographies of all staff.

The topic then turned to the military enemy. The first document that was presented in this section was another issue of *Revolutionary Flag* from August 1975, in which a speech by Pol Pot was quoted. The leader is recorded as stating:

Representatives of the army were instructed that our revolutionary army was born of the strategic line of Democratic Kampuchea which states in one clause that the enemy uses violence; they use military cruelty to wreck and destroy the people. Thus the party must lead the people to use violence, to repay in blood. .. We have already liberated the country but a war situation rears its head because imperialism still exists.

The feudalists and capitalist had been overthrown, he continued; however their outlooks, stances, and trickery still remained the same. According to Pol Pot, They come overtly and covertly and sometimes enter the ranks of the DK people.

The next document was the minutes of a meeting September 9, 1976, which discussed the discovery of a leaflet on the streets of Phnom Penh criticizing the regime. In response it was resolved that the leaders would:

1. Heighten their outlook of revolutionary vigor in view of sharp contradictions and ever strong class hatred; and
2. In terms of organizational problems, comrades must go all out in ideological education.

Subsequently the minutes of a meeting on September 16, 1976, were presented to the court. During the meeting a committee discussed the arrests of various persons and adjudicated their fates. Documents related to an additional meeting of September 9, 1976, were then presented to the court. At that meeting there were calls for further purges of “no good elements.” Notably, at the end of the meeting each cadre present expressed their “unity” with the party in support of further purges.

Reaffirming this position, a report from Son Sen in September 1976 discussed the capture of a number of enemies who had “indoctrinated our cadres not to believe in the revolution,” through reference to a lack of food. Corrective measures were prescribed, which included a complete purge of the enemies from within. Two further documents were cited that demonstrated the continuation on the purging of the enemy.

The next document shown to the tribunal, the prosecutor asserted, demonstrated the extent to which zones worked together with relation to the enemy. Dated May 2, 1977, the document was a message from Sector 105 to Office 870 requesting clarification as to where a suspected enemy originated. Similarly a telegram of May 3, 1977, to Duch¹⁰ illustrated how large numbers of people were transported to the S21 camp from different locations, thus demonstrating cooperation, according to Mr. Raynor.

¹⁰ The alias of Kaing Guek Eav, the former head of S21 Detention Center. Duch was convicted in Case 001 at the ECCC.

The subject then turned to the treatment of the Yuon people. Pol Pot wrote in the *Revolutionary Flag* in April 1978 that “there are none in Democratic Kampuchea territory; formerly there was over one million.” Despite the fact that there were 50 million Yuon in Vietnam, Pol Pot maintained that the Democratic Kampuchea could defeat them if each member of its armed forces killed 30 members of the Vietnamese armed forces. “Each one of us must fight 30 Yuon. If we implement this slogan we can win,” he concluded.

A couple of documents were then read to the court that demonstrated the policy of capturing those persons with links to Vietnam. In these documents it was reported that five Vietnamese had been caught in a forest. In addition, a man accused of sabotage, through the throwing of a grenade into a paddy field, was interrogated and links established with South Vietnam.

A weekly report from the Section 5 Committee of May 8, 1977 reported that “after having disseminated the situation on county defense, it has been noted that the storming attack movement to destroy the enemy has been successful and leaping forward more than before [sic] purging traitors.” It was then noted that a number of positive results had been achieved, such as:

- Finding traitors, described as the April 17th element, who had planned to destroy the water supply of Phnom Penh;
- Destroying other elements that were April 17th people; and
- Sweeping clean those moral offenders who committed debauchery.

With regard to the Cham People, it was claimed, “The April 17th elements from Phnom Penh, who were Cham nationals, conducted a protest in a common kitchen by pointing at article 20 of the constitution. We have taken special measures, to look for their string, the head of their movement, and to sweep them clean.”

A further telegram from the Northwest Zone Office in 1977 described how measures had been taken to “go all out against the enemy” and “all out on education.” Finally, it stated that the “grassroots must work together to smash the enemy.”

In a report of May 1978 a Zone Secretary requested direction from Angkor on how to deal with the soldiers from previous regimes and the Yuon with Khmer wives. He expressed worry, but noted no sign of suspicious activity. The response he received was not presented to the chamber. Similarly, a report dated August 18, 1978, reported on three Vietnamese who had been arrested, one of whom had driven a plow off a bridge. The author requested permission to send the three “enemies” for interrogation.

Two additional documents were read to the court concerning the arrest of enemies who had conducted political protests. In a report from the Southwest Zone in August 1977, it was reported that 60 people had been arrested for raising a banner, which said, “Long live Buddhism.” The second document was a request to further interrogate a woman who had been complaining about the scarcity of food and had stolen a bag of rice.

Reaching the end of his presentation on general enemy policy, Mr. Lysak presented a number of final documents. These included a report of a comrade taking part in “immoral acts with a woman,” which requested that the committee reviewing the report provide instructions as to where both the man and woman were to be sent. Additionally, a handwritten note from Son Sen

to Duch was read to the court, which noted that a number of people outside the military and “internal cadre” had been arrested. It was requested that Duch interrogate them quickly and “smash them strongly at the right time.” This was particularly relevant, argued Mr. Lysak, because it demonstrated coordination between the zones, the military, and S21 in relation to policies on “the enemy.”

Further, the prosecutor presented an April 1978 letter, which provided a number of confessions for review, from the North Zone Secretary to Committee 870.

Turning to directly address the matter of Joint Criminal Enterprise, on which the rest of his presentation was concerned, Mr. Lysak presented to the court a map prepared by the Documentation Center of Cambodia (DC-Cam) in 2001 that showed the execution sites and security offices in Cambodia during the Khmer Rouge regime.

At this stage Ms. Guissé objected on the grounds that the topic had left policy and was coming to address the implementation of policy. In addition, she argued that the document was not contemporaneous and its author was unknown. These objections were overruled by the President, who stated that the document was already on the case file and that the chamber could decide how much weight to place upon it.

Citing two more up-to-date reports from the DC-Cam’s mapping project. Mr. Lysak submitted that there were 196 Security Offices listed in Democratic Kampuchea and 390 mass grave or burial sites.

Having finished with his presentation on the general policies concerning the enemy, Mr. Lysak next turned to the specific treatment of those who had previously served in the Lon Nol military. He cited an August/September 1974 issue of *Revolutionary Youth*, which defined the feudalist class as containing two elements—feudalist aristocrats and feudalist landowners. It stated that first group, the aristocracy, was the ruling feudalist group who oppressed the people and included the monarchy and high-ranking officials. The second element contained “students and civil servants who use their intelligence for a living, the intellectual second capitalist class.”

The September/October issue of *Revolutionary Flag* discussed class contradictions in Khmer society. “Fundamentally,” it was written, “the contradictions are between the proletariat class and the capitalist class. Apart from this there are conflicts between district chiefs, government officials, police, and soldiers.” “Life and death” contradictions existed between wealth and poor peasants, which were not easily reformed. “Some elements may reform but many do not. When they die they instruct their children to continue on.” “Antagonistic life and death contradictions” existed between peasants and workers on the one side, and capitalist and feudalists on the other side, the article concluded.

Mr. Lysak next presented an account of an interview with Ieng Sary in April 1978 for the U.S.-based communist magazine *The Call*. In the article, author Dan Bernstein wrote:

The deputy Prime Minister went on to describe the different forces in the Democratic Kampuchea’s ruling class at that time. On the far right there were those like Lon Nol, lackeys of imperialism. In the center sat Sihanouk who did support genuine independence. On the left were progressives like Khieu Samphan. His stance against imperialists was so strong he was forced to leave Phnom Penh.

This view of Lon Nol was reiterated in an issue of the *Red Flag* magazine published in September 1972 that referred to Lon Nol and his associates “as traitors aligned to imperialist America, which the party must completely crush.”

Mr. Lysak went on to highlight that there were key documents, already presented to the court, which established that there were seven “super traitors” whom the Khmer Rouge had decided should be executed. These documents included a communiqué signed directly by Khieu Samphan, he stated, and the statement of the National Congress authorizing the executions presented to the UN by the Republic of China.

In a radio address of March 15, 1975, the prosecutor continued, Khieu Samphan identified the seven traitors and then urged his listeners to “attack the traitorous clique more actively and aggressively.” They should attack the enemy and riot against them and “join our armed forces to put an end to the traitors’ existence.” Subsequently, in a later radio address, as the Khmer Rouge forces entered Phnom Penh, it was asserted that, “I hereby inform the contemptible traitorous Lon Nol clique and all its commanders: We are not coming here for negotiations. We are here by force of arms. As for the remaining members of the Lon Non clique, we do not need to negotiate with them, they must all surrender.”

Following the invasion of Phnom Penh by the Khmer Rouge, a number of foreign nationals and former members of the Lon Nol regime sought refuge in the French Embassy. A series of documents from the French Vice-Consul to his home ministry were read to the court; in these, the Vice-Consul requested orders on how to deal with those former members of the Lon Nol regime who were being sought by the Khmer Rouge. Ultimately they were compelled to leave the embassy by the Khmer Rouge. Articles in both the *Washington Post* and the *Bangkok Post* confirmed that those associated with the Lon Nol regime, including the brother of Lon Nol, were executed. A further document presented to the court stated that 54 generals and their families were also executed as the Khmer Rouge took Phnom Penh.

Before the day’s hearing came to an end, a revolutionary biography was read out by the prosecutor, in which the subject stated that he had relatives in the army but had ceased communication with them as of 1970 since they were not revolutionaries. Similarly, in an additional biography, a cadre recounts that he may have been on a French camping trip with Lon Nol’s nephew. Such was the extent that contact with the Lon Nol military would taint a person record in Democratic Kampuchea, Mr. Lysak asserted.

Finally, the prosecutor presented a list to the court of 162 former Lon Nol officials who had died in just one month in 1976. Just nine had died due to illness, he stated; the rest had been “smashed.”

At this point, the court was adjourned for the day. Document hearings will continue on Wednesday, June 26, 2013, at 9 a.m.

