



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

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia
 Nation Religion King
 Royaume du Cambodge
 Nation Religion Roi

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Press Release

NUON Chea and KHIEU Samphan Sentenced to Life Imprisonment in Case 002/02

Today, the Trial Chamber of the Extraordinary Chambers in the Courts of Cambodia (ECCC) convicted former senior Khmer Rouge leaders NUON Chea and KHIEU Samphan of genocide, crimes against humanity and grave breaches of the Geneva Conventions of 1949. The crimes were committed at various locations throughout Cambodia during the Democratic Kampuchea period from 17 April 1975 to 6 January 1979.

The Trial Chamber announced a summary of its findings and the disposition in Case 002/02 at a public hearing held today, **Friday 16 November 2018**, sentencing the Accused, NUON Chea and KHIEU Samphan to life imprisonment. The Chamber will deliver full written reasons for its judgement in due course.

Evidentiary hearings in the trial of Case 002/02 commenced with opening statements on 17 October 2014 and concluded on 11 January 2017. The trial, including closing statements, lasted for a total of 283 hearing days. During the trial, the Chamber heard the testimony of 185 individuals: 114 witnesses, 63 Civil Parties and 8 experts. The trial was subject to considerable public interest, with 82,780 persons attending the hearings.

The Chamber’s Main Findings

The Trial Chamber found that NUON Chea, Deputy Secretary of the Communist Party of Kampuchea (CPK) and KHIEU Samphan, the Head of State of Democratic Kampuchea, participated in a joint criminal enterprise together with other senior leaders of the CPK, with the purpose of implementing a rapid socialist revolution, which involved the commission of crimes.

NUON Chea and KHIEU Samphan were convicted of committing, through participation in a joint criminal enterprise: genocide of the Vietnamese ethnic, national, and racial group; various grave breaches of the Geneva Conventions; and the crimes against humanity of murder; extermination; enslavement; deportation; imprisonment; torture; persecution on political, religious and racial grounds; and the other inhumane acts of attacks against human dignity and through conduct characterised as enforced disappearances, forced transfer, forced marriage and rape within the context of forced marriage. Both Accused were also convicted of aiding and abetting the crime against humanity of murder at worksites, cooperatives and security centres

for deaths resulting from living conditions at these crime sites, including lack of food, water and medical care as well as the imposition of hard labour.

NUON Chea alone was convicted for the crime of genocide by killing members of the Cham ethnic and religious group on the basis of his superior responsibility.

The crimes were committed at various crime sites throughout the country, including at the Tram Kak Cooperatives, Trapeang Thma Dam Worksite, 1st January Dam Worksite, Kampong Chhnang Airfield Construction Site, S-21, Kraing Ta Chan, Au Kanseng and Phnom Kraol Security Centres.

NUON Chea was found to have acted as POL Pot's "right hand", being involved in all major decisions of the CPK. He played a key role in designing, implementing and disseminating the CPK's criminal policies and propaganda, for example as principal author of the regime's propaganda magazine, *Revolutionary Flag*, and made a significant contribution to crimes committed by CPK cadres. NUON Chea was also found to have participated in purges and in the running of S-21 Security Centre.

KHIEU Samphan was found to have encouraged, incited, and legitimised criminal policies and to have made a significant contribution to crimes committed by CPK cadres. He personally instructed cadres on implementing criminal policies, and was responsible for training CPK cadres. Furthermore, the Chamber found that KHIEU Samphan contributed to nationwide purges and approved the delegation of the "right to smash" within lower ranks of the CPK. KHIEU Samphan was also responsible for widely-disseminated speeches in support of CPK policies, which the Chamber found contributed to the commission of crimes.

Crimes committed – CPK policies

The Chamber found that the CPK established cooperatives and worksites, forcing the population to work in inhumane conditions, without adequate food, clean water or adequate medical care. Tens of thousands of Cambodians were enslaved and large numbers of them died due to the imposition of these conditions. The Chamber further found that the CPK established security centres in order to identify, arrest, isolate and execute individuals considered to be enemies by the regime. The wives and children of so-called enemies were likewise executed.

The Trial Chamber also found NUON Chea and KHIEU Samphan responsible for CPK policies targeting Vietnamese, Cham, Buddhists and former Khmer Republic officials and their families. The Chamber found that between 1975 and 1976, there was a nationwide policy to expel Vietnamese people living in Cambodia. Specific instances of Vietnamese civilians being killed on a massive scale were also established. Hundreds of Vietnamese civilians and soldiers were killed at S-21 Security Centre after being tortured and subjected to inhumane conditions. Buddhist symbols were destroyed, and monks were forcibly disrobed across various communes. Monks were labelled "worms" or "leeches", and the use of pagodas for religious purposes was disallowed. Cham religious and cultural practices were banned throughout Cambodia. Mosques were dismantled and Korans were burnt. Cham people were forced to eat pork and prevented from worshipping and speaking their native language. In addition, the Chamber found that Cham civilians were arrested and killed on a massive scale at the Wat Au Trakuon and Trea Village Security Centres. Khmer Republic officials were also targeted for arrest and killed along with their families.

Finally, the Chamber found NUON Chea and KHIEU Samphan responsible for a nationwide policy of identifying individuals to be forcibly married, often to strangers. After group weddings, couples were monitored by militiamen and compelled to have sexual intercourse with their new spouses. CPK cadres took the role of parents in the selection of suitable spouses, forced couples to marry, and to produce children for the purpose of increasing the country's population.

The Trial Chamber found that 3,865 Civil Parties as well as a large number of additional victims suffered immeasurable harm as a consequence of the crimes of which NUON Chea and KHIEU Samphan were convicted. The Chamber therefore endorsed the implementation of 13 reparation projects which recognise the harm suffered by Civil Parties and other victims.

In the first trial concerning the Accused, Case 002/01, NUON Chea and KHIEU Samphan were convicted by the Trial Chamber on 7 August 2014 of crimes against humanity in relation to forced movements of the population and sentenced to life imprisonment for those crimes. The sentences of life imprisonment in Case 002/01 were affirmed on appeal. The Trial Chamber merged the life sentences imposed in Case 002/01 and Case 002/02 to form a single life sentence for each of the Accused. On 27 February 2017, the Trial Chamber terminated the proceedings concerning all facts set out in the Closing Order for Case 002 not included in Case 002/01 or Case 002/02.

A copy of the summary announced by the Trial Chamber will be posted on the ECCC Website.

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