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Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

<https://cja.org/what-we-do/litigation/khmer-rouge-trials/perpetrators/>

Campaign and Advocacy

As Head of State during the Khmer Rouge, KHIEU Samphan is alleged to have played a key role in organizing, inciting, planning and ordering crimes against the Cambodian people.

KHIEU Samphan studied in France and joined the French Communist party, after which he returned to Cambodia as a professor and was Secretary of State for Trade under the pre-Khmer Rouge Sihanouk government. He allegedly went into hiding in 1967 under pressure from Sihanouk's security forces and re-emerged with the Khmer Rouge resistance in the early 1970s. In March 1976, Norodom Sihanouk resigned as Head of State of the Royal Government of Khmer National Unification (GRUNK), and the Constitution of Democratic Kampuchea was formally promulgated, with Khieu Samphan becoming DK Head of State.

One of KHIEU Samphan's responsibilities as head of state was the political education of those returning from exile to Democratic Kampuchea, and he also played an active role in policies directed at inciting hatred towards the Vietnamese, with whom the Khmer Rouge were at war. He ordered, incited and encouraged widespread purges and executions and participated in the organization of forced labor across Democratic Kampuchea.

In 1987, upon POL Pot's retirement, KHIEU Samphan succeeded POL Pot as the official head of the Khmer Rouge. He left the Khmer Rouge in 1998 and lived in the North West of Cambodia until being taken into pre-trial detention in 2007.

KHIEU Samphan is charged with crimes against humanity, grave breaches of the Geneva Conventions, genocide (of the Cham and Vietnamese), homicide, torture and religious persecution. [4]

As Deputy Secretary of the Communist Party of Kampuchea (CPK), NUON Chea was the second highest authority in the Khmer Rouge after POL Pot. He built on the ideology of the Khmer Rouge and was known as Brother Number Two.

NUON Chea was born in Cambodia and studied law in Thailand where he became a member of the Thai Communist Party. He was appointed Deputy Secretary of the Communist Party of Cambodia in 1960 and later held a number of powerful positions in POL Pot's government, including being a member of the CPK Standing Committee (the highest decision-making body in the CPK), Chairman of the Democratic Kampuchea Peoples Assembly, and acting Prime Minister.

NUON Chea planned and directed CPK's purges of alleged enemies, including the intellectuals returning from abroad. He presided over Khmer Rouge political and ideological education throughout Cambodia. NUON Chea played a key role in the internal security apparatus of Cambodia under the Khmer Rouge, including responsibility for the oversight of detention centers where unlawful imprisonment, torture and mass executions took place. He was responsible for the creation and maintenance of inhumane living conditions across the country, something he personally monitored. Hundreds of thousands of Cambodians died as a result of these conditions. He is also alleged to have guided CPK policies and strategies in the armed conflict against Vietnam. NUON Chea remained loyal to the Khmer Rouge after it lost power in Cambodia until he defected in December 1998 along with KHIEU Samphan (a co-defendant in Case 002). At the time of his defection, the Cambodian Prime Minister, HUN Sen, welcomed them back into Cambodian society.

NUON Chea is charged with crimes against humanity, grave breaches of the Geneva Conventions, genocide (of the Cham and Vietnamese), homicide, torture and religious persecution. [2]

As Minister for Foreign Affairs, IENG Sary was a key face of the Khmer Rouge abroad but was also deeply involved in human rights abuses in Cambodia during the Khmer Rouge regime.

Born in 1925 in an area of Cambodia that is now part of southern Vietnam, IENG Sary studied in Phnom Penh before receiving a scholarship to study in France in 1950. During his time in Paris, IENG Sary joined the French Communist party and married his wife IENG Thirith (also a defendant in Case 002). In 1957, IENG Sary returned to Cambodia as a professor of history and became an active member of the Communist Party of Kampuchea (CPK). On September 30, 1960, in a house near the railway station in Phnom Penh, the Workers Party of Kampuchea (which later changed its name to the Communist Party of Kampuchea) was founded. Ieng Sary, who was present, was elected to the Standing Committee (the highest decision-making body in the CPK) along with Khmer Rouge leader POL Pot and co-defendant in case 002, NUON Chea.

When the Khmer Rouge took control of Cambodia in 1975, IENG Sary became Deputy Prime Minister and Minister for Foreign Affairs. During this time he directed, encouraged and enforced CPK policy and practice which included mass murder, extermination, imprisonment, and large-scale forced transfer of the population from urban to rural areas. He is alleged to have supervised a number of camps where those not sympathetic to the Khmer Rouge regime were subjected to unlawful detention, forced labor, and political and ideological re-education programs. Further, as Minister for Foreign Affairs he regularly traveled abroad and met with foreign diplomats.

In doing so, he facilitated the continued commission of crimes by the Khmer Rouge by denying the existence of these crimes to the world abroad.

After the downfall of the Khmer Rouge in 1979, IENG Sary fled to Thailand. In the same year, the Peoples Revolutionary Tribunal (PRT) of Phnom Penh was established with the purpose of trying the acts of genocide committed by the POL Pot IENG Sary clique. In his absence, IENG Sary was tried and convicted of genocide and sentenced to death. Despite this conviction, he continued to carry out official functions within the Khmer Rouge government in exile, located in the Thai / Cambodia border region. In 1994, the Cambodian government passed a law making it illegal to be a member of the Khmer Rouge. In August 1996, IENG Sary left the Khmer Rouge, along with thousands of his followers, on the condition that he be granted a royal pardon for his PRT genocide conviction as well as amnesty from prosecution under the 1994 law that outlawed the Khmer Rouge. Defence lawyers for IENG Sary have argued during pre-trial proceedings that the pardon and amnesty that he was granted mean that IENG Sary should not have to stand trial before the Extraordinary Chambers in the Courts of Cambodia (ECCC). The rules of the ECCC say it is a matter for ECCC judges to decide whether an amnesty or pardon prevents prosecution, and this matter is likely to be raised before the court during the trial.

IENG Sary was charged with crimes against humanity, grave breaches of the Geneva Conventions, genocide (of the Cham and Vietnamese), homicide, torture and religious persecution. [1] **However, Ieng Sary passed away in March 2013 and the charges against him were dismissed.**

The only woman so far to stand trial in the Extraordinary Chambers in the Courts of Cambodia, IENG Thirith was the Minister for Social Affairs during the Khmer Rouge regime. She is responsible for the inhumane conditions that existed under the Khmer Rouge regime as well as the purges of staff of the Ministry for Social Affairs, hospitals, supply factories and detention centers. **However, the case against her was dismissed after the court found her mentally unfit to stand trial.** On August 22, 2015, IENG Thirith passed away from complications related to her illness.

IENG Thirith was born in Cambodia, and studied in Phnom Penh before moving to Paris, where she continued her studies, majoring in Shakespeare and becoming the first Cambodian to receive a degree in English literature. In Paris she married IENG Sary, and the couple, together with POL Pot and others, formed a group that became deeply involved with the Communist movement.

On returning to Cambodia, she worked to support the revolutionary movement in Phnom Penh before becoming the Minister of Social Affairs of the Democratic Kampuchea government. In this role, IENG Thirith had control over the Ministry's work, including recruiting illiterate and unqualified teenagers to replace trained medical personnel and refusing to import or distribute modern medicine as well as ordering and/or condoning medical experiments on living human beings. In the face of dire health care conditions in Cambodia, IENG Thirith was responsible for implementing Khmer Rouge policies, and thus it is alleged she created and maintained inhumane living conditions leading to a significant number of deaths in Cambodia.

IENG Thirith allegedly remained with the Khmer Rouge until her husband IENG Sary was granted a Royal amnesty and pardon in 1996, at which time they moved to Phnom Penh until being placed in pre-trial detention by the ECCC.

She was charged with crimes against humanity, grave breaches of the Geneva Conventions, genocide (of the Cham and Vietnamese), homicide, torture and religious persecution. [3] However, the case against her was dismissed after the court found her mentally unfit to stand trial.

Ao An, also known as Ta An, Tho An or Aom An, is the focus of investigations in Case 004 / 2. After the Khmer Rouge victory on April 17, 1975, Ao An was allegedly appointed secretary of Kandal Steung district of Sector 25 of the Southwest Zone, under the authority of Zone Secretary Ta Mok. Sector 25 comprised territories south and east of Phnom Penh, the population of which was forcibly transferred to previously Khmer Rouge-controlled zones after April 17. By 1976, Ao An was transferred to Sector 35, where he was a member of the Sector Committee. Sometime between March and May 1977, Ao An was transferred and given a major promotion. He became secretary of Sector 41 in what had previously been the Khmer Rouges North Zone and was soon re-designated the Central Zone, of which he was made deputy secretary under Ke Pork, a member of the Khmer Rouge Central Committee. As zone deputy secretary, Ao An is believed to have joined Pork on the Central Committee, the Khmer Rouges second-highest leadership body, with nationwide authority and subordinate only to the Standing Committee.

In those capacities, Ao An has been charged with genocide of the Cham, crimes against humanity, including persecution of new people forcibly transferred in 1975 from areas previously under Khmer Republic administration, former Lon Nol soldiers and people from the East Zone, as well as other inhumane acts, including forced marriage and rape. Ao An is also charged with violations of the 1956 Cambodian Penal Code.

Meas Muth is accused of having committed war crimes and crimes against humanity during the Khmer Rouge dictatorship in Cambodia. After a quick ascension in the Revolutionary Army of Kampuchea (RAK), he became a high-ranking member of the RAK during the period from 17 April 1975 to 6 January 1979. Meas Muth was the Commander of Division 164, the largest division of the RAK that included the Navy, was a reserve member of the General Staff Committee, and was the Secretary of the Kampong Som Autonomous Sector.

He is charged with genocide of the Vietnamese, crimes against humanity, war crimes, and crimes under Cambodian law. More specifically, Meas Muth allegedly orchestrated numerous purges of RAK cadres, ordering thousands to be killed or tortured at S-21 Prison. He also targeted civilian groups considered to be enemies of the Khmer Rouge regime, including the Thai, Vietnamese, and those affiliated with the former Lon Nol government, among others. He implemented the nationwide Khmer Rouge policies of enslaving the population at forced labor sites and of conducting forced marriages among both civilians and RAK members.

Yim Tith is married to Ung Ken, the sister of the accused Ta Mok. He was a Buddhist Monk in Takeo and Phnom Penh until he joined the Cambodian Communist Party in the 1960s. Tith became a high profile leader of the Kirivong district during the 1970-1975 civil war. When the Khmer Rouge took control of Phnom Penh in April 17, 1975, Yim Tith was appointed as the party secretary for Kirivong district. During the regimes power, Yim Tith rose to power and began to control portions of the North West Zone as secretary of Sector. He is believed to be responsible for crimes committed by Khmer Rouge cadres in Takeo Province from 1975 to 1978, in Pursat Province in

1978 to 1979, and later in Battambang Province in 1978 to 1979.

Yim Tith has been charged with genocide of the Khmer Krom, crimes against humanity, including persecution of new people forcibly transferred in 1975 from areas previously under Khmer Republic administration and individuals forcibly transferred from the East Zone in connection with the mid-1978 purges, as well as Khmer Krom and Vietnamese, and other inhumane acts, including forced marriage. Yim Tith is also charged with grave breaches of the Geneva Conventions of 1949 and violations of the 1956 Cambodian Penal Code. To date, CJA has filed 102 Civil Party applications for Case 004 on behalf of Cambodian-American Khmer Rouge survivors.

Photo Credits: ECCC POOL/Chor Sokunthea

For more info: www.eccc.gov.kh

[1] Introductory Submission, Office of the Co-Prosecutors, Extraordinary Chambers in the Courts of Cambodia. 14 August 2006; IENG SARY, alias VAN Case Information Sheet, Extraordinary Chambers in the Courts of Cambodia, last updated 2 March 2010; Robert Petit and Anees Ahmed (2010), A Review of the Jurisprudence of the KRT, 8(2) Northwestern Journal of Human Rights 165, 183.

[2] Introductory Submission, Office of the Co-Prosecutors, Extraordinary Chambers in the Courts of Cambodia. 14 August 2006; IENG SARY, alias VAN Case Information Sheet, Extraordinary Chambers in the Courts of Cambodia, last updated 2 March 2010; Chandler, David (2008) Cambodia Deals with its Past: Collective Memory, Demonisation and Induced Amnesia, 9(2) Totalitarian Movements and Political Religions 355, 355.

[3] Introductory Submission, Office of the Co-Prosecutors, Extraordinary Chambers in the Courts of Cambodia, 14 August 2006; IENG SARY, alias VAN Case Information Sheet, Extraordinary Chambers in the Courts of Cambodia, last updated 2 March 2010.

[4] Introductory Submission, Office of the Co-Prosecutors, Extraordinary Chambers in the Courts of Cambodia, 14 August 2006; IENG SARY, alias VAN Case Information Sheet, Extraordinary Chambers in the Courts of Cambodia, last updated 2 March 2010.



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*"We will never catch all the torturers—but we will always catch some,
and none of them will ever know who is next."*