

IT WAS NOT A FORCE EVACUATION: NUON CHEA

Speech of Nuon Chea on October 31, 2013 at Extraordinary Chambers in the Courts of Cambodia

My respect to the venerable monks who are present here today and those at the pagodas.

My respect to my beloved compatriots.

Honorable Court,

Up until now the Chamber has already spent more two than two years in order to determine my destiny for actions that took place in Democratic Kampuchea from 17 April 1975 to 6 January 1979. This is the period which I spent most of my entire life carrying out my duties to serve my country and my beloved people. Despite some of my indirect participation in this trial due to my poor health, I have paid close attention to the presentation of evidence by both the National and International Co-Prosecutors and the examination of all witnesses before this Chamber from the holding cell under this main courtroom.

Through this trial, it is clearly indicated that I was not engaged in any commission of the crimes as alleged by the Co-Prosecutors. In short, I am innocent in relation to those allegations.

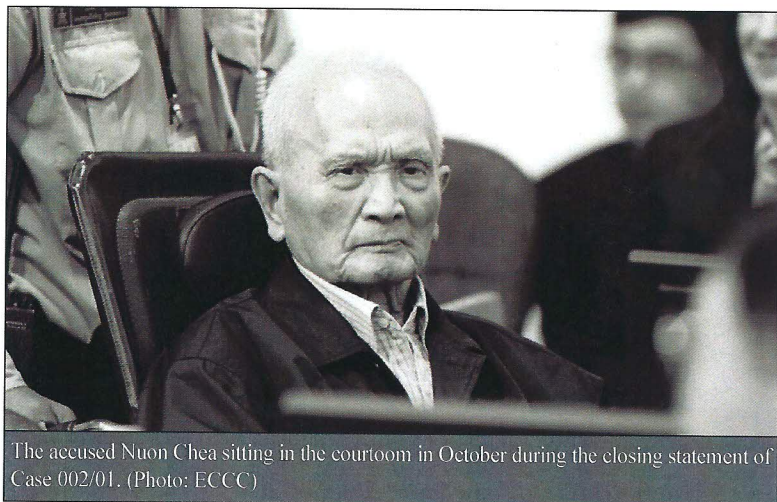
Honorable Court, when I make such a claim, probably some people who do not clearly understand the law or those who are partial are mocking at me. However, that is okay for me. In a very short moment,

when I make my submission to the Chamber, they will know that everything I say is true. In the spirit of the law, this Court is created with the aim and responsibility to find the truth and justice for me and for all victims by relying on concrete, legal and credible evidence. In contrast, up until now, the Co-Prosecutors have failed to present sufficient evidence in order to satisfy, satisfy the elements of crimes that I stand accused of.

Some of my rights are not properly guaranteed in this Court; namely my right to a speedy trial, a right to legal defense, a right to a fair trial, and other rights guaranteed under national and international laws. Moreover, many doubts regarding the evidence have not been clearly clarified before the Chamber, including, *inter alia*, the original documents and testimonies of important witnesses who can support my defense.

As Your Honors have known, regarding this point, my lawyers have already confirmed it to the Chamber clearly with proper legal foundation. However, I would like to add some other important points so that Your Honors can understand more clearly about my innocence and integrity concerning the above allegations. I make this claim based on three main points: one, absence of power to control and to prevent.

Honorable Court and my beloved compatriots, on 9 July 2013, I told the Chamber once already that I did not have any authority or connection with the commission of the crimes during the Democratic Kampuchea (DK) period. And once again, I would like to reiterate that during the Democratic Kampuchea period I had only three main roles; namely, as a Deputy Secretary of the Communist Party of Kampuchea (PRK). In this position, I was in charge of dissemination



The accused Nuon Chea sitting in the courtroom in October during the closing statement of Case 002/01. (Photo: ECCC)

and educational propaganda about policy to CPK members.

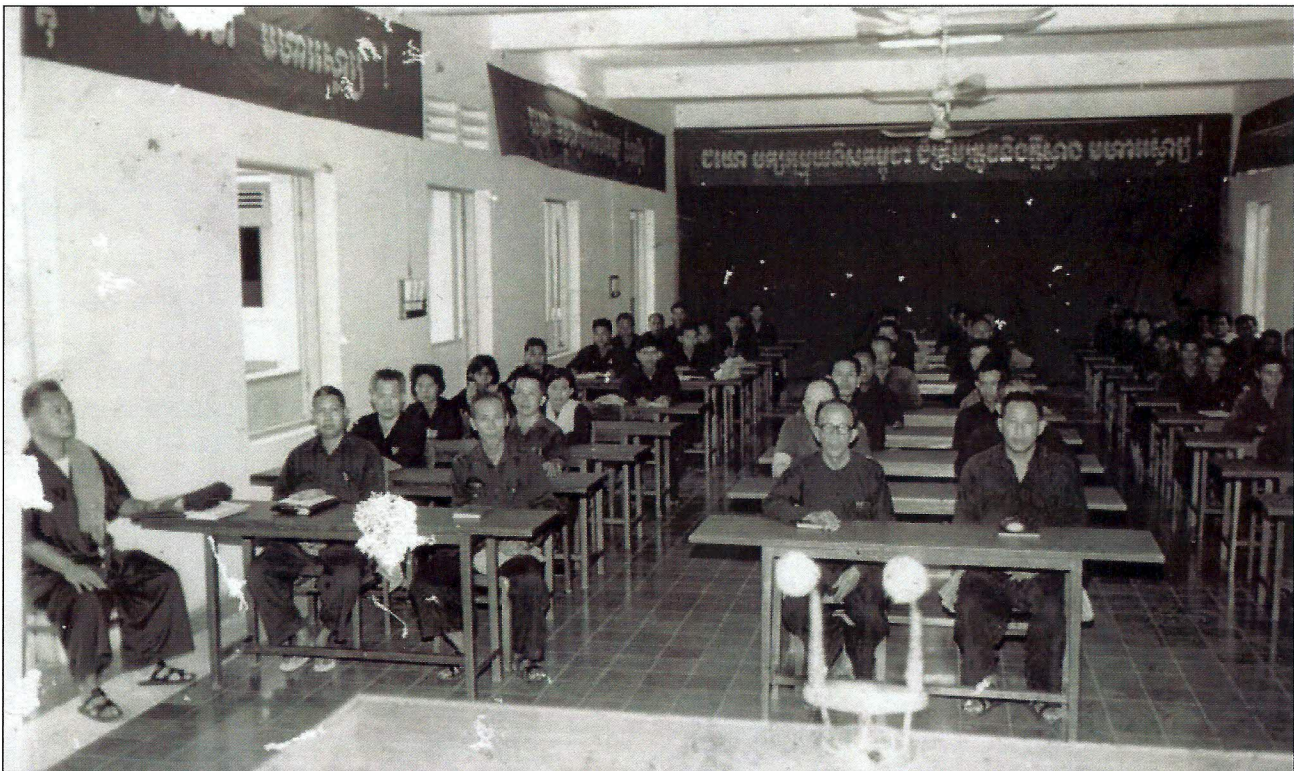
Regarding the content of dissemination, I never educated CPK members to exercise arbitrary authority or to behave badly towards the people. Instead, I educated them to love, respect, and serve the people and the country. I never educated or instructed them to mistreat or kill people, to deprive them of food, or to commit any genocide.

I always taught and educated CPK members and soldiers the main principles of the CPK in order to make them do their work and serve the people properly. Specifically, I educated them the principles stipulated in Article 2 of the CPK's Statute so that they could understand clearly their responsibility as the CPK members for their participation in social activities.

Article 2 of the CPK Statute states as follows: "Every Party member has the following duties:" 1) Duties amongst the popular masses: A. Propagandize and educate the popular masses on Party politics, ideology, and organization, and mingle closely with

the popular masses, the workers and peasants in the unions, cooperatives, and the Revolutionary Army. Must be highly responsible to the popular masses, serve the popular masses with all their heart and unconditionally, be polite to the popular masses, and learn from the popular masses." "B. Agitate and constantly educate the popular masses movement, especially the worker peasant popular masses in the unions, cooperatives, and the Revolutionary Army in connection with the task of national defence and building Democratic Kampuchea in the direction of socialist revolution and building socialism." 2) Internal duties: "Always and absolutely preserve, strengthen and expand internal solidarity within the Party."

Your Honors, based on these principles, it clearly states that the Party had the purpose to equip its members with high responsibility to stay closely with the people, be kind to the people, take care of the people, and learn from the people. Especially, the Party encouraged the Revolutionary Army of Kampuchea and people to be patriotic and protect the motherland.



Nuon Chea (left) leading the meeting session or educating senior leaders of the Khmer Rouge. In the first row from left to right was Economics Minister Vorn Vet, Southwest Zone secretary Ta Mok and Central Zone secretary Ke Pauk (far right). Second row from left is Khieu Samphan. In the Central row, Ieng Sary is sitting next to Son Sen. (Photo: DC-Cam)

Moreover, I always educated Party members to refrain from exercising arbitrary authority, from womanizing, drinking, corruption, and gambling, etc. Especially, the Party educated its members to have solidarity within the Party and amongst the popular masses.

What I have raised about is an example of my work that I did in my capacity as Deputy Secretary of the CPK during the DK period. In short, what I educated and taught all CPK members and the army is the building of knowledge for them to be patriotic, protect the nation, love the people, and have good internal solidarity for the purpose of protecting and building a country for it to develop and prosper, to have real independence, and to absolutely prevent any country, big or small, near or far, from invading and colonizing Cambodia.

Smashing of invading enemy is the responsibility of the Revolutionary Army of Kampuchea for the protection of its motherland. For the same token, security-strengthening and internal political stability must be implemented properly so that the Revolution can develop and prosper. Based on general viewpoint, this rule is not different from any rule implemented by country leaders around the world who have to bear such responsibility in order to maintain security and protect their countries. Countries all around the world always legislate law to serve politics and control the countries. If anyone violates the law, that person will be punished in accordance with the law of that country.

My second role as the Vice President of the Communication Committee with Vietnamese Workers Party: Relationship with Vietnam and its people had long been established. The relationship was further expanded upon the inception and movement of the CPK through the organization of Communication Committee with Vietnam. The committee was established at all levels from the Central to Zone.

At the Central level, Pol Pot was the President and I was Vice President of that committee. However, because Pol Pot had many tasks to fulfill, I was appointed by the CPK Standing Committee as Vice President to be in charge of this affair on his behalf. That was the occasion that I had an opportunity to hold

meetings with the Communist Party of Vietnam very often. From the time I was in charge of that affair, I learned of the Vietnamese trickery and many secrets toward Cambodia.

I recalled that when I joined the Communist Party of Kampuchea Movement in 1950, Vietnamese army, that is, Viet Cong had had its presence already throughout Cambodia. They had their elements infiltrated in the CPK Movement, both in the Revolutionary Army of Kampuchea, amongst civilian leaders, and within the population of Cambodia.

I also recall that when the CPK was initially created it neither had its office nor headquarters; it was under the complete control and leadership of the Vietnamese Communist Party.

However, in early 1964, Pol Pot liberated the CPK from the Vietnamese control. Pol Pot and a number of the CPK's Central Committee members created its headquarters called Office 100. Later on, that office was relocated to Ratanakiri province and at that time the office was not completely independent yet. Vietnamese military base, located in Zone 5 in Vietnam, employed all kinds of tactics and strategies to control the CPK politically, economically, and militarily.

In the year of 1960, North Vietnam used Cambodia as their military base to fight the South Vietnam—that is, the Thieu-Ky. At the same time, the CPK Movement expanded dramatically after the coup d'état against Prince Norodom Sihanouk on 18 March 1970, which was led by the United States and traitorous Lon Nol, Sirik Matak, and Son Ngoc Thanh. At that time, the People's Revolutionary Army of Kampuchea was created and expanded quickly.

Also, by that time, Vietnam recruited some 3,000 Cambodian people to receive training and education on technical skills, politics, and psychology in North Vietnam. When they returned in mid-1973, they were appointed to work in the Party line and within the People's Revolutionary Army.

In short, Vietnam tried to employ all kinds of trickery to control the CPK militarily, politically, economically, and financially. Nevertheless, CPK

leaders envisaged that what Vietnam had done toward Cambodia was not consistent with the CPK policy.

In early 1973, with the efforts to liberate the CPK led by Pol Pot, who was then the CPK Secretary, and as the war in South Vietnam intensified, Vietnamese Army decided to loosen its grip on armed force and authority in Cambodia and refocus its effort to fight with the South Vietnam. That was an opportunity for the CPK and the army to gain independence and strengthen its force.

The CPK, under Pol Pot's leadership, implemented its principles of independence, self-mastery, self-reliance, and deciding its own nation and own destiny.

On 17 April 1975, People's Revolutionary Army of Kampuchea gained victory over Lon Nol regime, and two weeks later South Vietnam was also liberated. The People's Revolutionary Army of Kampuchea liberated Phnom Penh by itself and they achieved this great victory, and the Party gained full independence in managing the country.

However, even though the Communist Party

of Vietnam announced in 1973 that Vietnamese army had withdrawn and had no direct control over the CPK Movement, in reality, the Vietnamese armed force and many Vietnamese secret agents had long infiltrated in the CPK and People's Revolutionary Army of Kampuchea in all places around the country. Those people did not return to Vietnam. They carried out their tasks covertly and overtly with Vietnamese ethnic minorities and some Cambodian people.

At that time, we failed to realize the depth of Vietnamese trickery; however, later on, we clearly understood their trickery through the following four evidentiary points:

1.) Reports that Cambodian people were deprived of food and forced to work hard at local bases;

2.) Cambodian people were killed; Lower level cadres did not report the said situation to upper echelon;

4.) Some soldiers had friction and defected to Vietnam, especially at East Zone.

The aforementioned points demonstrated that



Nuon Chea (with pants rolled up) visiting the countryside during Democratic Kampuchea regime. During the trip, he was escorted by several soldiers (Photo: DC-Cam)

Vietnam had their agents infiltrated in the Party rank and the army in order to destroy Revolution, kill Cambodian people, and annexed Cambodian territory, which had been a long-term ambition of Vietnam. Actually, on 7 January 1979, Vietnam invaded Cambodia

were the exclusive responsibility of Son Sen, who was the Minister of Ministry of National Defense of the Democratic Kampuchea regime. That was the time my position in the Communication Committee with Vietnamese Workers Party completely ceased.



A site of People's Representative Assembly where Nuon Chea was a president during Democratic Kampuchea. In August 1979, following the Khmer Rouge regime collapsed, the site was used as a People's Revolutionary Tribunal where Pol Pot and Ieng Sary were sentenced to life in prison in absentia. Currently, this 1960s-built hall is called Chaktomuk Conference Hall. (Photo: DC-Cam)

Three, my role as President of the People's Representative Assembly.

Honorable Court, after the liberation on 17 April 1975, I was appointed as President of People's Representative Assembly. Legally speaking, my position was to be in charge of legislation. At that time, the war in Cambodia had just ended and the war with Vietnam continued. We did not have sufficient time to legislate many

when they had destroyed the revolutionary foundation at almost all the local bases by starving and arbitrarily killing the people and creating mistrust within the CPK. Vietnam had exercised its control over Cambodia from 1979 to 1991 and ceased its control only when Cambodia had Paris Peace Accord on 23 October 1991.

Acts of depriving food from the people and the killing of Cambodian people were contradictory to the reason and policy of the CPK, and based on this ground, I can conclude that those acts were really the acts committed by Vietnam.

The CPK and I were very painful when we learned that we, the CPK, were deceived by Vietnam that led to the deaths of our own people and the destruction of our country. However, it seemed a little too late to recover from the situation.

When Vietnam invaded Cambodia, diplomatic relation between both countries was severed. National defense and military commands to engage in battle

laws in this short time. In addition, considering the situation Cambodia was in at the time, legislation was not a main priority.

In line with the Communism doctrine, leadership of Democratic Kampuchea as well as that of other Communist countries was one that the Party leads and the state governs. In this sense, the Party provides principles in its leading, while the state refers to the government or the executive branch which has the authority and power to govern the entire country. Indeed, only the government has complete authority in issuing orders or instructions or in implementing actions in governing the country.

In that regime, despite the clear distinction in the separation of power into three branches; namely, the executive, legislative, and judiciary, as stipulated in the DK's Constitution, it was merely symbolic in reality. The legislative and judicial branches did not fully function, and in fact, only the executive branch was fully functional with Pol Pot appointed as Prime

Minister.

Hence, Pol Pot had overall executive power in leading and controlling the Party line and the government as he was both the Party Secretary and Prime Minister. In this position, no one could replace him. Based on this, it shows clearly that I had no effective power in governing and implementing the tasks of the executive branch.

Concerning other allegations for my other positions, I would like to clarify that beside the above positions I had never had any other position. I was dumbfounded when the Co Prosecutors alleged that I used to be an acting prime minister, member of Central Committee on Military Affairs, and linked to S-21 management. That statement is, intentionally or otherwise, is completely untrue and not backed up by any key evidence.

Pol Pot had his deputy prime ministers; namely, Ieng Sary, Son Sen and Vorn Vet. Therefore, there was no reason for Pol Pot to appoint me as acting prime minister in addition to his existing deputies; and indeed, he could not appoint me as an acting prime minister when he was absent from the country, simply because I did not have any position in the executive branch. If he did so, it would be against the Party's policy.

Concerning the allegation that I was member of the Central Committee for Military Affairs and linked to the S-21 management, it is also not true. Indeed, I never dealt with those affairs.

Son Sen personally supervised those affairs. I never met, never supervised, or ordered Duch to mistreat or kill anyone. Everyone should be aware that soldiers or security personnel would never listen to anyone besides their own commanders. Therefore, there is no reason that Duch should listen to me. Frankly speaking, I heard the name of Duch only after 1979. Duch's statement that I supervised S 21 was intentional as he wanted to evade his responsibility for what happened at S 21 and he wanted me to serve a life sentence like him, because Son Sen died and he was convicted for life.

A person who is under such circumstance

never speaks the truth, as he is full of anger and feels hopeless in life, and that is the real reason for him to implicate me. In short, my Defense have asserted to Your Honors that I did not engage in any of those tasks and there is no evidence to prove that I did it.

And based on that, it proves that I did not have any effective power or position to have a direct control over the forces or local authority. Therefore, is there any reason for me to order, instigate, or prevent perpetrators from committing the crimes in that period? And I submit that Your Honors kindly consider this. I would like to categorically declare that the purpose of my participation in the DK regime was to liberate the country from colonization and to defend Cambodian territory from invasion by neighboring countries whose ambition had for long been to swallow Cambodia. I love my people. I did not have any reason or intention to mistreat or to kill my people or to commit genocide against my own nation.

Lack of evidence in the allegations. And I'd like to touch up on the killing of Lon Nol soldiers at Tuol Po Chrey.

I would like to sincerely clarify that I am not aware of any killing of former Lon Nol soldiers at Tuol Po Chrey in Pursat province. After the liberation on 17 April 1975, as far as I know, the CPK never established any policy to authorize its own force to kill former Lon Nol soldiers, or any person for that matter. The CPK's policy for prisoners of war was to forgive and pardon. Those soldiers were forcibly drafted into the army to fight and die on their behalf and they were indeed the children of the people who were living in the CPK liberated zones.

In principle, to make a revolution means to gather forces. If those people were killed, as alleged by the Co Prosecutors, it was against the CPK policy, and as a result, it would compel the parents and relatives to take side with the enemy, thus strengthening it, or they would turn against the CPK. If it was true that those Lon Nol soldiers were killed it would have been the decision of the lower cadres who committed the wrongdoings at their own discretion or out of one's

revenge that occurred during the war.

Related to this point, some witnesses testified before the Chamber that Khmer Rouge soldiers gathered those Lon Nol soldiers for a meeting which took place at the Pursat Provincial Town Hall one week after the liberation on 17 April 1975. Those witnesses gave inconsistent statements during trial and, in some instances, contradicting own statements that was made before the Investigating Judges. For instance, Lim Sat made a statement before the Investigating Judges that about 3,000 former Lon Nol soldiers attended the meeting at Pursat Provincial Town Hall, and later they were taken and executed. Those soldiers were transported by 20 to 30 trucks.

Each was loaded with approximately 30 soldiers. At trial, Lim Sat testifies that there were approximately 2,000 Lon Nol soldiers who attended the meeting at Pursat and they were transported by 10 to 15 trucks. Another witness, Ung Chhat, testifies that there were 200 soldiers, and later changed his mind and said that there were only between 100 to 150 soldiers.

One witness of Thet Sambath's video entitled, "One Day at Tuol Po Chrey," said there were around 10,000 Lon Nol soldiers who were taken and killed at Tuol Po Chrey. Furthermore, some witnesses said that they secretly entered the area and saw dead bodies scattered all over the place and they were without any military uniform or backpack. Others claimed that there were many backpacks.

I ask Your Honors to be with me for a moment and consider this question together: Is there any reason for those people to risk their lives and enter the area amidst such a dangerous situation just to see those corpses? If there was such killing, and I submit, it would be a dangerous place that no ordinary person dared to go near.

When Your Honors heard those testimonies you must ask yourself this question: Are they credible and reliable? And the simple answer is, their testimonies cannot be relied upon or used because they are full of doubts and filled with lies.

And I'd like to submit the following question:

As I was one of the leaders, do you think we have time to deal with such a matter? We had overall and pressing task to resolve in Phnom Penh, especially during the first few months. The important task was to resolve peoples' livelihood and defend the country from any attempts to control Cambodia by Communist Party of Vietnam and opposing parties. Furthermore, I'd like to respond to the allegation made by the Co Prosecutors that the CPK exercised its revolutionary violence even before 1975. This claim shows that they simply looked at events unfolded in Cambodia from just one corner. They pretend not to know, see, or hear anything from another angle. In legal jargon, this would mean victor's justice.

Let me remind you that before I made my decision to join the armed struggle for the cause of liberating the country, many CPK members and civilians were secretly executed, arrested, tortured, and disappeared every day. Every Cambodian still can remember these events.

This kind of violence existed in every Cambodian regime and victims in those events were all farmers and innocent people. And I'd like to begin that with the French colonialism: France colonized Cambodia for almost a century. The regime authority used violence to make arrests and killed unarmed peasants at Kraeng Leav village in Kampong Chhnang province. Those peasants could not afford to pay tax and had to force themselves to protest for and demand justice. In the end, the peasants were the losers, and as a result, their village name was changed to "Village of Bestiality" or Phum Direchan in Khmer. Is this not violence?

In the Sangkum Reastr Niyum, the powerful bulldozed houses and paddy fields belonging to peasants at Andaeuk Haeb in Samlaut, Battambang province, they grabbed the land of the people who had lived there for many generations. When they protested to protect their property, soldiers indiscriminately opened fire at those unarmed people, regardless whether they were men, women, young or old. Worse than that, the authorities tried to arrest and kill more people.

They were so scared and as a result they fled into the forest. In turn, the authorities accused those

people, who were the original landowners, of being Khmer Rouge. Is this not the creation of violence and cause of people's suffering?

In the Lon Nol regime, which was supported by the United States, Lon Nol soldiers sexually raped women, robbed people of their properties, and killed people everywhere. They beheaded people and had their heads displayed on fence posts. They committed this act merely upon their suspicion that those people opposed their regime and they were implicated as members of the Khmer Rouge Revolution. In addition, Lon Nol soldiers' systematically raped women, plundered their properties, and forcibly evacuated them from their homes.

Vietnamese minorities were massacred everywhere in Cambodia. Furthermore, the United States dropped several tons of its bombs on the people's villages, homes, rice fields, and pagodas. As a result, many tens of thousands of civilian people, including children, the elderly, pregnant women, and the disabled were killed. Is this not a crime against humanity or genocide?

In 1979, Vietnam invaded and occupied Cambodia and in the following years they deployed their artillery to shell refugee camps situated along Cambodia-Thai border, causing homes to be burned, properties destroyed, and losses of many lives, including the lives of children, women, the elderly, and the disabled. In addition, they initiated a plan known as K-5 to force civilian people to enter the forest for the purpose of transporting ammunitions and digging trenches for soldiers to defend the power that they earned from their invasion of Cambodia. Many hundreds of thousands of people died as a result. Is this not a plan to kill people?

In 1997, two political factions fought each other in the middle of Phnom Penh to challenge for power. The fighting destroyed and burned many houses and properties and killed many innocent people. A number of FUNCINPEC prisoners of war were killed after they had surrendered. As an example, Ho Sok, a senior FUNCINPEC leader, was killed within the compound of the Ministry of Interior where he was arrested as hostage. Is this not a violence or crime?

For all the events that I raised above, are they not violence or crime against humanity? All of this can be used as evidence to compare with the situation under the CPK. If the CPK is alleged of resorting to the use of violence before 1975, why do the Co Prosecutors fail to provide just a small glimpse into the reality in regards to the events occurred, as the other side committed toward the Cambodian people? I can see that the Co Prosecutors made an effort to highlight the act of killing each other during the war, and tried to link it to the killing that was immediately taking place after the end of the war. They attempt to show to Your Honors that the CPK made such a systematic plan.

This linkage is unfair. If the killing during a war is treated as a systematic plan, why the Co-Prosecutors failed to prosecute the other party to the war? In fact, the CPK made plan to engage in a war to liberate the country from destruction. Combat strategy was used to defeat the enemy, and I submit that this is not an illegal act. People in many countries around the world fight their respective government for what they believe is a proper cause and demand for changes, especially for right to decide own destiny and own nation.

Allow me to give Your Honors some examples: Those countries include Sri Lanka, Syria, Libya, Vietnam, and Iraq. All of these countries used to have civil war. During such war, factional groups designed plans to destroy their enemy. If Your Honors consider that combative planning for a war designed by a victorious party is a criminal intent, as alleged by the Co-Prosecutors, leaders of those countries, whether they are government leaders or opposition group leaders, must be prosecuted, especially the United States, Vietnam and other Cambodian leaders. They should not bring to trial only the body of the crocodile and allow its head or tail to evade the net of the law. This is so unfair for me.

I would like Your Honors to clearly distinguish a plan to liberate the country and a plan to kill people after the war. These two points are totally different from each other. Strategic combat planning of destroying the enemy ended when the war itself ended. However,

the intention to kill people is a new phase by the authority when they're in charge of governing the country. Moreover, I recall that this Chamber limits the scope of this trial to hear only the facts that occurred between 17 April 1975 and 6 January 1979.

Though I do not know much about the law, I understand that what the Co-Prosecutors allege, concerning my activities before 17 April 1975, is wrong and bears no legal value. In short, what the Co-Prosecutors raised regarding revolutionary violence before 1975 and relied upon it as a legal basis to satisfy the elements of crime with their intention to prosecute me is simply incorrect. I submit that Your Honors reject this allegation. On the matter of evacuation, As I have testified before the Chamber during the last couple of years, after the liberation on 17 April 1975, all city dwellers were indeed evacuated out of the cities. However, it was not a forced evacuation.

There were two main reasons that leaders decided to rely upon in so doing. First, it was the fear of American bombardment on the cities after the Lon Nol government was defeated. And this was one reason that the leadership and Cambodian people believed, they believed that the United States would renew its bombardment in many cities, and especially in Phnom Penh. They believed that because the United States had previously dropped several tons of bombs in Cambodia. The second reason was that war had been waged in Cambodia for over five years. Through this experience of war, Cambodia faced many challenges, including food shortage. And food shortage was a main problem that needed to be resolved urgently, as it was related to the life of people. At that time, Cambodia did not receive any foreign aid or assistance. Facing such pressing circumstance, the CPK leadership devised a plan to evacuate people to regions and provinces where they were rich in economic resources husk and unhusked rice that could feed the evacuated people. In turn, they would be required to join in the production activity for self-sufficiency and country reconstruction.

In relation to evacuating people from Phnom Penh City, the Standing Committee instructed the

Central Committee to convene a meeting to prepare for evacuation. All members of the Central Committee attended that meeting, and I recall that the Northwest Zone agreed to receive 1.5 million evacuees. The East, the Southwest, and the Central Zones agreed to take the rest of the evacuees. For the planned implementation, each zone has the autonomy to coordinate amongst themselves to facilitate the evacuation. They had to provide instructions to cooperatives to assist the evacuees from Phnom Penh without any discrimination against them.

With the two reasons, the evacuation proceeded on a voluntary basis without coercion, violence, or any killing. It was implemented via clear information being explained to the people to understand the risk of being bombarded by the United States on cities and the need to resolve the living condition of the people, and self-construction of the country.

At that time, people understood the dangerous situation and the pressing need for the country; especially people supported and loved the Revolution. Gradually, people left the cities in accordance with the explanation and appeal by the CPK. Regarding this point, I would like to respond to the Co-Prosecutors' argument. They allege that the CPK surrounded Phnom Penh City, and that led to food shortage. They also allege that shelling Lon Nol's military bases in the city was an inhumane act. However, the Co-Prosecutors failed to mention that Lon Nol soldiers, equipped with artillery provided by the United States, emptied many millions of shells, and together with more than half a million tons of bombs dropped by the United States, they devastated the country, as houses, properties, animals, and farms were destroyed. Especially, tens of thousands of people were killed, including the elderly, children, and women. Isn't this an inhumane act or a crime? The bombs that the United States dropped on Cambodia were three times more than those dropped on Japan during the Second World War.

The CPK also considered Phnom Penh city dwellers my apologies, the CPK did not regard the city dwellers as enemies, contrary to the allegation made by the Prosecution. On the other hand, those Phnom

Penh city dwellers were mostly workers, peasants, petite-bourgeoisie and intellectuals whom the CPK needed-and needed to gather their forces and strength in order to build the Revolution.

I also would like to respond to the Co-Prosecutors' allegation that the CPK was a slave state. It is simply not true. I would like to inform my compatriots that CPK did not struggle to liberate the country for the purpose of transforming its people into slavery, as alleged. On the contrary, the CPK liberated the people from slavery.

We all should have known that, before the liberation on 17th of April 1975, the majority of the peasants were poor, could not support themselves on a daily basis, and faced a grave difficulty in their living condition. The Lon Nol authority at the time failed to provide a proper public service and social welfare to the poor people. Corruption was ripe, and injustice rooted deeply in Cambodian society. This resulted in people becoming poorer and poorer. Poor people needed to borrow money from the rich in order to support their living, for medical treatment, and to pay tax.

That was the time the rich exploited the situation. They persecuted the poor. They demanded interest as they pleased, and monthly interest could skyrocket as much as 50 percent of the capital. As a result of this excessive interest rate, people could no longer afford to pay their debt, and creditors confiscated farms, rice paddy, and houses. And when they no longer had any farm, rice paddy, or house, they were forced to work as slaves in order to pay debt that was never ended. In many instances, they were forced to sell their children to work for others and became their slaves merely in exchange for food.

This exploitation and the poorness of these people was one of the many causes that the CPK determined to resolve by liberating the nation and people from slavery, from human exploitation and invasion by other countries, by building a country where people could live equally and own the country with independence, self-mastery, self-reliance, and decide own destiny and nation.

The CPK did not design any policy or plan to have its people placed in slavery by food deprivation, forced labor, or killing. On the contrary, in mid-1976, the Standing Committee prepared and adopted the four-year planning to build Socialism in all fields.

The CPK line and policy was to promote the livelihood of the people. This plan set forth a food regime for people-that is, each person would receive certain tons or 300 kilograms of rice per year. So, people would have enough food, and they could have three to four meals per day, with two courses of soup and a fried dish. In addition, additional food and dessert would be provided every three days in 1977, and every two days in 1978, and every day from 1979 onwards.

As for work hours, people would be allowed to work eight hours per day and would be entitled to three days off per month. Pregnant women would be allowed a two-month maternity leave after delivery. Sick people could rest depending on actual conditions.

In addition, we prepared to increase machinery to reduce physical workload of the people. This shows that the CPK stance was not to force people to work hard.

I recall that, one day, I travelled to Siem Reap province via Kampong Thom at night. I saw people walk to the rice fields, and I asked local cadres about this. And I was told that people had high commitment to work extra hours. Only after 1979 did I learn that local cadres lied to me.

Concerning health care, the CPK prepared a four-year planning for medicine with a total amount of 35,270,000 dollars. The four-year expenditure for clothing was 66,270,000 dollars. For housing, hygiene, and culture, the four-year expenditure was 80,230,000 dollars.

The CPK clearly and specifically set out these plans for zones and autonomous sectors to implement it. The CPK did not design any plan or policy to kill people. On the contrary, it had planned to increase population, and not to reduce it. However, it is so regretful that zones and autonomous sectors did not implement the Standing Committee's decision.

Up to now, I can conclude and respond to questions put forth by 15 the Court, and especially by the public, that the strategic events that happened during the DPK period were caused by the following reasons:

1) The CPK made incorrect decisions to recruit some cadres, as they betrayed they did not grasp well the Party line and some leaders occupied themselves with works in Phnom Penh and failed to visit cooperatives regularly.

2) Some zone and autonomous sector leaders and cadres were Vietnamese and American infiltrated agents who betrayed the Revolution. They carried out activities to destroy the CPK movement, the people, and the country of Cambodia. They did not follow the CPK policy and instructions. Instead, they killed and mistreated people by starving them and arbitrarily engaging them in forced labor. They concealed these facts and fabricated reports to the Party Central Committee. They resorted to all kinds of methods to make people upset with, and turn against the Revolution. This weakened the Revolution to make it vulnerable to enemies' invasion under the pretext to liberate the people, thus legitimize its invasion. As a matter of fact, the East Zone leaders deprived people of food and secretly exported rice to Vietnam. They were the ones who seemed to burn the outer skin crisp, while leaving the inside raw. They excessively implemented the CPK policy. The phrase "they left the inside raw" infers that they did not engage in anything at all but let their lower cadres do whatever they pleased.

3) A large number of cadres at zone, autonomous sector, district, and cooperative level failed to sufficiently grasp the CPK line, planning, and policy. They failed to report the situation concerning hardship and shortage faced by the people. Instead they fortified their reports to the Party Centre by boasting about their achievement and success in leading their respective base, and to achieve what they fabricated in the reports they resorted to forcing people to overwork, reducing their food ration, and killing them arbitrarily.

In summary, the CPK has clear reasons for the evacuation of people. The evacuation was to ensure

their safety and to liberate them from slavery and injustice. It was never meant to place them in slavery.

On the issue of fair trial, Your Honors, it is my observation throughout these proceedings that some of my fundamental rights have been violated. I am asking the Court to find justice for me, and if the Chamber is upset because of my criticism, then the injustice indeed falls upon me. However, if I don't raise the issue of my rights being violated, the chance to find justice for me is even slimmer as those rights are fundamental to seeking my justice.

Concerning this point, I have carefully followed and observed the Court's proceedings and I submit that my many rights have been violated, namely:

1) Inequality of arms in collecting evidence. Throughout the proceedings my counsels were not allowed to conduct any investigation for the purpose of collecting evidence for my defense. However, the Co-Prosecutors had ample opportunity to conduct their own investigation since the beginning. My counsels were not allowed to seek for other witnesses except those whose names are on the Co-Investigating Judges' list. This apparently tied my counsel's arms and restricted them from gathering evidence for my defense while the other side was afforded full opportunity to attack me freely. This has severely affected my defense team and my legitimate interest.

2) Failure to summons important witnesses. My defense counsels repeatedly requested the Chamber to summons some important witnesses to testify before this Chamber; namely, character witnesses and Tuol Po Chrey witnesses. However, the Chamber denied such requests. Such decisions have seriously impacted the process of ascertaining the truth in this case.

3) Bias in examination of witnesses before the Chamber. The examination of witnesses is an important process in ascertaining the truth and clarifying some uncertainties regarding some witnesses. Your Honors are to rely upon these testimonies when you make your just decision. In this Chamber, I can see that Your Honors have failed to consider this issue properly.

During the Prosecution's examination of witnesses,

Your Honors always afforded them the opportunity with minimal interruption, despite objections raised by the Defense. The defense lawyers, however, were not that lucky, as they were not allowed such opportunity. They were interrupted most of the time by the objections from the Prosecution and Your Honors always agreed with the prosecutor's objections. And sometimes when the defense lawyers raised their objections, instead of being sustained, they were overruled and they received warnings from the President of the Chamber. As we could see the unequal treatment, Khieu Samphan and I decided to no longer testify before the Chamber anymore because we thought that, to Your Honors, our testimonies mean nothing, as you are clearly biased and the proceedings that have been conducted in this Chamber are just for the sake of completing the procedure or making it look good in the eye of the public.

In conclusion, based on the three grounds that I have stated above, it clearly shows that I did not carry out any plan to commit the crimes. I did not provide any support or encourage anyone to commit the crimes. Despite the fact that I had a role as Deputy Secretary of the CPK and President of the People's Representative Assembly, I did not have any knowledge of the crimes committed at base level. Only toward the end of the DK period had I learned the traitorous acts committed by leaders at some zones, sectors, and bases. They had the intention to destroy the CPK movement, and at that time, I did not have any effective authority to prevent those traitorous acts, nor had I any role in controlling the armed forces or local authorities. If I had any authority to lead or commit the alleged crimes during the DK period, surely the Court that was established in 1979 by the People's Republic of Cambodia would have prosecuted and convicted me, like Pol Pot and Ieng Sary.

Evidence of those crimes at the time was still fresh and apparently, there is no need to wait for 38 years to try me. However, they knew that I had no authority and did not commit any crime. Nonetheless, I would like to express my deepest remorse and moral responsibility to all victims and Cambodian people who

suffered during the Democratic Kampuchea Regime. As a matter of historical fact, the CPK's policy, line, and plan were solely designed for one purpose and one purpose only—that is, to liberate the country and people from colonization, imperialism, exploitation, extreme poverty, interfering and invasion by neighboring countries, especially by Vietnam. The CPK's policy was clear and specific. It wanted to create an equal society where people are the masters of their country for the purpose of independence, self-mastery, self-reliance, and deciding its own destiny and nation. The CPK movement was not designed for killing people or destroying the country.

My concerns, my hope and wishes were destroyed by those who betrayed the movement. My people suffered and killed. My nation fell apart. Although the tragedy in the DK period was the result of the acts committed by those traitors in the name of Deputy Secretary of the Party that had the responsibility to disseminate and propagandize education about the CPK policy, I would like to sincerely apologize to the public, to the victims, their families, and all Cambodian people; and I still stand by my previously stated position that I am morally responsible for the loose and untidy control by the CPK.

I wish to show my respect and pray for the lost souls that occurred by any means during the Democratic Kampuchea period. In short, through this trial, I can see that justice is circumstantial. However, reality remains unchanged forever. A black cloud can't ever cover the entire sunlight. Likewise, bad and immoral people cannot tell lies and hide the reality from the eye of the people and the popular masses forever. They cannot hide the reality and courageous struggle by the Cambodian people and the support afforded to them by the people in the world who loved peace and justice.

Therefore, Your Honors, based on the evidence and reasons I have stated above, and especially the closing statements made by my defense team, I respectfully submit to Your Honors to acquit me from all the charges and, accordingly, release me.

I'm grateful, Your Honors.