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International Criminal Court (ICC)

Topic: Cambodian Genocide: Presecutor v. Pol Pot

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I. Committee Background

Working as an independent body in The Hague since 2002, the International Criminal Court is an intergovernmental organization that hears cases from all around the world, prosecuting individuals for the most heinous international crimes of genocide, crimes against humanity, war crimes, and crimes of aggression. Currently, 124 countries are members of the ICC. In other words, they are each a party in the Rome Statute; this being the document that holds the foundation of the court and the defining characteristics of this special tribunal.

The United States, Russia, China, and India are some of the countries that are not currently a signatory of the Statute, this means that their citizens are immune from the ICC. In the case the UN Security Council sends a case to the tribunal, all UN member states are obliged to cooperate, since their decisions are binding on all. Through international cooperation, the court will ensure that they can comply with their prime objective of bringing justice to the perpetrators of the worst crimes known to humankind'.

II. Introduction

Description and Definition of the Topic

Cambodia was first colonized by the French in the nineteenth century, but later gained its independence in 1955. By the start of the 1960's, Cambodia was still under the rule of a monarch: King Norodom Sihanouk; during that same time, a communist uprising became active in Cambodia. Later, in 1962, American forces began bombing the eastern border of Cambodia, aiming to stop the spread of communism in what is now recognized as the Vietnam War. At this point, a group known as the Khmer Rouge operated as an armed wing of the Communist Party of Kampuchea (a name used for Cambodia) which operated mostly near the border with Vietnam, although the group did not have popular support across Cambodia at this time. This war provoked a mass execution of Cambodians as they were being shot, stabbed, suffocated, beaten, tortured, enslaved and sent to rural fields, also known as Killing Fields, to work under extremely inhumane conditions.

Later on, in 1970, a military coup caused the ouster of Prince Norodom Sinhanouk, who subsequently managed to ally with the Khmer Rouge. This garnered substantial support towards organizations from many cities who were supporters of the prince. The following 5 years consisted of a civil war between right-leaning military and supporters of Prince Norodom and the Khmer Rouge, who managed to gain control of increasing amounts of territory in the Cambodian countryside. By 1975, otherwise known as "Year Zero", the Khmer Rouge managed to invade Phnom Penh and take over the city, essentially gaining rule over the country and

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officially winning the Civil War. Prince Norodom was then replaced by the leader of the Khmer Rouge, Pol Pot.

The Problem

Pol Pot's government established a communist regime that ruled over Cambodia with stringent and harsh practices that infringed upon even the most elementary aspects of human rights. After taking power, the electorate evacuated nearly 2.5 million of its citizens from Phnom Penh, Cambodia's capital; many were stripped of their dependencies and were forced to work in fields. Activities such as these were part of a re-education campaign in which professionals had to participate. If citizens did not comply with rules in the fields or even complained about the amount of work, they were often forcefully sent to labor camps. The government was notorious for these camps, such as S-21; the camps were known for overworking and usually killing the majority of its inhabitants. The government even had to produce mass graves due to all the above-stated conditions for its citizens. Under the regime, much, if not all of a person's life was somehow dictated by the government. "Money, private property, jewelry, gambling, most reading material and religion were outlawed; agriculture was collectivized; children were taken from their homes and forced into the military; strict rules governing sexual relations, vocabulary and clothing were laid down." ("Pol Pot," 2018)

This government was even supported by the United States and the Republic of China, who sent firearms and other aid; this was mainly due to the strong opposition to Vietnamese control of the region. Additionally, in 1990, the United Nations officially recognized the Khmer Rouge as the representative of Cambodia. Later, while the Khmer Rouge formed a tri-party coalition, the Vietnamese helped establish a new regime called the People's Republic of Kampuchea. This group governed for a decade, but Vietnam removed its troops nearly 10 years later. In his final years, Pol Pot was forced to flee the country after the party fell apart, and in 1997, he went into hiding.

In October 23, 1991, "All Cambodian parties signed a peace agreement in Paris and agreed to organize a national election under the supervision of the United Nations Transitional Authority in Cambodia (UNTAC). The Khmer Rouge boycotted the UN-organized election and refused to demobilize their forces" (Cambodia Tribunal Monitor Staff). After this, a newly elected government came to power, although opposition troops continued to fight. At the end of his life, Pol Pot was captured by a splinter group and was put under house arrest; he later died in his sleep. His actions, however, left a lasting impact. It is up to the committee to deliver a fair hearing and sentence with this information in mind, and also acknowledging that in this period, the lives of more than 2 million people were lost.

III. History of the Topic

Chronological History of the Topic

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Since the 19th century, the small Kingdom of Cambodia had suffered through a period known as “dark age”, as the nation was undergoing the aftermath of the previous Khmer empire and had virtually no economic or social growth. As a result, Vietnam’s army took control of the nation and started a transition that forced its customs among the people, lashing out violently at those who rebelled. The Vietnamese government also brought more internal conflict to the already damaged country, as it engaged in various battles with Siam (modern-day Thailand), in order to gain further control over the region and implement their power throughout southwestern Asia. It was until the unrest among the population reached a climax, and the ultimate conclusion of the Siamese-Vietnamese War that King Norodom Prohmborirak of Cambodia in 1867 signed the French protectorate of Cambodia, marking the end of this era. In this deal, the French promised to protect the nation from invaders, in exchange for Cambodia’s local autonomy and integration into French Indochina. In the following years of the new rule, there were various “radical” reforms carried out such as the abolishment of slavery, the reduction of the monarchy’s power, and the further implementation of French democratic ideals among the Khmer population.

In early 1940, as a result of World War II and the Franco-Thai War, the Japanese occupied Cambodia and the French were forced to “concede to Thailand the provinces of Batdambang, part of the provinces of Siemreab, Kampong Thum and Stoeng Treng in exchange for a small compensation” (Global Security 1). In addition, the territory was not taken from the French, rather given to the control of the client state of Nazi Germany and the Empire of Japan, Marshal Philippe Pétain’s governed Vichy France. Even though the Japanese did still hold most of the power and influence over the Cambodian government and people, enlisting over “8,000 troops” to supervise the internal government’s actions. At the end of 1945, the Japanese surrendered after the United States dropped atomic bombs in both Nagasaki and Hiroshima; as a result, the Cambodian occupation ended and the French colonial rule was restored once again.

Even when the relative peace and stability was returned to Cambodia, much of the population was left bitter and unsatisfied with the government’s 80-year rule. In 1952, Norodom Sihanouk, known as the “father of independence”, started negotiating with the French, earning the nation a treaty that granted them self-rule in their foreign ministry; alas, France still “controlled” most sectors and ministries of the country. Fortunately, in the span of over a year, due to Sihanouk’s rallies for sovereignty and the Geneva Convention, Cambodia earned its independence and the French seceded all of its Indochina territories. From there, Sihanouk’s father Suramit was appointed to the throne, while elections for the prime minister were established, in which Sihanouk and his party would win in a landslide. In 1965, the Vietnamese War was ongoing and turning increasingly violent; since Cambodia was an established socialist state, they allowed “guerrillas to set up bases in Cambodia in pursuance of their campaign against the US-backed government in South Vietnam” (BBC 2). Since this was happening, the United States broke off relationships with the Cambodian government and demonstrated an increasingly hostile behavior towards them. Things took a turn for the worse when the US and its allies instigated a bombing campaign in Cambodian territory that resulted in thousands of

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Khmer deaths and permanent damage to the nation's infrastructure. In the 1970s and the aftermath of the prior conflict, Sihanouk was ousted by a military coup d'état organized by Prime Minister Lon Nol and Prince Sisowath Sirik Matak that led to a complete shift in ideals, as the new government created close ties with the US and sought to attack the North Vietnamese. This drastic shift initiated the start of the Cambodian Civil War and the recurring attacks from the Communist guerillas infamously known as the Khmer Rouge. As time passed, the newly-formed Khmer Republic suffered irreparable military attacks from these guerillas. Even with advancements from the Khmer's army and further bombing by the US, the Viet Cong, and Khmer Rouge by the mid-70s controlled most of the region. On New Year's day of 1975, the communists "launched simultaneous attacks that forced the US to retreat and the Khmer Republic's surrender on April 17, 1975" (Short, 2004).

With the defeat of all nations in Cambodia, the Khmer Rouge led by Pol Pot completely changed the country. At first, the new government molded the nation to a Maoist/Communist ideology and preached for the destruction of Western trends. All citizens were transferred to rural areas and forced to follow the idea that Cambodia was returning to the "golden age" where the land was cultivated by peasants and the country would be ruled for and by the poorest amongst society. Not to mention, Pot also abolished political rights, education, and religion among all of Cambodia, in order to be able to oppress the population. In addition, people were socially divided by the party's trust in them. According to the Khmer Rouge, the most trusted were the "old citizens", while the pro-West and city dwellers began as "new citizens" and could move up to "deportees," then "candidates" and finally "full rights citizens"; however, most citizens never moved up. All of the previous administration's officials or politically affiliated citizens were immediately executed, while some were brought to 'killing fields'. Meanwhile, others would die in the agricultural fields, as mass starvation and government "purges" were common among these areas. Later on, Pot and his government became "stricter", not only sending political enemies to the Security prisons (killing fields) but people who were not physically capable to withstand the field's brutal conditions. "Children and babies were also not exempt from their cruelty; it was often noted "to stop the weeds you must also pull up their roots." Pol Pot also believed in the conversion of young children to soldiers, as they were easily manipulated and controlled to kill by the regime. During this time, most of the international community remained silent, even when most of the European and Western governments knew of the genocide. It is believed by the public that these administrations were still affected by the aftermath of the Vietnamese war and unable to provide help; however, recent studies have remarked that nations were more than able to intervene in this tragedy. (Short, 2004)

On January 7th, 1979, the pro-Vietnamese People's Republic of Kampuchea (PRK) (founded by the Salvation Front, a group of Cambodian Communists that were dissatisfied with the Khmer Rouge) took over Phnom Penh; initiating 11 years of Vietnamese occupation. This in turn forced the Khmer Rouge to move west. Some commemorate this date as a liberation date from the Khmer Rouge. During the same year, a genocide tribunal in Phnom Penh was held

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which found Pol Pot and Leng Sary guilty of genocide, but neither of them appeared in court or served a sentence. In 1982, a tri-party coalition government forms, made up of the Prince, who was an exile of China, the Khmer Rouge, and non-communist leader Son San.. The tri-party coalition led to the withdrawal of Vietnamese troops from Cambodia in 1990, which resulted in a peace accord signed on October 23, 199 by all Cambodian parties. This led to the approval of holding a national election under the supervision of the United Nations Transitional Authority in Cambodia. The Khmer Rouge boycotted the polls and refused to take their forces out of Cambodia. Then in May 1993, the UN supervised elections were held. The King's son won the elections, but the Cambodian People Party sought after an equal share of power. This led to the co-leadership of Hun Sen of the CPP and Ranariddh. These co-prime ministers were up against the Khmer Rouge soldiers which continued to wage guerilla war.

In 1996, King Norodom pardons Sary's genocide sentence from the 1976 tribunal. This "...granted him amnesty from prosecution under the 1994 Law to Outlaw the Democratic Kampuchea Group, which criminalised membership in the Khmer Rouge." (Scheffer, 2014) A year later, in 1997, the Khmer Rouge attempt Pol Pot with alleged crimes within the Regime that happened after 1979. This sparks for Cambodia to ask the United Nations to create a court that will prosecute the surviving leaders of the Khmer Rouge. Pol Pot died in 1998, which marked the end of the civil war in Cambodia.

During the early 2000's Cambodia's National Assembly passes a law to create a court to prosecute efficiently the crimes committed during the Khmer Rouge regime. In 2003 an agreement was reached on how the international community would participate completely unbiased the Extraordinary Chambers in the Courts of Cambodia. The agreement was amended in 2004. In June 2007 the courtroom becomes fully functional. On November 20th 2007, there was a pre-trial hearing with Duch. He was the head of the s-21 prison where about 14,000 people died under his detention, and an estimated 15,000 were tortured. It was not until 2012 that a verdict was passed and Duch was sentenced to life in prison.

Historical Case Studies

Killing Fields

Soon after coming to power and the effects of "Year Zero", the Khmer Rouge installed killing fields, most notably the Security Prison 21, in order to "...torture, interrogate, and deprive those who were accused of illegal activities and accused of being traitors." (Killing Fields Museum 1). Most of the prisoners were brought into a biased and state controlled judicial system, in which they would be forced to confess their supposed crimes towards the nation and then sent away to re-education, which for many meant a death sentence. Later on, inside the fields, the inmates were tortured continuously and kept in inhumane conditions were many of them were left under mass graves. Mistreatment methods varied, as convicted adults heads along with their childrens' would be smashed upon Chankiri Trees, while most were, due to lack of funds, murdered by poison or slashings from sharpened bamboo sticks. In addition, in some

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cases, Pol Pot and camp leaders would force children to shoot their own parents, as a sign of loyalty towards the party and an act to further manipulate the future generations. As well, prison officers would torment prisoners, in a way that they were left with such physical and mental trauma that many of them would resort to suicide, “wanting to escape the nightmare” (Kuy 3). Furthermore, as a result of the regime’s rule and use of killing fields, approximately the Khmer Rouge “claimed the lives of up to two million people” (BBC 1). Pol Pot, the government’s primary leader, directed a majority of the creation of this type of fields and ideas that, as mentioned, violated the rights of citizens all across Cambodia. During this time, there was no attempt from him to stop this atrocious, rather he implemented the infamous banner used to describe the authorities point of view towards the prisoners, ““Better to kill an innocent by mistake than spare an enemy by mistake” (*Inside the Khmer Rouge’s Killing Fields* 5). Not to mention, Pot also was responsible for appointing the head of S-21 Kang Kech Ieu, known as ‘Brother Duch’, who during the span of the regime years, proposed the interrogation and torture techniques that were well known for efficiency; nonetheless, brutality on the mental health of the inmates. As of recently, brother duch was convicted by the Extraordinary Chambers in the Courts of Cambodia upon crimes against humanity and war crimes. Judges during the verdict described Kang Ieu’s offenses as “undoubtedly among the worst in recorded human history”, with most of his collaboration surging from Pol Pot’s ideas.

Literacy and Education Under Khmer Rouge

One of the most marginalized groups during the regime were those of an intellectual background. The party looked inward for enemies, and these were almost always people with high literacy rates and education. To avoid being targeted by the party, the “imperial capitalists”, as the government called them, tried to inconspicuously hide all traces of a prior education. This prosecution went as far as that “people did not wear glasses; no one dared speak French; and reading a novel was considered a capital offense” (Mosyakov). Under the 4 year plan, the main goal was to promote agricultural and economic development within the country and to eliminate all traces left of capitalism and colonialism. The party considered educating people in the sciences and humanities a minor priority. The only purpose of teaching its citizens to read was so they could understand propaganda and provide written information to the government.

Pol Pot wanted to abolish all intellectuals, since he believed that they did not possess pure revolutionary thought and had traces of oppression classes. As explained by the Cambodian Genocide Program in Yale University, the typical study day was half study and half material production, and more focused on party propaganda than basic arithmetic, philosophy, music, and the natural sciences. The party’s main goal on literacy and education was to abolish all traces of capitalism in the form of intellectualism and to aid in a “collective and [...] concrete movement of the socialist revolution and the building of socialism in specific bases, especially in the co-operatives, factories, and military units”, while also choosing people to teach generations who “adhere to the revolutionary movement and have the quality to grasp the Party’s

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educational line and are able to apply it concretely, and continuously strengthen and expand their own capacity in the concrete movement” (Chigas). Through education, the party wanted to establish its rules and propaganda at the most basic level.

Child Soldiers

Underage recruitment by the Royal Cambodian Armed Forces (RCAF) was widely reported by UN bodies and multiple NGOs during Cambodia’s civil war. One estimate suggests that 4% of RCAF were children, some as young as twelve years old. Hard statistical information is not available because child soldiers were often written under false names and ages; but recently UNICEF found 233 child soldiers in two regions, but it is estimated that the actual number is much higher. An abundance of first hand experiences point to voluntary child recruitment during the war; for example: in a workshop organized by the Cambodian League for the Defence of Human Rights, 15 soldiers (between the ages of 16 and 20) that attended the conference claimed to be volunteers. Article 48 of Cambodia’s 1993 constitution states that “the State shall protect the rights of the child as stipulated in the Convention on the Rights of the Child, in particular, the right to life, education, [and] protection during wartime ...” (Blaustein and Flanz, op. Cit.).

There is substantial evidence that the Khmer Rouge used children as soldiers. During the demobilisation process, it became evident that boys and girls (ages 10 - 18) were forced to provide military services or perform parliamentary activities in zones controlled by the Khmer Rouge. Most of the time, children were forced to join the army because they were deprived of food and supplies, so they were left with no other choice. Some first hand experiences tell that most children were not paid, unless they were placed on the front line; even then, the Khmer Rouge only paid these children 13 USD a month. Girl soldiers suffered more than boy soldiers; it is recalled that female soldiers would be punished or killed if they disobeyed their leader. In June 2000 the Committee on the Rights of the Child urged Cambodia to work with them to create a legislation that would prohibit the recruitment of children, and would protect the past child soldiers that served during the Khmer Rouge era. Thus, the UNICEF Cambodia programme for 2001-2005 emphasises the rights and needs of child soldiers and aims to support government efforts to formulate policies and programmes in light of ongoing demobilisation.

People’s Revolutionary Tribunal

The 1980’s were a rough time for Pol Pot and the Deputy Prime Minister at the time. Their actions resulted in the deaths of 40% of the population in their country which was about 3 million people. Intellectuals like professors, scientists, students and other organizations that were opposing the imposed ideas were brutally murdered. The regime finally came to an end when it was overthrown by Vietnam in January 1979. The Revolutionary Council called for a special tribunal to decide the fate of the responsibilities of the mass murdering. The final decision was to otorge the death sentence to involved parties including the Pol Pot and Leng

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Sary as they were accused of genocide. These were called special trials since they were just a matter of formalities since the convicted people did not attend leaving them without any right to defend themselves.

Past UN Actions

After the aftermath of the Genocide and further international pressure, the Cambodian government decided to send a letter in 1997, pleading for the formation of a tribunal, in order to bring justice upon those who committed crimes. In 2001, the Cambodian National Assembly took the power into their own hands, establishing a law for the creation of a court known as the Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed during the Period of Democratic Kampuchea (Extraordinary Chambers or ECCC), it focused on the persecution of senior officials of the Khmer Rouge and “crimes committed during the Khmer Rouge period” (ECCC 2). Woefully, after the United Nations wanted to cooperate in the newly formed judicature, the Cambodian authorities laid a variety expectations, which further slowed down the process of the activation of the chamber. Fortunately, after a substantial amount of negotiations, on June 6, 2013, the United Nations General Assembly reached an agreement with the government, letting the cambodian officials be independent in their trials; meanwhile, retaining much needed “international aid and participation” (ECCC 3).

IV. Key Players and Points of View

Cambodia

Today, many former Khmer Rouge officials still hold power, including the Prime Minister, Hun Sen. This prime minister is actually the longest serving party official in the world; he recently won re-election even though the process was not fully democratic, and the government has been criticized by its apparency of corruption. Also, the regime triggered many in the nation and forced them into subconscious conservatism, since they have resorted to rules to overcome any sort of unpredicted actions. As Strangio explains, “When the liberation happened, it triggered a mass flight into what’s familiar – into tradition, into Buddhism, into conservatism, a very risk-averse view of politics”. In spite of the “underground” system of former Khmer Rouge officials, the country has understood the severity of the conflict and condemned it in its entirety. The former Khmer Rouge officials have been slowly been condemned and the UN established a committee in 2009 for trying surviving Khmer Rouge Leaders. For example, “In August 2014, Nuon Chea - considered Number 2 to Pol Pot - and the regime's head of state Khieu Samphan were jailed for life for crimes against humanity. In November 2018, the tribunal also found them guilty of genocide over the attempted extermination of the Cham and Vietnamese minorities”(BBC 2018). However, there is a lack of commemoration to the Genocide in the country. According to CNN, most high schools do not teach their students about the

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genocide. Additionally, Cambodian citizens pride themselves on not looking back and going forward instead, but some deny the killing fields and do not recognize what happened. Amid these social issues, Cambodia also struggles to develop economically from “Year Zero”, as many are uneducated. Even though Cambodia is one of Asia’s poorest nations, there seems to be hope, as the young are focused on the future and Cambodia saw a projected economic growth of 7% in 2015, and shows no signs of slowing down.

Thailand

Since 14 October 1973, when Thailand overthrew Thanom Kittikachorn and Praphat Jarusathien’s military regime which oppressed Thai citizens, the country underwent a lot of changes. Political groups made out of civilians were now allowed to get involved in Thai politics through a democratic government system. The power of the Thai military grew in a significant manner through these years. But most developments during these years were dominated by the ongoing Cambodian Genocide and Pol Pot’s regime in the country. The Cambodian war allowed the Thai military to cease an opportunity and gained control over borders and made big investments on their armed forces. In 1979, when the Vietnamese invaded Cambodia, Thai governmental figures decided that a security threat was imposed and therefore were seen forced to make improvements on defense and security departments of their military.

Vietnam

Although initially trained by the Vietnamese in the 1970s, the Khmer Rouge and the Vietnamese began having small skirmishes in 1975 which eventually led to open warfare in 1977. Despite Chinese aid, Cambodian forces could not withstand the Vietnamese army which later moved into Cambodia in December 1978, installing a puppet regime called the People’s Republic of Kampuchea “consisting largely of Cambodian communists who had deserted Pol Pot in 1977–78.” (Britannica 2019). Cambodia struggled under the tutelage of the Vietnamese for over a decade but eventually managed to flourish; other Cambodians began to flee to Thailand due to uncertainty of the new regime.

In Vietnam, many still remember the Cambodian War, which ended more than 25 years ago. Here, the Vietnamese troops were sent as heroes, but seen as invaders and where involved in a decade-long fight. Some of these members of the army (former, of course) still have bad memories of the horrible memories of the war with Pol Pot’s army. Cambodians actually do not express much gratitude from the help in liberating them from the Khmer Rouge regime. The government has never officially released casualty numbers, but it is estimated that more than 30, 000 Vietnamese troops were killed before withdrawal in 1989. Much like American soldier’s PTSD in the Vietnam war, many Vietnamese troops have horrible nightmares of the war in Cambodia. They thought they were saving the nation, but soon found out they were considered the enemy.

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Vietnam formally launched the invasion in 1978 to remove Pol Pot, because 2 million Cambodians had died as a result of the horrible tragedy that was the government at the time. Pol Pot's troops had conducted raids into Vietnam, as it was Cambodia's enemy, even going as far as burning villages and killing many civilians. Pol Pot actually fled before the onslaught and Phnom Penh was put under Vietnamese control for less than 10 days. The Vietnamese troops were initially conceived as heroes for liberating citizens of the dictatorship, but overstayed their welcome and began to become more like invaders. There is still some hatred towards Vietnam from Cambodia and it is all born from ancient emperors and kings. Today, many would love to forget that it was Vietnam who saved them from the Khmer Rouge.

United States of America:

In 1965, Cambodia cut ties with the U.S in order to stay neutral regarding the war that was happening in Vietnam. Nonetheless, Prince Sihanouk's policies allowed Vietnamese communists to use border areas and the port of Sihanoukville. This then prompted the U.S, under president Lyndon Johnson's administration, to respond with targeted bombings of military installations and occasional attacks on Cambodian villages. "Between 1965 and 1969, the U.S. bombed 83 sites in Cambodia." (World Peace Foundation 2015). The overall pace of the bombing increased in 1969 as 52 saturation bombings happened in support of the slow US pullout from Vietnam. In December 1970, President Nixon gave instructions to his Secretary of State, Henry Kissinger, to "ignore restrictions limiting U.S. attacks to within 30 miles of the Vietnamese border" (World Peace Foundation 2015). Which in turn led to more expanded bombing areas. However, this intense bombing forced the Vietnamese communists further west and deeper into Cambodia, which ultimately radicalized Cambodian citizens against the government. The bombing of Cambodia lasted until August 1973. While the exact amount of Cambodians that lost their lives remains unknown, most experts estimate around one hundred thousand and an additional two million that became homeless. Many Americans started to oppose the Vietnam war; when media outlets started to voice the events that were happening in Cambodia.

China:

Since the beginning of the Cambodian genocide, the Chinese government was a main ally to the Khmer Rouge, training a large amount of their men and offering a substantial amount of external aid. A majority of this help was given due to Pol Pot's ideas stemming from the former Chinese head of state, Mao Zedong, and his cultural movements. Not to mention, by territorial means and expansion of Communism, which, at the time, was drastically decreasing with Indochina's vast instability. Even after time passed, and the Khmer Rouge was killing Chinese citizens within the thousands, China employed over 5,000 [...] technicians, working in the then-Democratic Kampuchea as advisors to Pol Pot and his Standing Committee" (The Diplomat

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5). As well as encouraging the human right abuses that plagued most of their population throughout the genocide, seemingly without protest. At the end of the 1970s, with the Khmer Rouge coming to an end, China still continued to attempt to preserve the regime. Going as far as stationing soldiers on the border, in order to impede further acts to take their power in Cambodia. Nonetheless, by September of 1979, the Khmer rouge was ousted from their rule, marking a great defeat towards one of China's main allies. Subsequently, until 1982, China continued to seek the protection of Cambodia's former ruler's seat in the United Nation. In modern times, as the nation has progressed from their previous "extreme" implementation of Communism, the government has failed to "acknowledge its role in one of the worst genocides in recent history, the Cambodian Genocide" (Levin 6). Countries such as Japan and the United States have continued to pressure, in objective of the recognition of these historic acts; but still, the Chinese government continue to disregard their involvement in the situation. Even with most of the international community, as mentioned, recognizing their role in the Cambodian genocide's atrocities. There has still been virtually no progress towards the official recognition on their part.

Japan

The Japanese Occupation of Cambodia was a period during World War II in which the Japanese actually occupied the nation. A small portion of the country, however, was occupied by the French, and later handed in to Thailand after the Franco-Thai War. In early 1945, a Japanese coup d'état caused the independence of Cambodia and liberated it from foreign powers; however, the Japanese military remained there for some years. After this, Japan was relatively silent on the issues that faced the country in Pol Pot's government, but seemed to share the common hate toward the Khmer Rouge. In the early 2000s, Japan decided to grant funds to the UN supported Khmer Rouge tribunal, in efforts to help charge war criminals with their respective punishments. As said by France 24 News, "Japan announced an "urgent" 200,000 dollar donation to the UN-backed Khmer Rouge tribunal [on 2009], allowing it to pay Cambodian staff after donations dried up following corruption claims" (France24 News 2009). Although expected to help in 1999 with the reconstruction of Cambodia and a significant financial support, Japan was a latecomer in supporting Cambodia after the Khmer Rouge fell in a larger scale than tribunals. In recent years, however, Japan has been known to invest in Cambodia, and has been compared to China in the sense of the relationship they have with the country. China and Japan have been fierce competitors in developing the strongest relationship with Cambodia.

VI. Current Status

Currently, the Extraordinary Chambers in the Courts of Cambodia (ECCC) is continuing to prosecute former high-ranking Khmer Rouge leaders such as Khieu Samphan, Nuon Chea,

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Meas Muth, Ao A, and Yim Tith, in objective of bringing justice to those affected during the Cambodia Genocide. Even though, the tribunal has successfully arrested a variety of those responsible, many critics and outside governments have deemed them majorly a fail, arguing that they have been plagued by “overcomplications and slow trials” (Maguire 9). Not to mention, with the recent death of one of the most important senior figures in the Khmer Rouge, Nuon Chea, who did not face virtually any consequence from the ECCC and refused responsibility in the genocide, there has been raising concerns on the court’s validity. Nonetheless, even with a substantial amount of backlash, the United Nation and Cambodian government are continuing to follow the same procedure, seeking for the arrests of the remaining Khmer leaders.

One of the most recent and controversial cases that have taken place in the Khmer Rouge Tribunal is the Case 003. In here, arrant warrants were released for former Khmer Rouge navy commander Meas Muth and Sou Met who allegedly committed crimes against humanity. Nevertheless, the United Nations nor the local Cambodian forces have officially charged the perpetrators, letting them live in the Battambang Province, without any disturbance. As a result, a variety of judges have left the tribunal, voicing their negative opinions towards this type of actions, while others defended the decision, citing that arresting him would “infringe upon their liberty until that validity is determined” (Pazarli 7). Meanwhile, the international community and the media have mostly been against the process towards this case, believing that it essentially serves as a mark of the court’s failure and “loss of credibility” over the years (Justice Initiative 1).

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VII. Bibliography

Open Society Justice Initiative (2017). Recent Developments at the Extraordinary Chambers in the Courts of Cambodia: Threat to Permanently Stay Cases 003, 004 and 004/2A. *Open Society Foundations*.

<https://www.justiceinitiative.org/uploads/18f1be25-54b4-4e34-9bb5-a784cbeceadd/recent-developments-eccc-june-2017-20160614.pdf>

Rungwasdisab, P. (n.d.). Thailand's Response to the Cambodian Genocide. Retrieved from <https://gsp.yale.edu/thailands-response-cambodian-genocide>.

Maguire, P. (2018, November 14). The Khmer Rouge Trials: The Good, the Bad, and the Ugly. *The Diplomat*.
<https://thediplomat.com/2018/11/the-khmer-rouge-trials-the-good-the-bad-and-the-ugly/>

Pazarlı, M., Ersoy, E., Varlı, H., Tezelden, A., GÜNEY, E. F., Karadavut, U., ... Erdoğan, Ö. (2015, September 26). Cambodian judges against arresting war crimes suspect. <https://web.archive.org/web/20150930193123/http://news.videonews.us/cambodian-judges-against-arresting-war-crimes-suspect-2633485.html>

The Chinese Communist Party's Relationship with the Khmer Rouge in the 1970s: An Ideological Victory and a Strategic Failure. (2018, December 14). <https://www.wilsoncenter.org/publication/the-chinese-communist-partys-relationship-the-khmer-rouge-the-1970s-ideological-victory>

Khmer Rouge: Cambodia's years of brutality. (2018, November 16). <https://www.bbc.com/news/world-asia-pacific-10684399>

Respinti, M. R. M. (2019, February 1). Cambodia, Genocide, and the Beijing Connection. <https://bitterwinter.org/cambodia-genocide-and-the-beijing-connection/>

Leitsinger, M. (2010, July 26). A timeline of the Khmer Rouge regime and its aftermath. <http://edition.cnn.com/2010/WORLD/asiapcf/07/25/cambodia.khmer.rouge.timeline/index.html>

The Cambodian Genocide. (n.d.). Retrieved from <http://endgenocide.org/learn/past-genocides/the-cambodian-genocide/>.

Yale University. (n.d.). Retrieved from <https://gsp.yale.edu/case-studies/cambodian-genocide-program>.

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History.com Editors. (2009, November 9). Pol Pot. Retrieved from <https://www.history.com/topics/cold-war/pol-pot>.

Khmer Rouge: Cambodia's years of brutality. (2018, November 16). Retrieved from <https://www.bbc.com/news/world-asia-pacific-10684399>.

Pike, J. (n.d.). Military. Retrieved from <https://www.globalsecurity.org/military/world/cambodia/history-japan.htm>.

Khmer Rouge ideology. (n.d.). Retrieved from <https://www.hmd.org.uk/learn-about-the-holocaust-and-genocides/cambodia/khmer-rouge-ideology/>.

Harriet Fitch Little in Phnom Penh. (2015, April 16). Forty years after genocide, Cambodia finds complicated truth hard to bear. Retrieved from <https://www.theguardian.com/world/2015/apr/16/forty-years-after-genocide-cambodia-finds-complicated-truth-hard-to-bear>.

Hume, T., & Coren, A. (2015, April 16). How Cambodia is healing from Khmer Rouge genocide. Retrieved from <https://edition.cnn.com/2015/04/16/asia/cambodia-khmer-rouge-anniversary/index.html>.

Quackenbush, C. (2019, January 7). 40 Years On, Cambodia Grapples With Khmer Rouge Aftermath. Retrieved from <https://time.com/5486460/pol-pot-cambodia-1979/>.

Doyle, K. (2014, September 14). Vietnam's forgotten Cambodian war. Retrieved from <https://www.bbc.com/news/world-asia-29106034>.

History.com Editors. (2017, September 12). Khmer Rouge. Retrieved from <https://www.history.com/topics/cold-war/the-khmer-rouge>.

Overton, L. C., & Chandler, D. P. (2019, September 13). Vietnamese intervention. Retrieved from <https://www.britannica.com/place/Cambodia/Vietnamese-intervention>.

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The Cambodian Genocide. (n.d.). Retrieved from

<http://endgenocide.org/learn/past-genocides/the-cambodian-genocide/>.

Adams, B., & Adams, B. (2019, March 23). Japan Should Stop Acting Like China in Cambodia. retrieved from

<https://www.hrw.org/news/2019/03/22/japan-should-stop-acting-china-cambodia>.

France 24. (2009, March 21). Japan announces funds for broke Khmer Rouge tribunal.

Retrieved from

<https://www.france24.com/en/20090321-japan-announces-funds-broke-khmer-rouge-tribunal->.

Japanese occupation of Cambodia. (2019, October 28). Retrieved from

https://en.wikipedia.org/wiki/Japanese_occupation_of_Cambodia.

Chigas, G., & Mosyakov, D. (n.d.). Yale University. Retrieved from

<https://gsp.yale.edu/literacy-and-education-under-khmer-rouge>.

Chandler, David, Ben Kiernan, and Chantou Boua, eds. And tr. Pol Pot Plans the Future: Confidential Leadership Documents from Democratic Kampuchea, 1976-1977. New Haven: Yale University Southeast Asian Studies Monograph Series 33, 1988.

Heath, Shirley Brice. Ways with words: language, life, and work in communities and classrooms. Cambridge and New York: Cambridge University Press. 1983.

Kiernan, Ben. The Pol Pot Regime: Politics, Race, and Genocide in Cambodia under the Khmer Rouge, 1975-1979. New Haven: Yale University Press. 1996.

Cambodian–Vietnamese War. (2019, November 13). Retrieved from

https://en.wikipedia.org/wiki/Cambodian–Vietnamese_War.

Chronology of the Khmer Rouge Movement. (n.d.). Retrieved from

<https://www.cambodiatribunal.org/history/cambodian-history/chronology-of-the-khmer-rouge-movement/>.

History.com Editors. (2009, November 9). Pol Pot. Retrieved from

<https://www.history.com/topics/cold-war/pol-pot>.

O'Toole, J. (2011, April 13). Royal pardon no saviour: Phnom Penh Post. Retrieved from

<https://www.phnompenhpost.com/national/royal-pardon-no-saviour>.

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The Peacetime Use of Foreign Military Installations Under Modern International Law. (n.d.). Retrieved from https://books.google.com.mx/books?id=JVW8d2NiXSYC&pg=PA46&lpq=PA46&dq=Blaustein+and+Flanz,+op.+cit.&source=bl&ots=vyJMrbKUGb&sig=ACfU3U2BwEZ1nDlIM7fCUIWpWjWBO4R7Tg&hl=en&sa=X&ved=2ahUKEwj50_v7zqXlAhVGUKoKHW9PApUQ6AEwAHoECAQQAg#v=onepage&q=Blaustein+and+Flanz,+op.+cit.&f=false.

United Nations. (n.d.). Child Soldiers Global Report 2001 - Cambodia. Retrieved from https://www.refworld.org/docid/4988060bc.html#_ftn355.

Peebles, D. (2019). Retrieved 22 November 2019, from https://www.unicef.org/evaluation/files/FINALREPORT_UNICEF_GlobalEval_adolescents-childparticipation-7July2010.pdf

staff, T. (2019). Children and violence: An introductory, international and interdisciplinary approach. Retrieved 22 November 2019, from <https://www.open.edu/openlearn/society-politics-law/children-and-violence-introductory-international-and-interdisciplinary-approach/content-section-4.3.2>

KHR - Cambodian Riel rates, news, and tools. (2019). Retrieved 22 November 2019, from <https://www.xe.com/currency/khr-cambodian-riel>

Cambodian–Vietnamese War. (2019, November 22). Retrieved from https://en.wikipedia.org/wiki/Cambodian–Vietnamese_War.

Meixler, E. (2018, November 16). Cambodia: Khmer Rouge Leaders Convicted of Genocide. Retrieved from <https://time.com/5456749/cambodia-khmer-rouge-genocide-verdict/>.

Leitsinger, M. (2010, July 26). A timeline of the Khmer Rouge regime and its aftermath. Retrieved from <http://edition.cnn.com/2010/WORLD/asiapcf/07/25/cambodia.khmer.rouge.timeline/index.html>.

O'Toole, J. (2011, April 13). Royal pardon no saviour: Phnom Penh Post. Retrieved from <https://www.phnompenhpost.com/national/royal-pardon-no-saviour>.

Ellis-Petersen, H. (2018, November 16). Khmer Rouge leaders found guilty of genocide in Cambodia's 'Nuremberg' moment. Retrieved from

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<https://www.theguardian.com/world/2018/nov/16/khmer-rouge-leaders-genocide-charges-verdict-cambodia>.(n.d.). Retrieved from

<https://hnh.org/library/research/genocide-in-cambodia-guide/>.

Doyle, K. (2014, September 14). Vietnam's forgotten Cambodian war. Retrieved from <https://www.bbc.com/news/world-asia-29106034>.

ECC. (n.d.). Retrieved from <https://www.eccc.gov.kh/en/node/39457>.

Chronology of the Khmer Rouge Movement | Cambodia Tribunal Monitor. (2019). Retrieved 22 November 2019, from <https://www.cambodiatribunal.org/history/cambodian-history/chronology-of-the-khmer-rouge-movement/>

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