

DC-Cam Community Radio Program (Episode #8):  
Famine in Democratic Kampuchea and Case 002 at the Khmer Rouge Tribunal  
(formally known as Extraordinary Chambers in the Court of Cambodia: ECCC)

**Topic: The Frank Case and New Information from the ECCC About  
Rice Distribution**

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This is the 8<sup>th</sup> episode of a ten-episode radio series which explores the historical and legal aspects of the famine that took place in Cambodia under the Khmer Rouge from 1975-1979. The goal of this program is to better inform Cambodian people about a critical part of their shared history while encouraging active participation in the transitional justice process. The Documentation Center of Cambodia (DC-Cam) welcomes feedback about the program, including contact from people who would like to share their own experience of the famine under the Khmer Rouge or people who have questions for the Center about the Khmer Rouge famine or international law.

This episode focuses on the prosecution of former member of the German Nazi party, Hans Frank by the International Military Tribunal (IMT) following the end of World War II and explains how that Tribunal dealt with the issue of famine. This episode also provides further information on evidence related to famine in Cambodia under the Khmer Rouge based on the testimony of Ros Suoy at the ECCC in April of 2013.

**Introduction: Famine in Occupied Poland during World War II**

Following the end of active fighting during World War II, the victorious Allies (Britain, the United States and Russia), created a Tribunal in Nuremberg, Germany, where former high-level members of the German Nazi party were prosecuted for international crimes. One person prosecuted by the IMT was Hans Frank, who held the positions of Chief Civil Administration Officer and later, Governor General, of occupied Poland during World War II. This meant that Frank was in charge of

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overseeing all aspects of the German occupation of Poland during the war. During this occupation, Polish civilians were forced to work long hours to produce goods, including food, to support the German war effort. As part of this war effort, Polish workers were given extremely small amounts of food, as the emphasis was on producing enough food for the German military to keep fighting. After considering Frank's role in overseeing the German administration of occupied Poland, the judges of the IMT found him guilty of various charges, including finding Frank responsible for the crimes against humanity "murder, extermination, enslavement, deportation, and other inhumane acts committed against civilian populations." These convictions were based mostly on Frank's role in brutalizing Polish civilians in support of the German war effort.

In convicting Frank, the Tribunal's judges noted that in accord with the policy of the German Nazi Party, Frank himself had stated "Poland shall be treated like a colony, the Poles will become the slaves of the Greater German World Empire." The judges further concluded that "[t]he evidence establishes that this occupation policy was based on the complete destruction of Poland as a national entity, and a ruthless exploitation of its human and economic resources for the German war effort. All opposition was crushed with the utmost harshness." As for the results of this ruthless exploitation, the Tribunal noted that the extremely difficult working conditions and German expropriation of foodstuffs resulted in mass death amongst Polish civilians through disease and starvation, finding that:

The economic demands made on [occupied Poland] were far in excess of the needs of the army of occupation, and were out of all proportion to the resources of the country. The food raised in Poland was shipped to Germany on such a wide scale that the rations of the population of the occupied territories were reduced to the starvation level, and epidemics were widespread. Some steps were taken to provide for the feeding of the agricultural workers who were used to raise the crops, but the requirements of the rest of the population were disregarded. It is undoubtedly true, as argued by counsel for the defence, that some suffering in the General Government was inevitable as a result of the ravages of war and the economic confusion resulting there from. But the suffering was increased by a planned policy of economic exploitation.

This use of the civilian population of Poland as a source of indentured labour by Nazi Germany is fundamentally similar to how the Khmer Rouge viewed and used the civilian population of Cambodia as free labour to serve the revolution. In both situations, civilians were only permitted to access enough basic necessities, including food, insofar as it benefitted the government in charge, be it the German Nazi Party or the Khmer Rouge. In both Poland and Cambodia, this economic and social

exploitation of the civilian population resulted in terrible living conditions involving famine, disease and starvation and resulting in mass death. Ultimately, the Tribunal judges found that Frank was “a willing and knowing participant in the use of terrorism in Poland; in the economic exploitation of Poland in a way which led to the death by starvation of a large number of people; in the deportation to Germany as slave labourers of over a million Poles; and in a programme involving the murder of at least three million Jews.”

The IMT Judgement against Frank provides an early example of how crimes against humanity can be successfully prosecuted against individuals who participate in enforcing famine conditions on a civilian population, resulting in mass death, inhumane conditions and targeted discrimination.

The conviction of Frank for the crime against humanity of extermination also demonstrates how, as a crime of large-scale, yet impersonal killing whereby there is no requirement of a direct link between the accused and any specific individual victim, extermination accurately reflects how famines can ravage a civilian population indiscriminately. In the context of the Khmer Rouge famine, extermination charges would reflect how the decisions of Khmer Rouge elites in Phnom Penh directly resulted in indiscriminate mass death throughout the Cambodian countryside.

The Tribunal judges also found Frank guilty for various international crimes for having participated in the Final Solution plan of the German Nazi party to kill all of the Jews living in Europe. The judges found that pursuant to the Final Solution plan, Jews in all areas controlled by Germany “were forced into ghettos, subjected to discriminatory laws, deprived of the food necessary to avoid starvation, and finally systematically and brutally exterminated.” This targeted persecution of Jews by the German Nazis is in many respects similar to the manner in which the Khmer Rouge leadership expressed disdain for new people, as new people were also singled out amongst the civilian population and branded as less deserving of access to basic necessities such as food, water, shelter, healthcare and rest.

For more information on extermination and other crimes against humanity, please refer back to episode #5 of this radio series.

## **Recent Evidence About the Exportation of Rice at the ECCC**

As mentioned in previous episodes of this program, there is no surviving record which establishes how much rice was produced in Cambodia during the Khmer Rouge period and how much of rice was exported. Although many survivors of the period, including Khmer Rouge cadres, have stated in interviews that they witnessed large quantities of rice being expropriated by the CPK government and apparently prepared for export, it was somewhat unclear how this process was carried out. Recent testimony of former Khmer Rouge state warehouse official Ros Suoy at the ECCC has shed some light on how rice production and exportation was carried out under the Khmer Rouge. Suoy testified that he worked at two warehouses in and around Phnom Penh between 1975 and 1979 and that he was aware that at least several other similar state warehouses existed in the area at the time.<sup>1</sup> Ros Suoy further testified that only unmilled rice was consumed within the country and that his warehouse often had to keep “four to five” rice mills operating constantly in order to process sufficient rice to meet the CPK’s demands for exports. Meanwhile, Ros Suoy stated that unmilled rice was kept in reserve for export orders and despite the fact that other goods, such as salt and cement, were distributed from the warehouse to locations within Cambodia, rice was never redistributed within the country whatsoever. Suoy’s testimony would appear to corroborate statements made by survivors in interviews to Professor Ben Kiernan in which these survivors described witnessing boats being loaded with rice to ship down the rivers to Phnom Penh.

Certain primary CPK documents, such as surviving documents of the Khmer Rouge’s “State Commerce Committee,” based in Kampong Som, appear to corroborate Suoy’s testimony. Many of these documents accounted for “income” and “expenditure” of rice in reports transmitted to the Party Center.<sup>2</sup> Also, some of these documents were

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<sup>1</sup> See Doreen Chen, “Former Warehouse Official Provides Limited Insight on Accused Persons’ Knowledge of Arrests, Rice Distribution”, Cambodia Tribunal Monitor Blog (25 April 2013) online: Cambodia Tribunal Monitor <<http://www.cambodiatribunal.org/blog>> [Chen, “Former Warehouse Official”].

<sup>2</sup> It should be noted that the documents discussed are examples of the available documentation and other documents outlining CPK expropriation of rice are also available. See e.g. “Plan for Rice Expenditure in 1976”, DC-Cam Doc LN0001069 (4 January 1976); “Regional Report on Statistics of Regional Production from 1 April to 30 April 1976”, DC-Cam Doc D20544 (authored by the “State Commerce Committee”); “Report About Unhusked Rice, Husked Rice, Lowest Quality Rice and Bran from 24 January to 31 January 1977”, DC-Cam Doc D20671 (authored by “State Commerce Committee”); “Report About Unhusked Rice and Husked Rice from 15 April to 30 April 1977”, DC-Cam Doc D20846 (“State Commerce Committee”); “Monthly Statistics of Foodstuffs, Kampuchea Revolutionary Armed Force, Division 310 from 10 April to 10 May 1977”, DC-Cam Doc LN0000083; “Weekly Report on Rice Income and Expenditure from 1 to 7 June 1977”, DC-Cam Doc D23330; “Monthly Report on Rice from 1 April to 30 April 1978”, DC-Cam Doc D21092; “Monthly Report on Rice from 1 July to 31 July 1978”, DC-Cam Doc D21061; “Monthly Report on Rice from 23 September to 26 October 1978”, DC-Cam Doc D21091; “Annual reported about paddy and rice from 1977-1979”, DC-Cam Doc D21093 (30 November 1978) (CPK report issued from the “K87 Department Committee”. These figures are approximate at best, as primary CPK documents are rife with coded language and often unclear or incomplete (for example, this report lists rice “income” from five zones as being in excess of 59,000 tons (over 808,000 sacks) of “ordinary rice.” In total, the report claims that the CPK expropriated approximately 87,000 tons of rice of varying grades from the end of November, 1978. While this figure is a rough estimate calculated by the author from translated statistics from a single CPK document and is thus, not intended to be accurate in any numerical sense, the meticulous nature of the CPK’s rice accounting processes and generally large quantities marked for state expropriation generally demonstrate that in more general terms, large quantities of rice were expropriated by the CPK government in 1978. (totals calculated by author); “Weekly Report on the Income, Expenditure and Remaining rice”, DC-Cam Doc D20817 (7 June 1977) (CPK document signed by “comrade Roeng” on behalf of the “storehouse committee” documenting the receipt of various types of rice from various zones and regions. The

signed by a person named "Roeung", whom Suoy testified was his superior, suggesting that the CPK operated a system whereby rice would be shipped from all locations in the countryside to state warehouses in Phnom Penh where it was processed, packaged and sent to Kampong Som seaport for export under the supervision of Roeung and the State Commerce Committee.<sup>3</sup> Thus, while precisely how much rice was exported from Cambodia during the Khmer Rouge period is likely unknowable, there appears to be ample available evidence, in the form of primary CPK documentation, potential witness testimony and circumstantially, proving the basic fact that the CPK government exported large quantities of rice over extended periods of time while in power, even as Cambodian civilians died by the thousands of famine. Furthermore, Suoy's testimony suggests that the Khmer Rouge had a national system in place where unhusked rice would be sent to Phnom Penh for storage and preparation for export and then, when an order came in for rice, it would be transported to Kampong Som for actual shipment. This story also fits with claims by former Kampong Som dock workers who have stated that they loaded large quantities of rice on ships that looked Chinese during the Khmer Rouge period.

### **Conclusion**

Although in recent international criminal prosecutions famine has not been a major area of focus, it is clear that at least during the beginnings of modern international criminal law at the IMT, judges considered it quite proper to hold Hans Frank responsible for causing famine and other problems with living conditions amongst the civilians in the occupied territories he was put in charge of. As this prosecution took place decades before 1975, it appears that enforcing famine conditions could amount to an international crime in certain circumstances. Indeed, the control exercised by the Nazis over the lives of civilians in occupied Poland is in many ways quite similar to the absolute control the Khmer Rouge had over civilians while they were in power in Cambodia.

Meanwhile, recent ECCC testimony has shed further light on the mystery surrounding the important issue of rice production and exportation from Cambodia while the Khmer Rouge were in power. The testimony of Ros Suoy, if accurate, establishes that the Khmer Rouge regime had a well-organized system in place of collecting, storing, processing and shipping rice overseas.

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document states that the storehouse held 377,504 sacks of "ordinary rice" as of 1 June (approximately 30,200 tons), with 9,064 sacks (approximately 725 tons) of rice in the "expenditure" column designated simply "China.") (translations from Khmer to English by DC-Cam).

<sup>3</sup> See Chen, "Former Warehouse Official", *supra* note 1.

## PRACH THENG<sup>4</sup>

Summary by Men Pechet

My name is Prach Theng. I live in Prey Thom Commune, Kampot District, Kampot Province which is my hometown. I am married and have two children. In 1972-1973 I was about 24 years old and I lived in the same place. I was a Lon Nol soldier at that time and I fled to Champa by Plane 56. The flight stopped at Nha Trang (Vietnam). Then I took a ten-wheel vehicle to Champa and reached Tik Puoh and Tik Huy. The water was up to 30 degree Celsius and we could even boil eggs. I studied there for about three months. I learnt the strategies to fight against the Khmer Rouge. I worked as a soldier at Kep town and there were approximately 200 soldiers were sent there. When I returned from Champa, I worked as a soldier to fight the Khmer Rouge. In 1973, Khmer Rouge came to take control of Kep town. Then I took a boat to Kampong Som. In 1974, I went to Kampong Trach with the Viet Cong by car. As I reached Tampong Trach, I walked to Prey Thom and continued to Damnak Chang Eu railway station. Then I stayed with Khmer Rouge there. At first I was assigned to work in Solidarity Group. After awhile, the communal eating was in practice. At that time I was assigned to work both day and night. Then later on I was assigned to transport unit. My duties were to transport unmilled rice to the rice mill and transport rice to the eating hall. After that I was assigned to work in the ploughing unit. I worked pretty hard, so they kept me alive. I was assigned to plough every day and started from 3am to 11am and from 1pm to 3pm. Then when rice was to be transplanted at night, I and another two were assigned to carry 400 bundles of rice for about 100 m from the paddy fields before taking a rest. I could take a rest at around 10 pm. During the dry season, I had to harvest rice in the morning and to thresh the grains of rice in the afternoon. And sometimes I had to guard the rice field at night as well. My wife stayed at home and I went back home in the early morning. I worked 12 hours per day.

**Question:** Did you mean that you worked for the whole week, 7 days per week?

**Theng:** Yes, for the whole week. Worked from morning to evening and from 7pm to 10pm or 11 pm. So, a one-month work seemed like two-month work. One family lived in one house. Family members could not meet each other. Sometimes, I transported product elsewhere while my wife had to harvest at Trapaing L'peou which was close to Veal Renh. We could return home once a month. The Khmer Rouge assigned my wife to work outside and left a 15-month-old baby with me. Therefore, I had to work and then take care of the baby. Living conditions during that time were horrible. They assigned me to transport the economic product including fish, crab, etc. and that job was not easy. I got only breakfast and dinner. Sometimes, I had to carry more than 100 kg of those products. Then when I arrived, they would assign me to deliver one 50kg-70kg to each hall. We had to follow the order and

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<sup>4</sup> Interview with Mr. Prach Heng by Sok Virak in August 2013 during the Radio's student trip to Kep Province; Translated by Lorn Dalin; edited by Tan Sock Keng

people were divided into new people and candidate. But both were targeted for execution. 10kg of fish was for 600 people. All people including young, old, thin, fat got only a small amount of rice and soon they would remain only bone and skin. Later on we got only 0.3kg of potato and very little soup with water lily. And it was not enough. Then we got only a few small red corns. People had not enough food, since the Khmer Rouge had sent those products to the forest. They took rice out at night by truck, but I was not sure where they transported it to. I thought they might have sent it to a camp. I heard that there were many rice storages there to support the soldiers. Much of sugar palm were sent there as well.

**Question:** Who limited the food shortage?

**Theng:** Angkar. And we did not know who Angkar was. But I thought it was not because of Angkar at all, it was because of the higher ranking cadres themselves. They imposed the goal of 3 tons per hectare of rice yield. If we could not reach the goal, they would decrease the amount of food from the villagers to support the soldiers. There were so many soldiers. Many villagers were dead.

**Question:** Were there any toilets during that time?

**Theng:** Not at all. The forest was the toilet. We just excreted in the forest. Ladies carried human excrement to mix with cow dung and threw it into the field. If someone died while they were working, Khmer Rouge just dug holes and buried their bodies there. They did not care about those who died at all; they just cared about those who could work for the revolution. If someone got sick, they would be sent to the medical center. Fever was common disease. For those who were sick and needed injections, they would use coconut juice to inject the patients; and sometimes the patients died immediately after the injection. Some others died immediately after the medical staff injected water into their bodies. They had their own medicine; however the medicine was made from the roots of the tree and it was black. If someone was frequently sick, they would be executed. Patients were also executed. In that time they wanted us to be silent and not care about other business. I actually have 7 siblings, but two were executed. The 17-April people in Prey Thom Commune were targeted for execution. There were 30 families in my village, and there were only 7 males left. If someone knew too much about others, they would disappear too.

**Question :** Did villagers face the problem of starvation?

**Theng :** Yes, of course. Many villagers were dead; many villagers were starved. Basically villagers got a small amount of rice, and finally only 0.3kg of potato. Some villagers would steal some potato and put them into their pots or pockets behind their houses, and secretly boiled one in their house. However, if the cadre found out, they would face serious trouble. There was only one teapot in one house. There was no pot or plate at all. Those were collected and put as communal belongings. After the regime was overthrown, I chose to be a fisherman. My children are now grown up and they have their own machine boat. I have quit my job as a fisherman because

I am already old. If there was no Khmer Rouge regime, my family would not be separated.

This concludes episode 8 of the Documentation Center radio series on famine under the Khmer Rouge. The next episode will examine some previous court cases concerning famine and starvation.

*If you have any comment or question, please send your letter to Mr. Men Pechet, an organizer of DC-Cam's radio program, at house number 66, Preah Sihanouk Blvd, Phnom Penh, or send to P.O Box 1110, Phnom Penh, or call to 023-211-875 or fax to 023-210-358. Email: [truthmpechet@dccam.org](mailto:truthmpechet@dccam.org). Thank you.*

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