

CASE INFORMATION SHEET

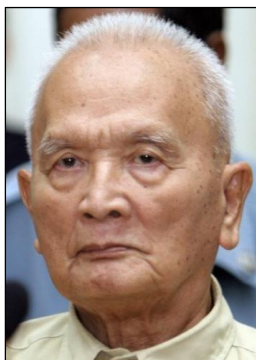


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Extraordinary Chambers in the Courts of Cambodia

Chambres Extraordinaires au sein des Tribunaux Cambodgiens

NUON CHEA



Last name: **NUON**

First name: **Chea**

Case File N° 002/19-09-2007/ECCC-TC

Born on 7 July 1926 in the village of Voat Kor in the province of Battambang

Arrested on 19 September 2007

Defence Counsel: SON Arun (National), Michiel PESTMAN (International – the Netherlands) & Victor KOPPE (International – the Netherlands)

Status

Currently indicted for **Crimes against Humanity, Grave Breaches of the Geneva Conventions** of 1949; **Genocide** of the Cham and the Vietnamese; and offences which are defined and punishable under Articles 4, 5, 6, 29 (New) and 39 (New) of the Law on the Establishment of the Extraordinary Chambers as amended 27 October 2004.

The Initial Hearing of Case 002 began on 27 June 2011.

Opening statements in Case 002 are set for 21-24 November 2011, followed by the substantive hearing from 28 November 2011.

Position in Democratic Kampuchea Regime

Deputy Secretary of the Communist Party of Kampuchea, member of the Standing Committee and Central Committee of Communist Party of Kampuchea, Chairman of the Democratic Kampuchea People's Assembly. According to the Closing Order, Nuon Chea was allegedly also a member of the Military Committee of the Central Committee, but he disputes that he was member of the said committee.

Key Allegations

Nuon Chea is alleged to be responsible, through his acts or omissions (committed via a joint criminal enterprise), for having planned, instigated, ordered, or aided and abetted, or being responsible by virtue of superior responsibility, for the following crimes committed between 17 April 1975 and 6 January 1979:

- Crimes against humanity (murder, extermination, enslavement, deportation, imprisonment, torture, persecution on political, racial, and religious grounds and other inhumane acts)
- Genocide, by killing members of the groups of Vietnamese and Cham
- Grave breaches of the Geneva Conventions of 1949 (willful killing, torture or inhumane treatment, willfully causing great suffering or serious injury to body or health, willfully depriving a prisoner of war or civilian the rights of fair and regular trial, unlawful deportation or unlawful confinement of a civilian)

Nuon Chea disputes the charges against him.

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Personal Background

Nuon Chea (his name at birth was Long Bunruot) studied law at Bangkok's prestigious Thammasat University, where he became a member of the Thai Communist Party. Appointed Deputy Secretary of the CPK in 1960, he retained this position and his membership in the CPK's Standing Committee throughout the period of Democratic Kampuchea. He remained with the Khmer Rouge until reaching a deal with the Cambodian government in December 1998 that allowed him to live near the Thai border.

Case History

19 Sep 2007	Nuon Chea was arrested and placed in provisional detention for a period of maximum one year in accordance with Provisional Detention Order issued by the Co-Investigating Judges on the same day.
12 Nov 2007	Nuon Chea filed an appeal to the Pre-Trial Chamber against the Provisional Detention Order.
20 Mar 2008	The Pre-Trial Chamber dismissed Nuon Chea's appeal against the Provisional Detention Order.
16 Sep 2008	The Co-Investigating Judges issued the Order on Extension of Provisional Detention, extending the provisional detention of Nuon Chea for a period of maximum one year.
16 Oct 2008	Nuon Chea filed an appeal to the Pre-Trial Chamber against the Order on Extension of Provisional Detention.
04 May 2009	The Pre-Trial Chamber dismissed Nuon Chea's appeal against the Co-Investigating Judges' Order on Extension of Provisional Detention.
15 Sep 2009	The Co-Investigating Judges issued Order on Extension of Provisional Detention, extending the provisional detention of Nuon Chea for a period of maximum one year.
14 Jan 2010	The Co-Investigative Judges issued Notice of Conclusion of Judicial Investigation, notifying Nuon Chea that they considered the investigation to be concluded.
19 Jul 2010	The Co-Investigating Judges forwarded the case file to the Co-Prosecutors for them to prepare their Final Submission.
16 Aug 2010	The Co-Prosecutors filed their Final Submission and requested the Co-Investigating Judges indict Nuon Chea and send the case for trial.
15 Sep 2010	The Co-Investigating Judges issued a Closing Order indicting Nuon Chea and ordering the case to be sent for trial. Nuon Chea was ordered to remain in provisional detention until he was brought before the Trial Chamber.
18 Oct 2010	Nuon Chea filed an appeal to the Pre-Trial Chamber challenging jurisdictional aspects of the Closing Order.

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13 Jan 2011	The Pre-Trial Chamber confirmed and partially amended the indictment against Nuon Chea in the Closing Order and ordered the case to be sent for trial. Nuon Chea was ordered to remain in provisional detention until he was brought before the Trial Chamber.
18 Jan 2011	Nuon Chea filed an application for his immediate release to the Trial Chamber.
31 Jan 2011	The Trial Chamber held hearing related to Nuon Chea's application for release.
16 Feb 2011	The Trial Chamber rejected Nuon Chea's request for release.
27-30 June 2011	The Trial Chamber held Initial Hearing in Case 002. Nuon Chea was brought to trial before the Trial Chamber.
29-31 Aug 2011	The Trial Chamber held preliminary hearing on Nuon Chea's fitness to stand trial.
22 Sep 2011	The Trial Chamber issued a Severance Order to split the Case 002 trial into a series of mini trials.
22 Sep 2011	The Trial Chamber ruled out charges under the 1956 Penal Code of Cambodia from the Case 002 indictment.
21-24 Nov 2011	The Trial Chamber is to hear Opening Statements in Case 002 from Co-Prosecutors and responses by the Accused or their lawyers.
5 Dec 2011	Hearing on the substance in Case 002 is to begin.

Decisions and Orders are available at: <http://www.eccc.gov.kh/en/document/court>

Extraordinary Chambers in the Courts of Cambodia

Case Information Sheets are prepared by the Public Affairs Section to assist public understanding of the cases before the ECCC. While every effort is made to ensure the accuracy of information, they are not official documents with any legal standing.

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