



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា
 Extraordinary Chambers in the Courts of Cambodia
 Chambres extraordinaires au sein des tribunaux cambodgiens

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia
 Nation Religion King
 Royaume du Cambodge
 Nation Religion Roi

16 September 2010

PRESS RELEASE

Yesterday, 15 September 2010, You Bunleng and Marcel Lemonde, the Co-Investigating Judges of the Extraordinary Chambers in the Courts of Cambodia, signed the Closing Order for Case File 002, indicting **Ieng Sary, Ieng Thirith, Khieu Samphan and Nuon Chea** and sending them for trial.

The previous day, the Co-Investigating Judges signed a Dismissal Order in respect of **Kaing Guek Eav** alias **Duch** (who had been tried and convicted separately by the ECCC on 26 July 2010).

The four Accused have been sent for trial before the ECCC Trial Chamber on charges of :

- **Crimes against humanity:** extermination, murder, enslavement, deportation (of Vietnamese), imprisonment, torture, persecution on political, racial and religious grounds, rape (as a result of forced marriage) and other inhumane acts (forcible transfer of population, forced marriage, forced disappearance and "attacks against human dignity"), in the context of an attack against the entire population of Cambodia.
- **Grave breaches of the Geneva Conventions of 12 August 1949:** wilful killing, torture, inhumane treatment, wilfully causing great suffering or serious injury to body or health, wilfully depriving a prisoner of war or civilian the rights of fair trial, unlawful deportation or confinement of civilians, against protected persons in the context of an international armed conflict with Vietnam.
- **Genocide** of the Cham and of the Vietnamese.
- **Offences under the Cambodian Criminal Code 1956:** murder, torture and religious persecution.

The four Accused have been maintained in detention until their appearance before the Trial Chamber.

Given the magnitude of the crimes committed under the Democratic Kampuchea regime, between 17 April 1975 and 6 January 1979 (which, according to the demographic survey produced during the investigation, resulted in millions of victims, including an estimated 1.7 to 2.2 million deaths, of which approximately 800,000 were violent), the Co-Prosecutors only seized the Co-Investigating Judges of a specific selection of sites and criminal activities.¹ The judicial investigation thus focused in particular on the following issues:

- The displacement of the population (on three occasions) from urban to rural areas, then between rural areas;
- The establishment and operation of cooperatives and worksites (six sites);
- The reeducation of "bad elements" and the elimination of "enemies", in security centres and execution sites (eleven security centres and three execution sites);
- Crimes against specific groups, including the Cham, the Vietnamese and Buddhists;
- The regulation of marriage.

¹ See the OCIJ Press release dated 5 November 2009 : http://www.eccc.gov.kh/english/cabinet/press/133/vu_statement_en.pdf

At the close of the investigation, the Case File contained:

- 46 written records of interview with the Charged Persons;
- over 1,000 written records of interview of witnesses and Civil Parties;
- 36 site identification reports, a demographic expert report, numerous medical reports, and
- over 11,600 pieces of documentary evidence relating to the facts of the case.

The whole Case File extends to over 350,000 pages, more than 223,000 of which relate to substance.

In addition, the Co-Investigating Judges have ruled on the admissibility of 3,988 Civil Party applications. 2,123 applications have been declared admissible². The remaining applications (which, for the most part, were not accepted because the harm suffered by the victims was not directly related to the specific facts of which the Co-Investigating Judges were seized) have been kept on the Case File for information, given the important details they contain, along with over 4,000 victims' complaints already placed on the Case File by the Co-Prosecutors.

A Public version of the Closing Order will be made available on the ECCC website in the coming days, in the three official languages of the Court:

<http://www.eccc.gov.kh/>

For further information please contact:

Reach Sambath
Chief of Public Affairs, ECCC
Mobile: +855-12 488 156
Fax: +855-23 219 841
Email: reach.sambath@eccc.gov.kh

Dim Sovannarom
Press Officer, ECCC
Mobile: +855-12 488 094
Fax: +855-23 219 841
Email: dim.sovannarom@eccc.gov.kh

Lars Olsen
Legal Communications Officer, ECCC
Mobile: +855 (0) 12 488 023
Tel: +855 (0) 23 219 814 ext. 6169
email: olsenl@un.org

Yuko Maeda
Public Affairs Officer
Mobile: +855-12 488 319
Tel: +855 23 219 841 ext. 6139
Email: maeday@un.org

² This is a provisional figure, a number of decisions having been appealed.