



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

5 November 2009

ការិយាល័យសហចៅក្រមស៊ើបអង្កេត

OFFICE OF THE CO-INVESTIGATING JUDGES

**STATEMENT FROM THE CO-INVESTIGATING JUDGES
 JUDICIAL INVESTIGATION OF CASE 002/19-09-2007-ECCC-OCIJ
 AND CIVIL PARTY APPLICATIONS**

Having received an introductory submission filed by the Co-Prosecutors of the Extraordinary Chambers in the Courts of Cambodia (ECCC) on 18 July 2007, the Co-Investigating Judges are currently conducting a judicial investigation into allegations of crimes committed by Khieu Samphan, Nuon Chea, Ieng Sary, Ieng Thirith and Kaing Guek Eav (Duch) between 17 April 1975 and 6 January 1979 (Case File 002).

As indicated earlier this year, the Co-Investigating Judges reiterate that they are endeavouring to complete the investigation in Case File 002 by the end of 2009.

The sixth Plenary Session of the ECCC adopted amendments to the Internal Rules related to the deadline for the filing of Civil Party applications. Pursuant to the amended Internal Rules, anyone who wishes to apply to become a Civil Party must submit an application **no later than 15 days after the Co-Investigating Judges have issued the notification that they have concluded the investigation.**

In order to assist any members of the public who wish to apply to become a Civil Party prior to this deadline and assist in the judicial investigation of Case File 002, the Co-Investigating Judges, pursuant to rule 56.2 a) of the Internal Rules¹ hereby provide information outlining the facts falling within the scope of the ongoing investigation.

This information should not be seen as a judicial decision as to the scope of the investigation in Case File 2

In the case of an Indictment, the final determination of the material facts sent for trial will be contained in the Closing Order.

¹ the Co-Investigating Judges, may:

a) jointly through the Public Affairs Section, issue such information regarding a case under judicial investigation as they deem essential to keep the public informed of the proceedings, or to rectify any false or misleading information

According to the Internal rules and the Practice Direction on Victims Participation, a victim is a natural person or legal entity that has suffered direct physical, material or psychological harm as a result of the commission of any crime within the jurisdiction of the ECCC. The harm must be the direct consequence of the offence, personal and have actually come into being.

If a victim wishes to become a civil party, his/her alleged prejudice must be personal and directly linked to one or more factual situations that form the basis of the ongoing judicial investigation.

The Co-Investigating judges are bound by the scope of investigation as set out in OCP Introductory and supplementary submissions.

The following material facts form part of the Co-investigating judges' investigation in case file No. 2:

I COOPERATIVES AND WORK SITES

The following cooperatives and work sites are under investigation (**by Province**)

▪ Banteay Meanchey Province:

Trapeang Thma Dam (ទំនប់ត្រពាំងធំថ្ម) in Phnom Srok District (ស្រុកភ្នំស្រុក)

▪ Kampong Chhnang Province:

Kampong Chhnang Airport (ព្រលានយន្តហោះកំពង់ឆ្នាំង) near Krang Leav commune, Rolea Pier district (ឃុំក្រាំងលាវ ស្រុករលៀង)

▪ Kampong Thom Province:

1st January Dam Stoeung Chinit Construction (ការដ្ឋានស្ទឹងជីនិតទំនប់ ១មករា) in Stoeung Chinit, Baray and Santouk Districts (ស្ទឹងជីនិត ស្រុកបារាយ និងសន្ទុក)

▪ Kampot Province:

Srae Ambel Salt production worksite (ការដ្ឋានស្រែអំបិល) in Srae Ambel village, Srae Ambel sub-district, Kampot district (ភូមិស្រែអំបិល ឃុំស្រែអំបិល ស្រុកកំពត)

▪ Takeo Province:

Tram Kok Cooperatives (សហករណ៍ត្រាំកក់) which includes the cooperatives in the following communes: Kus (គូស), Samrong (សំរោង), Trapeang Thom Tbound (ត្រពាំងធំត្បូង), Trapeang Thom Cheung (ត្រពាំងធំជើង), Tram Kok (ត្រាំកក់), Nheng Nhang (ញ៉ែងញ៉ែង), Sre Ronong (ស្រែរណុង) and Ta Phen (តាផែន)

▪ Phnom Penh:

Office S-24 (also known as Prey Sar) (មន្ទីរស-២៤) in villages of Ta Lay, Srok Chek, and Ba Kou in Prey Sar sub-district, Dangkao district (ភូមិតាឡើ ស្រុកចេក និងបាគូកុងឃុំព្រៃស ស្រុកដង្កោ)

II SECURITY CENTERS AND EXECUTION SITES

The following Security Centers and Execution Sites are under investigation (by province)

▪ Battambang Province

Wat Kirirum Security Center (មន្ទីរសន្តិសុខវត្តគីរីវម៌) located on Kirirum Mountain, Banan District, (ស្រុកបាណន់).

▪ Kampong Chhnang Province:

Prey Trapeang Ampil (កន្លែងសម្លាប់ព្រៃត្រពាំងអំពិល) near Chumteav Chreng Thmei Village, Samaki Meanchey District (formerly part of Kampong Tralach District) (ភូមិជុំទាវជ្រុងថ្មី ស្រុកសាមគ្គីមានជ័យ (ពីមុនជាផ្នែកមួយនៃស្រុកកំពង់ត្រឡាច))

Prey Damrei Srot Security Centre (មន្ទីរសន្តិសុខព្រៃដំរីស្រត) in Damrei Srot Village, Svay Chuk Sub-District, Samaki Mean Chey District (ភូមិដំរីស្រត ឃុំស្វាយជុក ស្រុកសាមគ្គីមានជ័យ) and related sites

- Watt Trapeang Mtes Prey and Ta Kuch execution Site (វត្តត្រពាំងម្នេសព្រៃ) , Svay Chuk commune/ sub district, Samaki Manchey district in 1975.
- Prey Totoeng (ព្រៃទទឹង), Damrei Srot village, Svay Chuck sub district, Samaki Manchey district in 1975.
- Phnom Krech (ភ្នំក្រេច) in Kraing Lvea commune/sub district, Samaki Manchey district in 1975.
- Prey Sré Val (ព្រៃស្រវាល) , Thmei Khmer village in Tbeng Khpous commune, Samaki Manchey District and Watt Tbeng Khpeos pagoda in 1975.
- Watt Chrak Sdech (វត្តច្រកស្តេច) in Peam commune Samaki Manchey District in 1975.

▪ Kampong Cham Province:

Steung Tauch execution Site (កន្លែងសម្លាប់ស្ទឹងតូច) located in Kak Commune Ponhea Krek District (ឃុំកក ស្រុកពញាឮកែក)

▪ Kandal Province:

Sang Security Center (មន្ទីរសន្តិសុខសង់) in Kandal Stung District (ស្រុកកណ្តាលស្ទឹង)

▪ Kampong Saom Province:

Koh Kyang Security Center (មន្ទីរសន្តិសុខកោះខ្យង) Koh Kyâng village, Au Chov sub-district, (formerly Prey Nup District) (ភូមិកោះខ្យង ឃុំអូរជ្រៅ (ពីមុនជាស្រុកព្រៃនប់))

▪ **Kratie Province:**

Kok Kduoch Security Center (មន្ទីរសន្តិសុខគោកក្នុង) in Sambo district (ស្រុកសំបូរ) and related site *Pra Sral Security Center*

▪ **Takeo Province:**

Kraing Ta Chan Security Center (មន្ទីរសន្តិសុខក្រាំងតាចាន់) in Kus Commune, Tram Kok District (ឃុំគូស ស្រុកត្រាំកក់)

▪ **Mondulkiri Province:**

Phnom Kraol Security Center (មន្ទីរសន្តិសុខភ្នំក្រោល) in Koh Nhek District, Sre Sangkum commune, village 9 (ស្រុកកោះញែក ឃុំស្រែសង្កម ភូមិ ៩)

▪ **Phnom Penh**

Office S-21 (មន្ទីរស-២១), eventually located on Street 103, Boeng Keng Kang 3 sub-district, Chamkar Mon district and related site *Choeung Ek execution site* (ជើងឯក).

▪ **Pursat Province**

Tuol Po Chrey Execution Site (កន្លែងសម្លាប់ទួលពោធិ៍ជ្រៃ) located in Pring Khpous, Kandieng District (ស្រុកកណ្តៀង)

▪ **Ratanakiri Province:**

O Kanseng / Phum 3 Security Center (មន្ទីរសន្តិសុខ អូរកន្សែង/ភូមិ ៣) formally located in LaBanSiek Sub district, Banlung District (ឃុំឡាបានសៀក ស្រុកបានលុង)

▪ **Siem Reap Province:**

Siem Reap Security Center (មន្ទីរសន្តិសុខសៀមរាប) originally located in front of the Court of First instance. It comprised the Dharmayudhi Pagoda (also called Thamyut or Kesararam pagoda) (វត្តដាម៉ាយឌី (ហៅ វត្តធម្មយុទ្ធ ឬវត្ត កេសាររាម)).

▪ **Svay Rieng Province:**

Wat Tlork Security Center (មន្ទីរសន្តិសុខវត្តត្រក) in Tlork Village, Svay Chrum District (Called Mean Chey Thmey district during DK) (ភូមិត្រក ស្រុកស្វាយជ្រំ (ហៅស្រុកមានជ័យថ្មីក្នុងកំលុងរបបកម្ពុជាប្រជាធិបតេយ្យ))

III - ACTS DIRECTED AGAINST THE POPULATION AND/OR GROUPS OF PERSONS

- *Displacement of persons* from Phnom Penh immediately after 17 April 1975
- *Displacement of persons* from the Central and Southwestern parts of the country to the North and North West Zones (Provinces of Battambang and/or Pursat) from the end of 1975 and continuing in 1976, in particular in relation to the treatment of members of the Cham minority
- *Displacement of persons* from the East Zone, in 1978 in particular from Prey Veng and Svay Rieng Provinces to Pursat and Battambang Provinces
- *Treatment of Buddhists* throughout Democratic Kampuchea and in particular
 - *Wat Châmbâk* (វត្តចំបក់), Tuol Sdei village, Tuol Sdei sub-district, Chantrea district, Svay Rieng province
 - *Wat Ta Kut and Wat Mè* (វត្តតាកុត និងវត្តម៉ែ) in Chey Tauch village, Chey Thom sub-district, Ksach Kandal district, Kandal province
 - *Wat Antung Vien* (វត្តអង្គជំរឿន) also known as Wat Mony Vanaram Antung Vien in Antung Vien village, Kantuot sub-district, Kratie district, Kratie province
 - *Wat Damnâk Trâyoeng* (វត្តដំណាក់ត្រយឹង) in Touk Meas district, Kampot province
 - *Wat Chey Mongkul* (វត្តជ័យមង្គល) Kamphun village, Kamphun sub-district, Se San district, Stung Treng province
 - *Wat Samrong* (វត្តសំរោង), Samrong village, Samrong sub-district, Ek Phnom district, Battambang province.
- *Treatment of Vietnamese* in Prey Veng and Svay Rieng Provinces and during incursions into Vietnam.
- *Treatment of members of the Cham minority* in Central; East and Northwest Zone and in particular in Kampong Cham Province :
 - *Trea II village execution site* (ភូមិទ្រា II) located in Kroch Chhmar District (ស្រុកក្រូចឆ្មារ)
 - *Wat O Trau Kuon Security Center* (វត្តអូរត្រកួន) located in Kang Meas District (ស្រុកកងមាស)
- “Purges” (ការបោសសំអាតខ្លាំង) conducted by the Democratic Kampuchea regime and in particular in the (Old and/or New) North Zone in 1976 and (New) North Zone in late 1976 and early 1977, and in the East Zone in 1978.
- *Forced marriage* (ការរៀបការដោយបង្ខំ) throughout Democratic Kampuchea

Anyone who believes they fall within the definition of Civil Party found in Internal Rule 23.2 and Article 3.2 of the Practice Direction on Victim Participation in respect to any of the material facts listed above, and who wish to apply to join the ECCC proceedings as a Civil Party, should contact the ECCC Victims Unit as soon as possible.

**Victims Unit
House No. 6A,
Street 21, Sangkat Tonle Basac I, Khan Chamcarmon
Phnom Penh, Cambodia.
Phone helpline on 012 842861, 097 7424218 or 023 214 291.**

The ECCC Victims Unit is ready to assist and provide further explanation to those who wish to complete Victim Information Forms. The office is open from 8:00 AM to 5:00 PM from Monday to Friday except on public holidays.

See also

ECCC Victims Unit “Key message for civil party applicants in case 002”
http://www.eccc.gov.kh/english/cabinet/press/133/vu_statement_en.pdf