



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

10 May 2011

PRESS RELEASE

STATEMENT BY THE NATIONAL CO-PROSECUTOR REGARDING CASE FILE 003

The National Co-Prosecutor, CHEA Leang, makes this public statement pursuant to ECCC Internal Rule 54 regarding Case File 003.

In view of the first preliminary investigation by the International Co-Prosecutor and the latest investigation leading to the closure of investigation by the Co-Investigating Judges, the National Co-Prosecutor thoroughly examined and maintained that the suspects mentioned the Case File 003 were not either senior leaders or those who were most responsible during the period of Democratic Kampuchea.

In accordance with the Law on the Establishment of Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed During the Period of Democratic Kampuchea (the “ECCC Law”) and the preamble of the Agreement between the United Nations and the Royal Government of Cambodia concerning the Prosecution under Cambodian Law of Crimes Committed during the Period of Democratic Kampuchea (“UN-RGC Agreement”) dated 18 December 2002 and the recognition by the United Nations General Assembly of the legitimate concern of the Royal Government of Cambodia and the people of Cambodia in the pursuit of justice and national reconciliation, stability, peace and security, the selection of two categories of suspects were made: senior leaders of Democratic Kampuchea and those who were most responsible for the crimes and serious violations of the Cambodian penal law, international humanitarian law and custom, and international conventions recognized by Cambodia, that were committed during the period from 17 April 1975 to 6 January 1979.

Further, the National Co-Prosecutor opines that priorities should be given to the prosecution of the Accused in the custody of the ECCC Detention Facility. In light of the UN-RGC Agreement and the ECCC Law that envisaged the prosecution of a limited number of people.

For the reasons given, the National Co-Prosecutor maintains that the named suspects in Case File 003 do not fall within the jurisdiction of the ECCC to be brought to trial and that the Tribunal’s mandate can be adequately fulfilled through the prosecution of the Accused persons in the ECCC Detention Facility.