



8 September 2009

STATEMENT OF THE ACTING INTERNATIONAL CO-PROSECUTOR

SUBMISSION OF TWO NEW INTRODUCTORY SUBMISSIONS

Yesterday, the Acting International Co-Prosecutor filed with the Office of the Co-Investigating Judges the Second and Third Introductory Submissions so that judicial investigations are opened into the criminal acts alleged therein. This filing was done in accordance with the directions given by the Pre-Trial Chamber in its Considerations Regarding the Disagreement Between the Co-Prosecutors Pursuant to Internal Rule 71 (Disagreement No. 001/18-11-2008-ECCC/PTC), received by the Co-Prosecutors on 2 September 2009.

Introductory Submissions are, by law, confidential documents. Recognizing, however, the importance of the work of this Court and the need for the public to be informed of the progress of its proceedings, the Internal Rules allow the Co-Prosecutors to provide the public with an objective summary of their submissions, while protecting the integrity of the investigation, the identity of the victims and witnesses, and the presumption of innocence of the suspects.

The Second and Third Introductory Submissions cover crimes that were committed as part of a joint criminal enterprise constituting a systematic and unlawful denial of the rights of the Cambodian population, and identify a total of five (5) suspects.

Based on a preliminary investigation, the Second Introductory Submission requests judicial investigation of eight (8) distinct factual situations of murder, torture, unlawful detention, forced labour and persecution. The factual allegations in this Introductory Submission, if proved, would constitute crimes against humanity, grave breaches of the Geneva Conventions and violations of the 1956 Cambodian Penal Code. The Third Introductory Submission requests judicial investigation of thirty-two (32) distinct factual situations of murder, torture, unlawful detention, forced labour, and persecution. The factual allegations in the Third Introductory Submission, if proved, would constitute crimes against humanity, violations of the 1956 Cambodian Penal Code and genocide.

The Acting International Co-Prosecutor has no plans to conduct any further preliminary investigations into additional suspects at the ECCC. In forwarding to the Co-Investigating Judges these 5 new suspects for judicial investigation, the Acting International Co-Prosecutor agrees with the statement of the former International Co-Prosecutor of 5 January 2009 that this last set of cases to be prosecuted would lead to a more comprehensive accounting of the crimes that were committed under the DK regime during 1975-79.

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