



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

Office of the Co-Prosecutors

16 August 2010

STATEMENT OF THE CO-PROSECUTORS

Today the Co-Prosecutors have filed a Notice of Appeal against the Judgement of the Trial Chamber of 26 July 2010, in which Kaing Guek Eav *alias* Duch was convicted and sentenced to a period of 30 years imprisonment.

In their Notice, the Co-Prosecutors request the Supreme Court Chamber to increase the term of imprisonment against Duch. The Co-Prosecutors are of the view that the Judgement gives insufficient weight to the gravity of Duch’s crimes and his role and his willing participation in those crimes. At the same time, the Co-Prosecutors believe that undue weight is placed on any mitigating circumstances applicable to Duch.

The Co-Prosecutors also provide notice of their intention to appeal the Judgement on the basis that it fails to reflect the full extent of Duch’s criminal conduct. It is their view that Duch should be separately convicted of the crimes against humanity of enslavement, imprisonment, torture, rape, extermination, and other inhumane acts. These crimes should not have been subsumed into the crimes of persecution and torture. Additionally, the Co-Prosecutors believe the legal elements of the crime of enslavement are not properly defined in the Judgement leading to a failure to convict Duch for the enslavement of the majority of detainees at S-21.

Consequently, the Co-Prosecutors will be requesting that the Supreme Court Chamber increase the sentence against Duch, enter separate convictions for all charges proved, and further enter a conviction recognising the enslavement of the majority of detainees at S-21.

The substantive arguments supporting this Notice of Appeal will be filed with the Supreme Court Chamber within 60 days in accordance with the Internal Rules.
