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អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

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

**Royaume du Cambodge
Nation Religion Roi**

**ការិយាល័យសហចៅក្រមស៊ើបអង្កេត
Office of the Co-Investigating Judges
Bureau des Co-juges d'instruction**

**ដីកាចង្អាប់ឱ្យនាំខ្លួន
Arrest Warrant
Mandat d'amener**

Case File No: 004/07-09-2009-ECCC-OCIJ

I, **Mark B. Harmon**, International Co-Investigating Judge (“International CIJ”) of the Extraordinary Chambers in the Courts of Cambodia (“ECCC”);

Noting the Law on the Establishment of the Extraordinary Chambers in the Courts of Cambodia, dated 27 October 2004 (“ECCC Law”);

Noting Rules 11, 15, 21, 22, 41, 42, 45, 51, 55, 57 and 72 of the ECCC Internal Rules (“Internal Rules”);

Noting the Co-Prosecutors’ Third Introductory Submission, dated 20 November 2008, initiating Case No. 004, which was placed on the Case File on 7 September 2009 (“Introductory Submission”);¹

Noting the Co-Prosecutors’ Supplementary Submission Regarding Sector 1 Crime Sites and Persecution of Khmer Krom, dated 18 July 2011 (“First Supplementary Submission”);²

Noting the Co-Prosecutors’ Supplementary Submission Regarding Forced Marriage and Sexual or Gender-Based Violence, dated 24 April 2014 (“Second Supplementary Submission”);³

Noting the judicial investigation opened in relation to alleged violations of the **1956 Penal Code**, the **Convention on the Prevention and Punishment of the Crime of Genocide**, the **Geneva Conventions of 1949**, and **Crimes against Humanity**,

¹ Case File No. 004-D1, *Co-Prosecutors’ Third Introductory Submission*, 20 November 2008 (“Third Introductory Submission”); Case File No. 004-D1/1, *Acting International Co-Prosecutor’s Notice of Filing of the Third Introductory Submission*, 7 September 2009.

² Case File No. 004-D65, *Co-Prosecutors’ Supplementary Submission Regarding Sector 1 Crime Sites and Persecution of Khmer Krom*, 18 July 2011.

³ Case File No. 004-D191, *Co-Prosecutors’ Supplementary Submission Regarding Forced Marriage and Sexual or Gender-Based Violence*, 24 April 2014.



punishable under Articles 3 (new), 4, 5, 6, 29 and 39 of the ECCC Law; and Articles 209, 210, 500, 501, 503, 504, 505, 506, 507 and 508 of the 1956 Penal Code;

Noting that Im Chaem is a named Suspect in the Introductory Submission, First Supplementary Submission, and Second Supplementary Submission;

Noting the following regarding Im Chaem's identity:

Female

Date of birth: 1946

Place of birth: Kbal O village, Cheang Torng commune, Tram Kak district, Takeo province

Nationality: Cambodian

Current residence: O-Angre village, Trapeang Tav commune, Anlung Veng district, Oddar Meanchey province

Pictured in the attached photograph⁴

Noting that, on 29 July 2014, the International CIJ issued a Summons for Im Chaem to appear at the ECCC for an Initial Appearance on 8 August 2014;⁵

Noting that Christian Baudesson, Investigator at the ECCC, served this Summons on Im Chaem on 31 July 2014;⁶

Noting that Im Chaem failed to appear for this Initial Appearance;

Noting the disagreement registered on 20 May 2014;

Hereby **order** the Judicial Police to execute this mandat d'amener forthwith.

The Judicial Police shall not enter the residence of Im Chaem prior to 6:00 a.m. or after 6:00 p.m., and the Judicial Police shall notify the International CIJ of any difficulty in performing their mission.

The Judicial Police shall bring Im Chaem before the International CIJ for an Initial Appearance. If Im Chaem, due to the circumstances, cannot be brought before the International CIJ immediately, she shall be placed in temporary detention, wherever possible in the detention facility of the ECCC, and presented to the International CIJ as soon as possible.

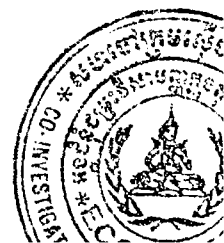
Im Chaem has the following rights under the Internal Rules:

- The right to lawyers of her own choosing as provided in Internal Rules 11, 21, and 22 and the applicable administrative regulations;
- The right to have a lawyer present during her Initial Appearance pursuant to Internal Rule 57;
- The right to remain silent pursuant to Internal Rule 57;

⁴ Case No. 004-A150.1, *Photograph of IM Chaem*, 29 July 2014.

⁵ Case File No. 004-A150, *Summons of IM Chaem for Initial Appearance*, 29 July 2014.

⁶ Case File No. 004-A150/1, *Written report of service of summons*, 8 August 2014.



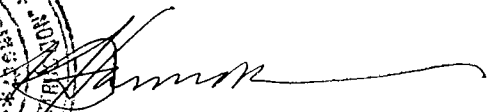
- The right to make a recorded statement with a lawyer present during her Initial Appearance pursuant to Internal Rule 57; and
- The right to consult with a lawyer prior to being interviewed at any stage of the judicial investigation.

Should she be placed in temporary detention because she cannot be brought before the International CIJ immediately, Im Chaem has the following rights under Internal Rule 51:

- The right to request to see her lawyer, who shall be informed of the request immediately, by all means available; and
- The right to meet with such lawyer or, if this is not possible, a lawyer provided by the Defence Support Section, for a maximum of 30 (thirty) minutes before she is presented to the International CIJ. Such lawyer shall have the right to be present during the period of police custody, subject to the administrative requirements of the detention facility.

The International CIJ requests that all competent authorities provide any assistance that may be requested by the Judicial Police in their execution of this mandat d'amener.

Dated 14 August 2014, Phnom Penh



Judge Mark B. Harmon
អ្នកសម្រេចកិច្ចការស៊ើបអង្កេតអន្តរជាតិ

International Co-Investigating Judge
Co-Juge d'Instruction International