

**Declassified to Public
06 September 2012**

ANNEXE 1

Kingdom of Cambodia
Nation Religion King

Military Court
No. 029/99

Second Order to Forward Case for Investigation
Requisitoire Introductif d'Accusation (R.I)

I, Major General **Sao Sok**, Military Prosecutor

- having taken into account the Law on the Organisation and Functioning of the Courts of the State of Cambodia, promulgated by Kret 06, dated 8 February 1993;
- having taken into account the Law on Criminal Procedure, promulgated by Kret 21, dated 8 March 1993;
- having taken into account Criminal Case No. 397, dated 6 March 1999;
- having taken into account the Order to Forward for Investigation No. 140, issued 10 May 1999 of the Investigating Judge of the Military Court;

after examining all the above documents, conclude that: on the basis of the results of investigation by the Investigating Judge, and the answers of **Ung Choeun**, known as **Mok**, which confirm that **Duch** was the director of Tuol Sleng Security Prison during the regime of Democratic Kampuchea and was involved in crimes against domestic security with the intention of serving the policies of the Democratic Kampuchea group;

hereby indict **Duch**, involved together with **Ung Choeun**, known as **Mok**, for crimes against domestic security with the intention of serving the policies of the Democratic Kampuchea group, committed in Cambodia, during the period 1975 to 1999;

the offence that is proscribed in Articles 2, 3 and 4 of the Law to Outlaw the Democratic Kampuchea Group, and Article 7, (ñ) of Decree Law 2,

the case and evidence together with the involved people to be forwarded to the Investigating Judge for investigation, and for the issue of an order for the detention of **Duch** according to the Law.

Issued on 10 May 1999
Office of the Military Prosecutor
Prosecutor

(signed and sealed)

Major General Sao Sok

ANNEXE 2



FILING INSTRUCTIONS

Case Number:	002/14-08-2006	Case Name:	KANG GUEK EAV		
Document Title:	Addendum à l'annexe 2 du Mémoire en appel de l'ordonnance de placement en détention provisoire en date du 31 juillet 2007				
Date Filed:	13/09/2007	Language:	Français (original)		
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Filed by:	CHAN Ravuth	Position:	Case manager - Defence		
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2.					
3.					

Nature of documents:	Public Filing: <input type="checkbox"/>	Confidential: <input checked="" type="checkbox"/>
Other (give explanation below)		
Ex Parte: <input type="checkbox"/>	Urgent: <input type="checkbox"/>	Late filing: <input type="checkbox"/>
<p>អង្គជំនុំជម្រះនៃអង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា THE PRE - TRIAL CHAMBER OF THE ECCC លេខ No. : ០០២ ថ្ងៃទី ១៣ ខែ កញ្ញា ឆ្នាំ ២០០៧ Date: ម៉ោងប្រហុយ ១០:០០ ព្រឹក Time</p>		

Addendum à l'annexe 2 du Mémoire en appel de l'ordonnance
de placement en détention provisoire en date du 31 juillet 2007

L'annexe 2 du Mémoire en appel de l'ordonnance de placement en détention en date du 31 juillet 2007 déposé par la défense le 5 septembre 2007 auprès de la Chambre Préliminaire est un document de deux pages en anglais qui s'intitule « Réquisitoire introductif d'accusation du Procureur Militaire, 6 septembre 1999 ».

La défense dépose ce jour auprès de la Chambre Préliminaire la deuxième page de ce document.

**Kingdom of Cambodia
Nation Religion King**

**Military Court
No. 044/99**

**Order to Forward Case for Investigation
Requisitoire Introductif d'Accusation (R.I)**

I, Major General **Sao Sok**, Military Prosecutor

- having taken into account the Law on the Organisation and Functioning of the Courts of the State of Cambodia, promulgated by Kret 06, dated 8 February 1993;
- having taken into account the Law on Criminal Procedure, promulgated by Kret 21, dated 8 March 1993;
- having taken into account Article 158 (new) [of the Constitution] which states: "Laws and regulations in Cambodia that safeguard State property, rights and freedoms, and legally acquired private property, and that are in accordance with the national interest, shall continue in effect until such time as they are amended or repealed, except any provisions that conflict with the spirit of this Constitution". The Constitution was adopted by the National Assembly of the Kingdom of Cambodia on 4 March 1999, in the Extraordinary Session of the 2nd Legislature;
- having taken into account Law No. 1, issued on 15 July 1979;
- having taken into account the Investigating Judge's Order to Investigate further offences No. 162/99 នីតិ, issued on 31 August 1999;
- having taken into account Criminal Case No. 397, dated 6 March 1999;

indict:

- 1) **Ung Choeun**, known as **Ta Mok**, male;
born on day unknown, month unknown, Year of the Tiger (1927);
in Prakeap Village, Chieng Tong Commune, Tram Kok District, Takeo Province;
current [residence] Pteah Kandal (Choam), on the Cambodia-Thai border;
entered military service in 1945, Cambodian nationality, Khmer ethnicity, Buddhist;
wife's name Vy Pon, aged 40 years, Khmer ethnicity [obliterated] Cambodian nationality, Buddhist;
born at Prey Khla Village, Prey Khla Commune, Koh Andaet District, Takeo Province;
current residence Pteah Kandal (Choam), on the Cambodia-Thai border;
having 7 children (1 boy and 6 girls);

- 2) **Kaing Khek Iev**, known as **Duch**, male;
born on 17 November, 1942;
in Peou Reuy Village, Peam Bang Commune, Kandieng District, Kampong
Thom Province;
current residence O Tuntim Village, Ta Saing Commune; Samlaot District,
Battambang Province;
Cambodian nationality, Khmer ethnicity, Christian;
occupation: teacher and director of Tuol Sleng Prison (Pol Pot period);
wife's name Chhem Sophal, born in 1946, Khmer ethnicity, Cambodian
nationality, Buddhist;
born at Hong Tnaot Village, Peam Commune, Kampong Tralach District,
Kampong Chhnang Province;
current residence (deceased);
having 4 children (3 boys and 1 girl);

for the crime of: genocide.

in violation of Article 2 of Decree Law No. 1, issued on 15 July 1979;

committed in Cambodia, during the regime of Democratic Kampuchea;

the case and the offenders to be forwarded to the Investigating Judge to be dealt with
according to the Law on Criminal Procedure, and request the offenders to be held in
temporary detention.

Issued on 6 September 1999
Military Prosecutor

(signed and sealed)

Major General Sao Sok

ANNEXE 3

Kingdom of Cambodia
Nation Religion King

Military Court
No 16DK/2002

Detention Order

I, Ngin Sam An, Investigating Judge of the Military Court

- having taken into account Criminal Case No. 397, dated 6 March 1999;
- having taken into account the Order to Forward Case for Investigation No.004/02, dated 20 February 2002 of the Military Prosecutor of the Military Court

after having interrogated the offender named **Kaing Khek Iev**, known as **Duch**,

order the detention of Kaing Khek Iev, known as **Duch**,
age 60, male, Khmer nationality, rank....., position former director of Tuol Sleng Prison (S-21), occupation: teacher and director of education in Samlaot District, Battambang, born in Peou Veuy Village, Peam Bang Commune, Stoeung District, Kampong Thom Province;
current residence O Tuntim Village, Ta Saing Commune; Samlaot District, Battambang Province;
father's name Kaing Ky, deceased; mother's name Meas Kim Sieu, 79 years;
wife's name Chhem Sophal, deceased
having 4 children;
previous conviction political detention, arrested 10 May 1999

for crimes against humanity, according to Article 5 and 39 of the Law on the Establishment of the Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed during the Period of Democratic Kampuchea, dated 10 August 2001

committed in Cambodia during the period from 17 April 1975 to 6 January 1979

The Prison Director/Military Prosecutor has the obligation to discharge this Order effectively

done in Phnom Penh, 22 February 2002

Investigating Judge

(signed and sealed)
Ngin Sam An

ANNEXE 4

Kingdom of Cambodia
Nation Religion King

Military Court
No 10/03/DK

Detention Order

I, Ngin Sam An, Investigating Judge of the Military Court

- having taken into account Criminal Case No. 397, dated 6 March 1999;
- having taken into account the Order to Forward Case for Investigation No.004/02, dated 20 February 2002 of the Military Prosecutor of the Military Court

after having interrogated the offender named **Kaing Khek Iev**, known as **Duch**,

in order to guarantee a good investigation

order the detention of Kaing Khek Iev, known as **Duch**,

age 60; male; Khmer nationality; rank.....;

position former director of Tuol Sleng Prison (S-21);

occupation: teacher and director of education in Samlaot District, Battambang;

born in Peou Veuy Village, Peam Bang Commune, Stoeung District, Kampong Thom Province;

current residence O Tuntim Village, Ta Saing Commune, Samlaot District, Battambang Province;

father's name Kaing Ky, deceased;

mother's name Meas Kim Sieu, 79 years;

wife's name Chhem Sophal, deceased;

having 4 children;

previous conviction political detention, arrested 10 May 1999

for crimes against humanity, according to Articles 5 and 39 of the Law on the Establishment of the Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed during the Period of Democratic Kampuchea, dated 10 August 2001

committed in Cambodia during the period from 17 April 1975 to 6 January 1979

The Prison Director/Military Prosecutor has the obligation to discharge this Order effectively

done in Phnom Penh, 22 February 2003

Investigating Judge

(signed and sealed)

Ngin Sam An

ANNEXE 5

**Kingdom of Cambodia
Nation Religion King**

**Military Court
No 19/04/DK**

Detention Order

I, Ngin Sam An, Investigating Judge of the Military Court
- having taken into account Criminal Case No. 397, dated 6 March 1999;
- having taken into account the Order to Forward Case for Investigation No.004/02, dated 20 February 2002 of the Military Prosecutor of the Military Court.

after having interrogated the offender

named **Kaing Khek Iev**, known as **Duch**, in order to guarantee a good investigation order the detention of **Kaing Khek Iev**, aged 62; male; Khmer nationality; rank.....; position **former director of Tuol Sleng Prison (S-21)**; occupation: teacher and Chief of Education Office in Samlaot District, Battambang; born in O Tuntim Village, Ta Saing Commune, Stoeung District, Kampong Thom Province; current residence: O Tuntim Village, Ta Saing Commune, Stoeung District, Kampong Thom Province;

father's name: **Kaing Ky**, deceased;
mother's name: **Meas Kim Sieu**, 79 years;
wife's name : **Chhem Sophal**, deceased;
having 4 children;
previous conviction of political detention,
arrested 10 May 1999
for crimes against humanity,

according to Articles 5 and 39 of the Law on the Establishment of the Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed during the Period of Democratic Kampuchea, dated 10 August 2001

committed in Cambodia during the period from 17 April 1975 to 6 January 1979

The Prison Director/Military Prosecutor has the obligation to carry out this Order effectively

Having been informed
Phnom Penh, 22.Feb.04
Military Prosecutor
(signed and sealed)
Maj. Gen. Prum San Thon

done in Phnom Penh, 22 February 2004
Investigating Judge
(signed and sealed)
Ngin Sam An

ANNEXE 6

Kingdom of Cambodia
Nation Religion King

Military Court
No 08/05

Detention Order

I, Ngin Sam An, Investigating Judge of the Military Court

- having taken into account Criminal Case No. 397, dated 6 March 1999;
- having taken into account the Order to Forward Case for Investigation No.004/05, dated 24 February 2005 of the Military Prosecutor of the Military Court

after having interrogated the offender

named **Kaing Khek Iev**, known as **Duch**, in order to carry out a good investigation, order the detention of **Kaing Khek Iev**, known as **Duch**; age 63; male; nationality: Khmer; rank:; position: former director of Tuol Sleng Prison (S-21); occupation: teacher and director of education in Samlaot District, Battambang, born in: Peou Veuy Village, Peam Bang Commune, Stoeung District, Kampong Thom Province; current residence: O Tuntim Village, Ta Saing Commune; Samlaot District, Battambang Province; father's name: Kaing Ky, deceased; mother's name: Meas Kim Sieu, deceased; wife's name: Chhem Sophal, deceased having 4 children;

previous conviction: political detention, during the Sangkum Reastr Niyum period
arrested: 10 May 1999
for: war crimes [and] crimes against internationally protected persons, according to Article 6 and 8 of the Law on the Establishment of the Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes
committed in: Cambodia during the period from 17 April 1975 to 6 January 1979.

The Prison Director/Military Prosecutor has the obligation to discharge this Order effectively

I, Colonel Hun Sokhom, Prison Director/ Military Prosecutor have carried out the Order to detain Kaing Khek Iev, male, for war crimes [and] crimes against internationally protected persons, committed in Cambodia, according to the authority of the Order dated 28 February 2005, with personal identification number

Note: this person was detained on the following other charges
.....

On 28 February 2005, with personal identification number

(if not available, state "not available")

Phnom Penh, 28 February 2005

Prison Director

(signed and sealed)

Colonel Hun Sokhom

ANNEXE 7

Kingdom of Cambodia
Nation Religion King

Military Court
No 05/06/DK

Detention Order

I, Ngin Sam An, Investigating Judge of the Military Court

- having taken into account Criminal Case No. 397, dated 6 March 1999;
- having taken into account the Order to Forward Case for Investigation No.004/05, dated 24 February 2005 of the Military Prosecutor of the Military Court

after having interrogated the offender

named **Kaing Khek Iev**, known as **Duch**, in order to carry out a good investigation, order the detention of **Kaing Khek Iev**, known as **Duch**; age 64; male; nationality: Khmer; rank:; position: former director of Tuol Sleng Prison (S-21); occupation: teacher and director of education in Samlaot District, Battambang, born in: Peou Veuy Village, Peam Bang Commune, Stoeung District, Kampong Thom Province; residence before time of arrest: O Tuntim Village, Ta Saing Commune; Samlaot District, Battambang Province; father's name: Kaing Ky, deceased; mother's name: Meas Kim Sieu; wife's name: Chhem Sophal, deceased having 4 children;

previous conviction: political detention, during the Sangkum Reastr Niyum period

arrested: 10 May 1999

for: war crimes [and] crimes against internationally protected persons, according to Article 6 and Article 8 of the Law on the Establishment of the Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes;

committed in: Cambodia during the period from 17 April 1975 to 6 January 1979.

The Prison Director/Military Prosecutor has the obligation to discharge this Order effectively

I, Hun Sokhom, Prison Director/ Military Prosecutor have carried out the Order to detain **Kaing Khek Iev**, known as Duch, male, for war crimes [and] crimes against internationally protected persons, committed in Cambodia, according to the authority of this Order on 28 February 2006, with identification number: none

Note: this person was detained on the following other charges: none

On: with identification number: none

(if none, state "none")

Phnom Penh, 28 February 2006

Prison Director

(signed and sealed)

Colonel Hun Sokhom

ANNEXE 8

**Kingdom of Cambodia
Nation Religion King**

**Military Court
No 19/04/DK**

Detention Order

I, Ngin Sam An, Investigating Judge of the Military Court

- having taken into account Criminal Case No. 397, dated 6 March 1999;
- having taken into account the Order to Forward Case for Investigation No.004/05, dated 24 February 2005 of the Military Prosecutor of the Military Court.

after having interrogated the offender

- named **Kaing Khek Iev**, known as **Duch**, in order to guarantee a good investigation order the detention of **Kaing Khek Iev**, aged 65; male; Khmer nationality; rank.....;
- position **former director of Tuol Sleng Prison (S-21)**;
- occupation: teacher and Chief of Education Office in Samlaot District, Battambang;
- born in O Tuntim Village, Ta Saing Commune, Stoeung District, Kampong Thom Province;
- current residence: O Tuntim Village, Ta Saing Commune, Stoeung District, Kampong Thom Province;
- father's name: **Kaing Ky**, deceased;
- mother's name: **Meas Kim Sieu**, 79 years;
- wife's name : **Chhem Sophal**, deceased;
- having 4 children;
- previous conviction of political detention,
- arrested 10 May 1999
- for war crimes, and crimes against internationally protected persons according to articles 6 and 8 of the Law on the Establishment of the Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed during the Period of Democratic Kampuchea, dated 10 August 2001 committed in Cambodia during the period from 17 April 1975 to 6 January 1979.

The Prison Director/Military Prosecutor has the obligation to carry out this Order effectively

done in Phnom Penh, 28 February 2007
Investigating Judge

Having been informed
Phnom Penh, 28.Feb.07
Military Prosecutor
(signed and sealed)

(signed and sealed)
Ngin Sam An