	ឯកសារដើម	ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
	ថ្ងៃ ឆ្នាំ ទទួល (Date of receipt/date de reception): 05 / 06 / 2015	ពេលវេលា (Time/Heure) : 10:00
អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា Extraordinary Chambers in the Courts of Cambodia Chambres extraordinaires au sein des Tribunaux		ព្រះរាជាណាចក្រកម្ពុជា ជាតិ សាសនា ព្រះមហាក្សត្រ Kingdom of Cambodia Nation Religion King Royaume du Cambodge Nation Religion Roi
អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា Extraordinary Chambers in the Courts of Cambodia Chambres extraordinaires au sein des Tribunaux		ករណី (Case File Officer/L'agent chargé) SA NN PHON

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

ដីកាបញ្ជប់ឱ្យនាំខ្លួន
Arrest Warrant
Mandat d'amener

Case File No: 003/07-09-2009-ECCC-OCIJ

I, **Mark B. Harmon**, International Co-Investigating Judge 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 the Co-Prosecutors’ Second Introductory Submission, filed on 7 September 2009 (“Introductory Submission”);¹

Noting the International Co-Prosecutor’s Supplementary Submission Regarding Crime Sites Related to Case 003, filed on 31 October 2014 (“Supplementary Submission”);²

Noting the judicial investigation relating to alleged violations of the **1956 Penal Code, Crimes against Humanity and Grave Breaches of the Geneva Conventions of 12 August 1949**, offences defined and punishable under Articles 3(new), 5, 6, 29 and 39 of the ECCC Law and Articles 500, 501, 503, 505, 506, 507 and 508 of the 1956 Penal Code;

Noting the *Arrest Warrant of Meas Muth*, filed on 11 December 2014;³

Noting the *Decision to Charge Meas Muth* in absentia, filed on 3 March 2015 (“Decision to Charge”);⁴

Noting Rules 11, 21, 22, 42, 45, 55(5), 63 and 72 of the ECCC Internal Rules (“Internal Rules”);

Noting the Disagreements registered on 7 and 22 February 2013 and 17 July 2014;

Noting the following regarding Meas Muth's identity:

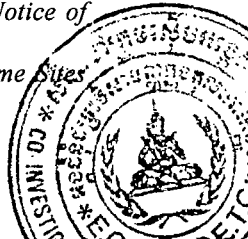
- Name: **Meas Muth**, *alias* Achar Nem
- Date of birth: 1938

¹ Case File No. 003-D1, *Co-Prosecutors’ Second Introductory Submission Regarding the Revolutionary Army of Kampuchea*, 20 November 2008; Case File No. 003-D1/1, *Acting International Co-Prosecutor’s Notice of Filing of the Second Introductory Submission*, 7 September 2009.

² Case File No. 003-D120, *International Co-Prosecutor’s Supplementary Submission Regarding Crime Sites Related to Case 003*, 31 October 2014.

³ Case File No. 003-C1, *Arrest Warrant of Meas Muth*, 11 December 2014.

⁴ Case File No. 003-D128, *Decision to Charge Meas Muth* in absentia, 3 March 2015.



- Place of birth: Pou Village, Srae Khnong Commune, Chhouk District, Kampot Province
- Nationality: Cambodian
- Current residence: Ta Sanh Cheung Village, Samlaut District, Battambang Province
- Name of spouses: Khom (deceased) and Kha
- Name of children: Pheap and Vuth
- Pictured in the attached photograph

Noting that, on 3 March 2015, the International Co-Investigating Judge charged Meas Muth *in absentia* for violations of the 1956 Penal Code, Crimes against Humanity, and Grave Breaches of the Geneva Conventions of 12 August 1949;⁵

Noting that, pursuant to Internal Rule 42, the International Co-Investigating Judge may issue an Arrest Warrant against a Charged Person, whether he or she is within or outside the territory of the Kingdom of Cambodia;

Noting that pursuant to Internal Rule 63, the International Co-Investigating Judge may decide to provisionally detain a Charged Person after an adversarial hearing;

Hereby order the Judicial Police to execute this Arrest Warrant (*mandat d'amener*) forthwith;

The Judicial Police, in accordance with Rule 45, shall not enter the residence of Meas Muth prior to 6:00 a.m. or after 6:00 p.m., and the Judicial Police shall notify the International Co-Investigating Judge of any difficulty in performing their duties;

The Judicial Police shall bring Meas Muth before the International Co-Investigating Judge for an adversarial hearing to consider the issuance of an order for provisional detention pursuant to Rule 63;

If Meas Muth, due to the circumstances, cannot be brought before the International Co-Investigating Judge immediately, he shall be placed in temporary detention, wherever possible in the detention facility of the ECCC, and presented to the International Co-Investigating Judge as soon as possible.

Meas Muth has the following rights under the Internal Rules:

- The right to lawyers of his own choosing as provided in Internal Rules 11, 21, 22, and 63 and the applicable administrative regulations,
- The right to remain silent pursuant to Internal Rule 21(1)(d),
- The right to request a reasonable period to prepare his defence, pursuant to Internal Rule 63(1)(a)(b), in which case the International Co-Investigating Judge shall not order provisional detention immediately, and may decide, by reasoned order, to detain Meas Muth for a period not exceeding seven days,
- The right to be heard, in person and through his lawyers, during the hearing, as provided in Internal Rule 63(1)(a),
- The right to be released if Provisional Detention is not ordered, as provided in Internal Rule 63(1)(a),
- The right to appeal, to the Pre-Trial Chamber, against an order for Provisional Detention, if any, pursuant to Internal Rule 63(4);

⁵ Case File No. 003-D128.1, *Notification of Charges against Meas Muth*, 3 March 2015.



- The right to the benefit of the provisions concerning release from detention and bail conditions set out in Internal Rules 64 and 65;
- The right to consult with a lawyer prior to being interviewed at any stage of the judicial investigation;

Should he be placed in temporary detention because he cannot be brought before the International Co-Investigating Judge immediately, Meas Muth has the following rights under Internal Rule 51:

- The right to request to see his 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 he is presented to the International Co-Investigating Judge. 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 Co-Investigating Judge requests that all competent authorities provide any assistance to the Judicial Police, if needed, in their execution of this Arrest Warrant (*mandat d'amener*).



Dated 4 June 2015, Phnom Penh

Judge Mark B. Harmon

សមាជិកក្រុមស៊ើបអង្កេតអន្តរជាតិ
International Co-Investigating Judge
Co-juge d'instruction international