

## De verdediging van Nuon Chea voor het Cambodja Tribunaal

- Gestart in 2007, zaak loopt nog
- Advocaten: Michiel Pestman en Victor Koppe
- Practice group: Internationaal Humanitair Recht
- Relevant rechtsgebied: Internationaal Strafrecht

### Inhoud van de zaak

*Uit de officiële Case Information Sheet van de ECCC (The Extraordinary Chambers in the Court of Cambodia):*

“Charged with **Crimes against Humanity, Grave Breaches of the Geneva Conventions of 1949, Genocide, Homicide and Torture and Religious Persecution** pursuant to the 1956 Penal Code: offences which are defined and punishable under Articles 3 (New), 4,5, 6, 29 (New) and 39 (New) of the Law on the Establishment of the Extraordinary Chambers as amended 27 October 2004. The case is still in the investigative phase.

### Position in Democratic Kampuchea Regime

Deputy Secretary of the Communist Party of Kampuchea, a member of the CPK Central and Standing Committees, the Chairman of the Democratic Kampuchea People’s Assembly, the acting prime minister and the Vice Chairman of the CPK Centre Military Committee.

### Key Allegations

The Co-Investigating Judges, in their Provisional Detention Order, summarized the following bases for the charges against Nuon Chea. From 17 April 1975 to 6 January 1979, Nuon Chea was the Deputy Secretary of the Central Committee of the Communist Party of Kampuchea (CPK), a member of the CPK Central and Standing Committees, the Chairman of the Democratic Kampuchea People’s Assembly, the acting Prime Minister and the Vice Chairman of the CPK Centre Military Committee. He is alleged to have planned, instigated, ordered, directed or otherwise aided and abetted in the commission of crimes against humanity (murder, torture, imprisonment, persecution, extermination, deportation, forcible transfer, enslavement and other inhumane acts) and grave breaches of the Geneva Conventions of 1949 (wilful killing, torture, inhumane acts, wilfully causing great suffering or serious injury to body or health, wilful deprivation of rights to a fair trial, unlawful confinement and unlawful deportation or transfer).

He allegedly exercised authority and effective control over the internal security apparatus of Democratic Kampuchea (detention centres) and directed, implemented and enforced CPK policy, which was allegedly characterized by forcible transfers of the population, enslavement, forced labour and other inhumane acts. These actions were allegedly part of a widespread or systematic policy targeting a civilian population, which allegedly took place in the context of a state of international armed conflict between Democratic Kampuchea and the Socialist Republic of Vietnam during all or part of this period.

Nuon Chea disputes the charges against him and, notwithstanding his position in the government of Democratic Kampuchea, he argues that he had no direct contact with the bases and was not aware of what was happening there.”

*Voor de volledige tekst:*

[http://www.eccc.gov.kh/english/cabinet/files/Case\\_Info\\_Nuon\\_Chea\\_EN.pdf](http://www.eccc.gov.kh/english/cabinet/files/Case_Info_Nuon_Chea_EN.pdf)