

Appendix: The Law Against Non-Recognition of the Crimes Committed During the Democratic Kampuchea Period

Article 1

The objective of this law is to punish individuals who do not recognize or who downplay, deny or dispute the existence of the crimes or who laud the crimes committed during the Democratic Kampuchea period as laid down in criminal provisions and the provisions being implemented by the Extraordinary Chambers in the Courts of Cambodia to prosecute the crimes committed during the Democratic Kampuchea period.

Article 2

Any and all non-recognition, downplaying, denial or disputing of the existence of the crimes or lauding of the crimes committed during the Democratic Kampuchea period that have been recognized by law or by finalized decisions of courts having the power to implement it on the territory of the Kingdom of Cambodia constitute the act of public non-recognition of the crimes committed during the Democratic Kampuchea period;

Which is to be punished by imprisonment of from six months to two years and a fine of 1,000,000 to 4,000,000 riel; this act of public non-recognition of the crimes committed during the Democratic Kampuchea period being by one or another of the following means:

1. By words of mouth, regardless of the type of their expression in a public place or venue of public gathering;
2. By correspondence or depiction, regardless of the type of their dissemination among the public or display to public view;
3. By any means of audio-visual telecommunication to the public.

Article 3

The following additional penalties as stipulated in the Penal Code may be pronounced with regard to this offence:

1. Display of the conviction;
2. Dissemination of the conviction in the media;
3. Dissemination of the conviction in by all audio-visual telecommunication means for a maximum period of eight days.

Article 4

A legal entity may be pronounced as having criminal responsibility for the offence stipulated in Article 2 above, in accordance with the conditions stipulated in Penal Code Article 42 (Criminal Responsibility of Legal Entities). A legal entity is to be punished by a fine of 50,000,000 to 500,000,000 riel as well as by one or many of the additional penalties stipulated in Penal Code Article 168 (Additional Penalties for Implementation Vis-à-vis Legal Entities).

Article 5

This law is to be promulgated urgently.