

**BEFORE THE CO-INVESTIGATING JUDGES
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA**

FILING DETAILS

Case No: 004/07-09-2009-ECCC/OCIJ **Party Filing:** Co-Prosecutors

Filed to: Co-Investigating Judges **Original language:** English

Date of document: 4 February 2015

**CLASSIFICATION**

Classification of the document suggested by the filing party: CONFIDENTIAL

Classification by OCIJ: សម្ងាត់/Confidential

Classification Status:

Review of Interim Classification:

Records Officer Name:

Signature:

RESPONSE TO FORWARDING ORDER D237

Filed by:
International Co-Prosecutor
Nicholas KOUMJIAN

Copied to:
National Co-Prosecutor
CHEA Leang

Distribution to:
Office of the
Co-Investigating Judges
Judge Mark B. HARMON
Judge YOU Bunleng


Copied to:
Civil Party Lawyers
CHET Vanly
HONG Kimsuon
KIM Mengkhy
KONG Phallack
LOR Chunthy
SAM Sokong
TY Srinna
VEN Pov

Copied to:
Civil Party Lawyers (cont.)
Annie DELAHAIE
Laure DESFORGES
Hervé DIAKIESE
Ferdinand DJAMMEN-NZEPA
Nicole DUMAS
Isabelle DURAND
Françoise GAUTRY
Martine JACQUIN
Emmanuel JACOMY
Christine MARTINEAU
Mahdev MOHAN
Barnabé NEKUIE
Lyma NGUYEN

RESPONSE

1. Pursuant to Internal Rules 55(2) and (3), the International Co-Prosecutor (“Co-Prosecutor”) hereby responds to the International Co-Investigating Judge’s Forwarding Order dated 6 February 2015.¹ This Forwarding Order transmitted the Case File to the Co-Prosecutors with a request for clarification as to whether the Toul Beng site falls within the scope of the judicial investigation, given that recent evidence shows that the site served as a security centre and was not only an “execution site”, as alleged in the Second Supplementary Submission.²
2. The Co-Prosecutor confirms that the Toul Beng site falls within the scope of the judicial investigation.
3. The Co-Prosecutor remits the Case File to the Co-Investigating Judges for the continuation of the judicial investigation.

Respectfully submitted,

Date	Name	Place	Signature
4 March 2015	Nicholas KOUMJIAN Co-Prosecutor	Phnom Penh	

¹ **D237** Forwarding Order, 6 February 2015.

² **D237 Ibid**, p. 3; **D191** Supplementary Submission regarding forced marriage and sexual or gender-based violence, 24 April 2014, para. 11.