



ព្រះរាជាណាចក្រកម្ពុជា

ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia
Nation Religion King

អង្គជំនុំជម្រះសាលាដំបូងក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia
Chambres extraordinaires au sein des Tribunaux cambodgiens

Royaume du Cambodge
Nation Religion Roi

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

Case File No: 004/07-09-2009-ECCC-OCIJ

Before: The Co-Investigating Judges

Date: 16 August 2016

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**DECISION ON AO AN'S URGENT REQUEST FOR CONTINUED
PROVISION OF NECESSARY RESOURCES**

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I. PROCEDURAL HISTORY

1. Disagreements between the Co-Investigating Judges (“CIJs”) in this case were registered on 22 February 2013, 5 April 2013, and 22 January 2015.
2. On 9 May 2016, further to a request by the Ao An Defence (“Defence”) to order the Defence Support Section (“DSS”) to fund two additional consultants, I asked the DSS to facilitate the appointment of two consultants (“Additional Consultants”) until 30 September 2016, with the possibility of further extensions should the needs of the investigation so require.¹
3. On 15 August 2016, the Defence informed the CIJs that they had requested the DSS to extend the Additional Consultants’ contracts until 31 December 2016. In their request, the Defence listed the reasons why the contract extensions were necessary. On 10 August 2016, the DSS denied the request stating that it was in no position to determine whether the needs of the investigation required the contract extension. Following this denial, the Defence asked the CIJs to order the DSS to extend the Additional Consultants’ contracts until 31 December 2016, with the possibility of further extensions should the needs of the investigation so require.²

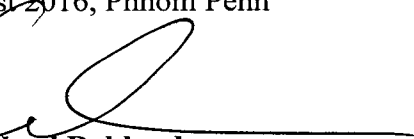
II. DISCUSSION

4. The requested extension of the Additional Consultants is justified. The Additional Consultants’ services will be required at least until the issuance of the notification of the close of the investigation pursuant to Internal Rule 66. After that date, a re-evaluation based on the development of the case and the Defence’s representations at that juncture will need to be made.
5. This decision is filed in English, with a Khmer translation to follow.

FOR THE FOREGOING REASONS, I:

6. **INFORM** the DSS that the needs of the investigation justify the requested contract extensions until the close of the investigation against Ao An; and
7. **REQUEST** the DSS to extend the Additional Consultants’ contracts until 31 December 2016 and to grant further extensions until the end of the investigation should it extend beyond 31 December 2016.

Dated 16 August 2016, Phnom Penh



Judge Michael Bohlander
សមាជិកក្រុមស៊ើបអង្កេតអន្តរជាតិ
 International Co-Investigating Judge
 Co-juge d’instruction international

¹ Case File No. 004-D304/7, *Decision on Resources to be Provided to the Ao An Defence*, 9 May 2016, para. 6.

² Case File No. 004-D304/10, *Urgent Request to Order DSS to Continue Provision of Necessary Resources*, 15 August 2016.