



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 cambodgiens

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

ការិយាល័យសហចៅក្រមស៊ើបអង្កេត

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

Before: Judge YOU Bunleng
Judge Siegfried BLUNK

Date: 06 June 2011

Original: English

Classification: Confidential

Order on International Co-Prosecutor's Request to place documents
from Case File 002 and other evidentiary material onto Case File 004

Co-Prosecutors

CHEA Leang
Andrew CAYLEY

ឯកសារដើម	
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL	
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception): 06 06 2011	
ម៉ោង (Time/Heure) : 15:45	
មន្ត្រីទទួលបន្ទុកសំណុំរឿង /Case File Officer/L'agent chargé du dossier: Ratanak	



We, **YOU Bunleng** (ឃុំ ប៊ុនហ្គេង) and **Siegfried BLUNK** (ស៊ីកហ្វ្រីដ ប្លង់), Co- Investigating Judges of the Extraordinary Chambers in the Courts of Cambodia (the "ECCC");

Noting the Law on the Establishment of the Extraordinary Chambers in the Courts of Cambodia, dated 27 October 2004

Noting Rules 13 (3), 13 (5), 21, 66 and 71(1) of the ECCC Rules (Rev.7) (the "Rules");

Noting the ongoing judicial investigation being conducted pursuant to the International Co-Prosecutors' Third Introductory Submission;

Noting that on 3 May 2011, pursuant to Rule 55(10), the International Co-Prosecutor's requested the Co-Investigating Judges to place documents from Case File 002 and other evidentiary material onto Case File 004

Noting that the Request has been filed in the name of the International Co-Prosecutor alone and only copied to the National Co-Prosecutor;

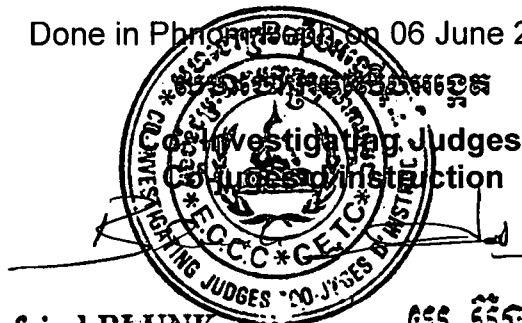
Considering that according to Rule 13, there is only one Office of Co-Prosecutors; and both Co-Prosecutors, in principle, have to take joint action in the ongoing proceedings; however, one Co-Prosecutor may, in some cases, act alone after having received delegation of power by a joint written decision pursuant to Rule 13(3) or after the Co-Prosecutors recorded a disagreement according to Rule 71 (1);

Considering that as the Co-Investigating Judges during the judicial investigations have the obligation pursuant to Rule 21 (1) to safeguard the legal certainty and transparency of the proceedings, they are obligated to ascertain whether the legal requirements of Rule 13 (3) and Rule 71 (1) were met;

THE CO-INVESTIGATING JUDGES HEREBY:

ORDER the Co-Prosecutors to disclose within two working days whether before filing the Request to place documents and other evidentiary material onto Case File 004, they made a decision of delegation of power pursuant to Rule 13 (3) or whether they recorded a disagreement pursuant to Rule 71 (1).

Done in Phnom Penh, on 06 June 2011



Dr. Siegfried BLUNK

ឃុំ ប៊ុនហ្គេង