

002/19-09-2007-ECCC/OCIJ

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

Case File No.: 002/19-09-2007-ECCC/OCIJ  
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CO-PROSECUTORS' RESPONSE TO THE CO-INVESTIGATING JUDGES  
REQUEST TO CLARIFY THE SCOPE OF THE JUDICIAL INVESTIGATION  
REQUESTED IN ITS  
INTRODUCTORY AND SUPPLEMENTARY SUBMISSION

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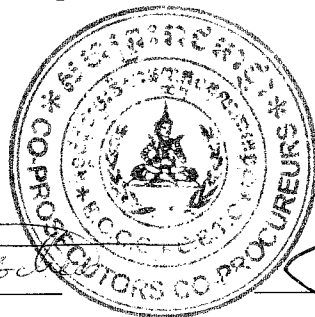
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**CLARIFICATION**

1. Pursuant to a Forwarding Order received on 11 August 2008 from the Co-Investigating Judges to clarify the scope of the judicial investigation requested in the Co-Prosecutors Introductory Submission dated 18 July 2007 (D3) and Supplementary Submission (D83) dated 26<sup>th</sup> March 2008 the following response is provided.
2. The Co-Prosecutors clarify that the judicial investigation requested is not limited to the facts specified in paragraphs 37 to 72 of the Introductory Submission and paragraphs 5 to 20 of the Supplementary Submission but extends to all facts, referred to in these two Submissions, *provided* these facts assist in investigating
  - a. the jurisdictional elements necessary to establish whether the factual situations, specified in paragraphs 37 to 72 and 5 to 20 respectively, constitute crimes within the jurisdiction of the ECCC or
  - b. the mode of liability of the Suspects named in the Introductory Submission.

Respectfully submitted



*CHEA Leang*  
CHEA Leang  
Co-Prosecutor

*William SMITH*  
William SMITH  
Deputy Co-Prosecutor

Signed in Phnom Penh, Kingdom of Cambodia, on this 13<sup>th</sup> day of August 2008.