



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា  
Extraordinary Chambers in the Courts of Cambodia  
Chambres Extraordinaires au sein des Tribunaux Cambodgiens

ការិយាល័យសហចៅក្រមស៊ើបអង្កេត  
OFFICE OF THE CO-INVESTIGATING JUDGES  
BUREAU DES CO-JUGES D'INSTRUCTION

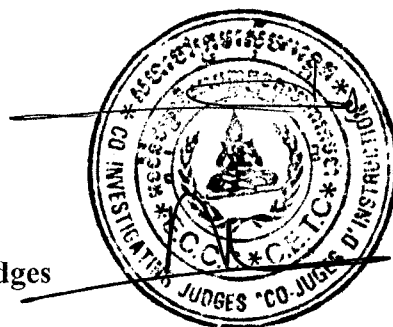
INTEROFFICE MEMORANDUM

TO: All Parties  
A:

Date: 13 January 2010

FROM: YOU Bunleng  
DE:

Marcel LEMONDE  
Co-Investigating Judges



PUBLIC

SUBJECT: NOTICE PURSUANT TO INTERNAL RULE 23 CONCERNING PLACEMENT  
OBJET: ON THE CASE FILE OF CIVIL PARTY APPLICATIONS

REF: 002/19-09-2007-ECCC-OCIJ

In accordance with Internal Rule 23(3), the Co-Investigating Judges have an obligation to notify the Co-Prosecutors and the Charged Persons of all civil party applications received, subject to the provisions relating to the protection of victims.

As the Co-Investigating Judges have previously indicated, it is their aim to conclude the investigation in the immediate future.

In accordance with Internal Rule 23(3), a Victim has until fifteen days after the Co-Investigating Judges notify the parties of the conclusion of the judicial investigation to submit an application to join as a Civil Party.

ECCC, National Road 4, Chaom Chau, Dangkeo, PO Box 71, Phnom Penh, Cambodia  
CERTIFIED COPY/COPIE CERTIFIÉE CONFORME  
ថ្ងៃ ខែ ឆ្នាំ ត្រឹមត្រូវបញ្ជាក់ (Certified Date/Date de certification):  
14 / 01 / 2010  
មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: Ratanak

ឯកសារដើម  
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL  
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception):  
14 / 01 / 2010  
ម៉ោង (Time/Heure) : 11:15  
មន្ត្រីទទួលបន្ទុកសំណុំរឿង /Case File Officer/L'agent chargé du dossier: Uch ARUN



All civil party applications and supporting documents are filed with the ECCC Victims Unit. Completed applications are then transferred by the Victims Unit to the Greffiers of the Office of the Co-Investigating Judges together with a "Victims Unit Individual Form" which contains a summary of the alleged criminal acts.

To date, the Co-Investigating Judges have received from the Victims Unit 2028 civil party applications, of which 278 have been placed on Case File 002.

Considering that there remain 1631 civil party applications which have yet to be placed on the Case File, upon the instructions from and subject to any later decision made by the Co-Investigating Judges, all the applications will be placed on the Case File progressively. Further applications may be filed by the Victims Unit, in addition to the abovementioned pending civil party applications.

The Co-Investigating Judges will make formal decisions of their admissibility on an ongoing basis - taking into account all information available up to that point as well as the submissions of any other parties -once the deadline to file civil party applications has expired and all applications have been processed, in any event by the time the Co-Investigating Judges issue the Closing Order. Admissions of all civil party applications to Case File 002 will be subject to appeal before the Pre-Trial Chamber in accordance with Article 3.8 of the Practice Direction on Victim Participation.

On 5 November 2009 the Co-Investigating Judges issued a public statement in relation to the scope of the investigation. The statement reiterated the legal requirement that *"if a victim wishes to become a civil party:*

- i. his/her alleged prejudice must be direct and personal and*
- ii. directly linked to one or more factual situations that form the basis of the ongoing judicial investigation [...] as set out in Co-prosecutors Introductory and supplementary submissions".*

