

Declassified to Public
28 November 2018

លេខ / N°: D262



ព្រះរាជាណាចក្រកម្ពុជា

ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia
Nation Religion King

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

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: 003/07-09-2009-ECCC-OCIJ

Before: The Co-Investigating Judges
Date: 18 September 2017
Language(s): English [Original]
Classification: CONFIDENTIAL

ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de recep. on): 18 / 09 / 2017
ម៉ោង (Time/Heure) : 11:40
មន្ត្រីទទួលបន្ទុកសំណុំរឿង . Case File Officer/L'agent chargé du dossier: SANN RAN

**ORDER TO PLACE DECISIONS REGARDING
DISAGREEMENTS ONTO CASE FILE 003**

Distribution:

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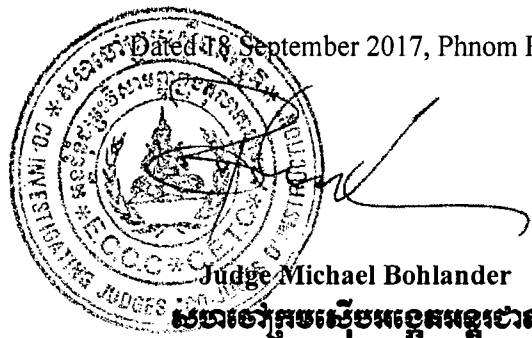
1. Disagreements between the Co-Investigating Judges (“CIJs”) in this case were registered on 7 February 2013, 22 February 2013, 17 July 2014, and 16 January 2017.
2. On 25 July 2017, the Ao An Defence filed in Case 004/2 a *Request for Clarification* in relation to the possibility of separate final submissions being filed by the Co-Prosecutors (“Request for Clarification”).¹
3. On 5 September 2017, the CIJs issued their decision on the Request for Clarification (“Clarification Decision”).²
4. On 28 August 2017, the Ao An Defence filed in Case 004/2 their *Urgent Request for Disclosure of Documents Relating to Disagreements* (“Request for Disagreements”).³
5. On 18 September 2017, the CIJs issued their decision on the Request for Disagreements (“Decision on Request for Disagreements”).⁴
6. The Clarification Decision and Decision on Request for Disagreements were also notified to the parties in Case 004 and placed onto Case File 004 as they informed the parties of the CIJs’ views generally on disagreements between the Co-Prosecutors, the confidentiality of disagreements, the issuance of separate closing orders. Similarly, I consider the decisions will be of interest to the parties in Case 003 and they will thus be placed onto Case File 003.

FOR THE FOREGOING REASONS, I:

7. **ORDER** the Greffier to place confidential copies of the Clarification Decision and the Decision on Request for Disagreements onto Case File 003.

This decision is filed in English, with a Khmer translation to follow.

Dated 18 September 2017, Phnom Penh



Judge Michael Bohlander
សមាជិកស៊ើបអង្កេតអន្តរជាតិ

**International Co-Investigating Judge
Co-juge d’instruction international**

¹ Case File No. 004/2-D353, *Request for Clarification*, 25 July 2017.
² Case File No. 004/2-D353/1, *Decision on Ao An’s Request for Clarification*, 5 September 2017.
³ Case File No. 004/2-D355, *Urgent Request for Disclosure of Documents relating to Disagreements*, 28 August 2017.
⁴ Case File No. 004/2-D355/1, *Decision on Ao An’s Urgent Request for Disclosure of Documents Relating to Disagreements*, 18 September 2017.