



ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ
Kingdom of Cambodia
Nation Religion King

អង្គជំនុំជម្រះវិសេសវិសេសសាលាដំបូងកម្ពុជា

Royaume du Cambodge
Nation Religion Roi

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

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

Before: The Co-Investigating Judges
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**NOTICE OF CONCLUSION OF JUDICIAL INVESTIGATION
AGAINST YIM TITH**

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I. PROCEDURAL HISTORY

1. On 20 November 2008, International Co-Prosecutor (“ICP”) filed the Third Introductory Submission alleging that Yim Tith is responsible for crimes within the jurisdiction of the ECCC.¹ Subsequently, the ICP filed further Supplementary Submissions alleging that Yim Tith bears criminal responsibility for further crimes.²
2. Disagreements between the Co-Investigating Judges (“CIJs”) in this case were registered on 22 February 2013, 5 April 2013, 21 October 2015, and 16 January 2017.
3. On 9 December 2015, the International CIJ charged Yim Tith with violations of Articles 501 and 506 of the 1956 Penal Code (homicide), genocide, crimes against humanity, and grave breaches of the Geneva Conventions of 1949.³ On 29 March 2017, the International CIJ issued an order amending the charges to include additional modes of liability.⁴

II. DISCUSSION

4. We consider that the judicial investigation against Yim Tith has been concluded.
5. Internal Rule 66 (1) mandates that, when the CIJs consider that an investigation has been concluded, they shall notify the parties and their lawyers. The parties shall then have 15 days to request further investigative action, although they may waive such period.
6. Internal Rule 23 *bis* (2) provides Civil Party applicants with 15 days from the notification to submit their applications.

FOR THE FOREGOING REASONS, WE:⁵

7. **NOTIFY** the parties and their lawyers that we consider that the investigation against Yim Tith has been concluded; and

¹ Case File No. 004-D1, *Co-Prosecutors' Third Introductory Submission*, 20 November 2008.

² Case File No. 004-D65, *Co-Prosecutor's Supplementary Submission Regarding Sector 1 Crime Sites and Persecution of Khmer Krom*, 18 July 2011. Case File No. 004-D191, *Co-Prosecutors' Supplementary Submission Regarding Forced Marriage and Sexual or Gender-Based Violence*, 24 April 2014; Case File No. D196/1, *Response to Forwarding Order D196* dated 23 June 2014; Case File No. 004-D272/1, *Response to Forwarding Order dated 5 November 2015 and Supplementary Submission Regarding the Scope of Investigation into Forced Marriage in Sectors 1 and 4*, 20 November 2015.

³ Case File No. 004-D281, *Written Record of Initial Appearance*, 9 December 2015.

⁴ Case File No. 004-350, *Order amending the charges against YIM Tith*, 29 March 2017; Case File No. 004-350.1, *Annex: Notification of amended charges against YIM Tith*, 29 March 2017.

⁵ While the CIJs are issuing this notice jointly, the National CIJ notes, for the record, that documents placed on Case File 004 should be numbered sequentially from the last documents placed before the resignation of Judge Siegfried Blunk, without including in the count orders and decisions issued by Reserve CIJ Laurent Kasper-Ansermet.




- 8. **INFORM** the parties that they may request further investigative action under Internal Rule 66(1) within 15 days, and that Civil Party Applications may be filed within 15 days, from the date of notification of this Notice.

Phnom Penh, Dated 13 June 2017

សហចៅក្រមស៊ើបអង្កេត

Co-Investigating Judges

Co-Juge d'instruction



YOU Bunleang Michael BOHLANDER