



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia
Chambres extraordinaires au sein des Tribunaux cambodgiens

ព្រះរាជាណាចក្រកម្ពុជា

ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia
Nation Religion King

Royaume du Cambodge
Nation Religion Roi

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**

Date: **29 December 2021**

Language(s): **Khmer & English**

Classification: **PUBLIC**



ORDER SEALING AND ARCHIVING CASE FILE 004

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1. On 28 December 2021, the SCC ruled that the case against Yim Tith was terminated. However, it did not itself formally order the case file to be sealed and archived.
2. The Request by the Defence for Yim Tith (“Request”) filed before us on 18 October 2021 to terminate the case and to seal and archive the case file is therefore partially moot, as far as the termination aspect is concerned.
3. Based on the SCC’s decision, it only remains for us to formally seal and archive the case file, according to Internal Rule 69(2)(b) *mutatis mutandis* in the case of a termination order that is not strictly speaking a dismissal in the plain meaning of Internal Rule 67(3)(a).
4. **FOR THESE REASONS**, we¹

DECLARE the Request **moot**, as far as the termination of the case was sought, and
ORDER Case File 004 to be **sealed and archived**.

Phnom Penh 29 December 2021

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Co-Investigating Judges
Co-juges d’instruction

YOU Bunleng Michael Bohlander



¹ While the CIJs are issuing this decision jointly, the NCIJ notes, for the record, that documents placed on the case file 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.