



ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ
Kingdom of Cambodia
Nation Religion King

អគ្គល់ខំប្រចាំឆ្នាំៗនៃសង្គមជាតិកម្ពុជា

Extraordinary Chambers in the
Courts of Cambodia

ក្រុមការជំនាញសង្គមជាតិ

Office of the Co-Investigating Judges
Bureau des Co-juges d'instruction

សំណើផ្លូវការបញ្ជី

Criminal Case File /Dossier pénal

លេខ/No: 002/14-08-2006

ផែនការសង្គមជាតិ/Investigation/Instruction

លេខ/No: 001/18-07-2007

ចំណាំបែកសំណើ

Separation Order

Ordonnance de disjonction

We, You Bun leng ឬ ឯុទ្ធម៌ និង Marcel Lemonde, Co-Investigating Judges of the Extraordinary Chambers in the Courts of Cambodia,

Having seen the opening of the investigating on Kaing Guek Eav កៅង កុកស៊ី alias Duch ឯច

Having seen Rules 21-4 of the Internal Rules of the Extraordinary Chambers

Having understood that certain facts among those in the Introductory Submission were committed outside the framework of S-21 and other facts were committed inside the framework of S-21 operations. The facts that were committed outside the framework of S-21 require further detailed investigations that cannot be separated from the investigation conducted on other persons named in the Introductory Submission while the facts alleged against **Duch** as the Chairman of S-21 are uncomplicated and very simple and none of these facts have been objected by the Charged Person.

Having understood that by examining the tasks that have been done previously, the investigation on the inculpatory facts against Duch inside the framework of S-21 may be completed within the next few months without having to wait for the outcome of additional investigations into other facts.

អ្នកជំនាញសង្គមជាតិកម្ពុជា នាយកដ្ឋានពិធីរោង សង្គមជាតិ ខេមចោរ ទំនួរ ឯកសារ ក្នុងព្រះរាជាណាចក្រកម្ពុជា នាគ/វ. ១ លេខ/No: 002/14-08-2006 និង លេខ/No: 001/18-07-2007

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We should have a expedited resolution of the case of **Duch** since this person has already been under temporary detention in various procedural frameworks for eight years now, as described in the Temporary Detention Order dated 31 July 2007. Furthermore, opening a public hearing in the near future is substantially important to the credibility of the Court in view of the maturity of the facts of this case.

Having understood that in the interests of a due process in the search for justice, there is a neccesity to separate the case of **Duch**.

Therefore Decide

To separate the case file of **Duch** for those facts committed inside the framework of S-**21** and announce that this section of the case file will be investigated under the Case File Number 001/18-07-2007.

To announce that other facts specified in the Introductory Submission dated 18 July 2007 and that those facts related to **Duch** or other persons mentioned in the above Introductory Submission will be investigated under the Case File Number 002/19-09-2007.

Done in Phnom Penh on 19 September 2007
Co-Investigating Judges
[Signatures]

Marcel Lemonde You Bunleng