



OFFICE OF THE CO-INVESTIGATING JUDGES (OCIJ)
Update on OCIJ activities for March 2008

The Co-Investigating Judges (CIJ) would like to provide regular updates of the progress of the investigations, in so far as is possible, to assist further understanding of their work and of the current status of proceedings before the ECCC. The following is an update therefore concerning March 2008.

1. Since the last press release of the CIJ, their work focused on the continuation of the judicial investigations in both case files (001/18-07-2007-ECCC-OCIJ and 002/19-09-2007-ECCC-OCIJ), but, in particular, on the first case file concerning S21 and the charged person Duch in order to facilitate early closure of that investigation.

Indeed, the CIJ intend to notify the parties that they have finished their investigations in the first case file in early May 2008 (this is the formal notification under Rule 66(1) of the Internal Rules). Thereafter, the CIJ will work towards issuing a formal Closing Order relating to Duch in early July 2008 on whether and, if so on what charges, to send Duch forward for trial. However, the procedures between early May and final closure in July 2008 do not depend on the CIJ, but rather on the exercise by the parties of their procedural rights. The CIJ have therefore taken certain initiatives to ensure that all parties understand the projected proceedings and timetable, and work in the same direction to maintain the objective of closure in July 2008.

On that basis, it is hoped that any trial of Duch on charges raised in the Co-Prosecutors' Initial Submissions could commence at the beginning of the last quarter of 2008.

Accordingly, during March 2008, the CIJ identified the precise investigations which remained to be carried out in the first case file in advance of the Notification foreseen for early May 2008. OCIJ Investigators have been in the field finishing interviews and other investigations and, notably, completing certain interviews following the receipt from the Co-Prosecutors of a request for further investigative acts. At the end of March 2008 Duch was interviewed for a further three days at the ECCC premises by the CIJ. Further CIJ interviews with Duch are foreseen for the coming weeks.

2. As to the remaining four charged persons on the second case file, the CIJ have conducted a full strategic review of the main investigative approaches following various outreach missions. None of these four charged persons has agreed to be interviewed on case file matters by the CIJ: the investigations are proceeding expeditiously and independently of this position of these charged persons.



The four charged persons have all received family and legal visits in March 2008 and all (except Khieu Samphan) attended various court hearings and/or interviews this last month. Their health is stable. Ieng Sary was brought to Calmette hospital for medical treatment in early March. In addition, and following orders of the CIJ for the completion of formal expert medical examinations, in early March both Ieng Sary and Noun Chea were examined in Calmette Hospital by Cambodian and foreign cardiologists.

3. As regards civil parties and further to a request by the CIJ, the Co-Prosecutors have confirmed that they are widening the scope of their investigation in the second case file to include another security centre, which allowed 3 additional civil parties to the second case file. Further applications are currently being analysed by the Victims Unit and are expected in the very near future.

4. OCIJ staff members have contributed to seminars and conferences in March 2008, in Phnom Penh and elsewhere in Cambodia. The OCIJ was particularly happy to make presentations at a conference organized by the Press Club of Cambodia in early March 2008 and is working with ECCC Public Affairs to organize a follow-up seminar (provisionally fixed for early May 2008) on press coverage of transitional justice tribunals. The CIJ are convinced that this will constitute an excellent forum for a useful exchange of views between the press and ECCC representatives.

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