



**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

**OFFICE OF THE CO-INVESTIGATING JUDGES**

**14 January 2010**

**CONCLUSION OF JUDICIAL INVESTIGATION IN  
CASE 002/19-09-2007-ECCC-OCIJ**

Today, in accordance with Rule 66(1) of the Internal Rules of the Extraordinary Chambers in the Courts of Cambodia (ECCC), the Co-Investigating Judges have notified all the parties and their lawyers that they consider that the judicial investigation in Case 002, in which charges have been laid against Ieng Sary, Ieng Thirith, Nuon Chea, Khieu Samphan and Kaing Guek Eav, has been concluded.

The judicial investigation in Case 002 was initiated by the Co-Investigating Judges following receipt of the Introductory Submission filed by the Co-Prosecutors on 18 July 2007. The scope of the investigation was subsequently expanded by Supplementary Submissions filed by the Co-Prosecutors on 26 March 2008, 30 April 2009 and 31 July 2009. In accordance with the ECCC Internal Rules, the Co-Investigating Judges can only investigate allegations of crimes set out in the Introductory and Supplementary Submissions from the Co-Prosecutors.

Today's notification marks the conclusion of two and a half years of judicial investigation into alleged crimes committed between 17 April 1975 and 6 January 1979. During the course of the investigation, tens of thousands of pages of documentary evidence have been placed on the casefile. More than 800 statements have been taken from witnesses, civil parties and charged persons, by the OCIJ judges and investigators. 53 national or international Rogatory Letters have been issued. More than 200 decisions have been rendered. More than 2000 civil party applications have been received, the admissibility of which is currently being examined and will be decided upon before the Closing Order.

The parties now have 30 days<sup>1</sup> to request further investigative action. If any of the parties request further investigative action, the Co-Investigating Judges may either carry out the requested action (in which case they must re-notify the conclusion of the investigation), or they may refuse it through the issuance of a reasoned order. A refusal may be appealed to the Pre-Trial Chamber by the requesting party within 30 days.

<sup>1</sup> In their "Order on Request for Adoption of Certain Procedural Measures" issued on 25 November 2009, the Co-Investigating Judges decided to recognize the validity of requests for further investigative action received after the expiration of the 15 day time limit prescribed in Internal Rule 66(1), as long as such requests are filed within 30 days after the Co-Investigating Judges have notified the parties of the conclusion of the investigation.

After expiry of the 30 day deadlines, or after the Pre-Trial Chamber has heard any appeals, the Co-Investigating Judges will forward the case file to the Co-Prosecutors. The Co-Prosecutors will then have 45 days to make their final submission.

After receipt of the Co-Prosecutors` final submission, the Co-Investigating Judges will issue a Closing Order. The Closing Order will be either an indictment sending the case for trial or a dismissal of the case (partially or totally). Subject to the parties` exercise of their procedural rights the Co-Investigative Judges will endeavor to issue a Closing Order in September 2010.

The notification of the conclusion of the judicial investigation has a direct impact on all persons who still wish to file an application to become a Civil Party in the Case 002. Under ECCC Internal Rule 23(3), the deadline for filing such applications with the Victims Unit is 15 days from today (that is, on Friday 29 January 2010 at 7p.m.). In this respect, the Co-Investigating Judges refer to their preceding Press Release dated 5 November 2009:

[http://www.eccc.gov.kh/english/cabinet/press/138/ECCC\\_Press\\_Release\\_5\\_Nov\\_2009\\_Eng.pdf](http://www.eccc.gov.kh/english/cabinet/press/138/ECCC_Press_Release_5_Nov_2009_Eng.pdf)