

STEPS FOLLOWING CLOSE OF INVESTIGATION

In accordance with ECCC Law, Agreement and Internal Rules within the framework of the Civil Law system, the Extraordinary Chambers in the Courts of Cambodia follows the steps listed below after the notification of conclusion of investigation by the Co-Investigating Judges, as recently done in Case 003.

1. Notification of Conclusion

When the Co-Investigating Judges decide that they have enough evidence, they **notify that they have concluded the investigation.**

(Rule 66.1)

2. Request for Further Investigation

The Parties (for example the Co-Prosecutors) have 15 days to **request the Co - Investigating Judges to carry out further investigations** (such as interviewing more witnesses, visiting crime sites).

(Rule 66.1)

3. Further Investigation or Reasoned Order

Upon a valid request, the Co-Investigating Judges can either carry out further investigations, or else explain why they think that they already have enough evidence. The explanation is given in an **Order.**

(Rule 66.2)

4. Appeal to the Pre-Trial Chamber

If the Parties do not agree with the Co-Investigating Judges' Order, they can **appeal the Order** to the Pre-Trial Chamber within 30 days.

(Rule 66.3)

5. Return of Case File

After any additional investigations have been carried out (or any appeals have been decided by the Pre-Trial Chamber), the Co-Investigating Judges **send the case file** (including the evidence) **to the Co - Prosecutors.**

(Rule 66.4)

6. Final Submission

The Co-Prosecutors review the evidence and can suggest **within 3 months** (if a suspect is not in detention) whether the Charged Person(s) should be indicted or the case be dismissed. This suggestion is called the **Final Submission.**

The Co-Investigating Judges do not have to follow the suggestion.

(Rules 66.5)

7. Closing Order

The Co-Investigating Judges issue a reasoned **Closing Order** either indicting the Charged Person(s) or dismissing the case.

(Rule 67.1)

8. Appeal to the Pre-Trial Chamber

The Closing Order is open to **Appeal**.

(Rule 67.5)