



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា
Extraordinary Chambers in the Courts of Cambodia
Chambres Extraordinaires au sein des Tribunaux Cambodgiens

**OFFICE OF THE CO-INVESTIGATING JUDGES
BUREAU DES CO-JUGES D'INSTRUCTION**

TO: **IENG Sary Defence Team**
A: ANG Udom
Michael G. KARNAVAS

Date: 31 August 2009

FROM: **YOU Bunleng**
DE:

Marcel LEMONDE
Co-Investigating Judges

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DOCUMENT RECEIVED/DOCUMENT REÇU	
ថ្ងៃ ខែ ឆ្នាំ (Date of receipt/Date de reception):	
..... 01 / 09 / 2009	
ម៉ោង (Time/heure):	
..... 15:50	
មន្ត្រីទទួលបន្ទុកករណី/Case File Officer/L'agent chargé du dossier:	
..... SAMN RADA	

CONFIDENTIAL

SUBJECT: **YOUR SECOND REQUEST FOR INVESTIGATIVE ACTION**
OBJET:

REF: 002/19-09-2007-ECCC-OCIJ - D160

In your Request dated 2 April 2009, you requested the Co-investigating Judges to “conduct a full investigation of the aims and purposes of the KPRP, KRP (sic) and CPK since their creation up until the end of Democratic Kampuchea”¹. In support of your request, you affirm *inter alia* that the “hardships suffered by the Cambodian people during the period of Democratic Kampuchea did not reflect a continuous central policy of the CPK”².

We note that, in the Introductory Submission the Co-Prosecutors requested us to investigate the aims and purposes of the KPRP, WPK and CPK in the judicial investigation into Case File 002/19-09-2007. Accordingly, we have been investigating, and will continue to investigate, these issues insofar as they are conducive to ascertaining

¹ D160 Second Request for investigative action, 2 April 2009, 00302361-00302370, p.9.
² D160 Second Request for investigative action, 2 April 2009, 00302361-00302370, p.2



ឯកសារច្បាប់ត្រឹមត្រូវតាមច្បាប់	
CERTIFIED COPY/COPIE CERTIFIÉE CONFORME	
ថ្ងៃ ខែ ឆ្នាំ បញ្ជាក់ (Certified Date/Date de certification):	
..... 01 / 09 / 2009	
មន្ត្រីទទួលបន្ទុកករណី/Case File Officer/L'agent chargé du dossier:	
..... SAMN RADA	

~~1058/ No: D160/2~~

the truth concerning any crimes which may have been committed during the Democratic Kampuchea regime or the individual criminal responsibility of the Charged Persons.

We take note of the material included in your Request, which has been placed on the case file. Of course, our acceptance of this Request does not imply adoption of the arguments contained therein, since a full legal analysis of the significance of this issue cannot be completed before the end of the judicial investigation.

If the Defence becomes aware of any further evidence or potential witnesses it wishes to bring to our attention, or documents it has reason to believe contain exculpatory elements with respect to the aims and purposes of the KPRP, the WPK and the CPK, it is entitled to inform us accordingly.

Finally, as this response and the related request relate to ongoing investigative action, we have decided to maintain their confidential status.

